

# Consultation Template Submission Form

**COMPLETE**

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## Page 1: Planning and Design Code for South Australia

**Q1** Which part of the Planning and Design Code would you like to make a submission about?(Please click the circle to select which part of the Code you wish to comment on. You can also see which council areas are included in the rural and urban code via the links below.)

**My submission relates to Rural code. (click here for council areas)**

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## Page 2: Planning and Design Code for South Australia Personal Details

**Q2** Please provide your contact details below (Name, Postcode & Email are mandatory) Please be advised that your submission will be made publicly available on the SA Planning Portal.

Name	Stewart Payne
Address	PO Box 368
Your Council Area	Roxby Downs
Suburbs/Town	[REDACTED]
State	SA
Postcode	5600
Country	Australia
Email Address	[REDACTED]

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## Page 3: Planning and Design Code for South Australia

**Q3** Which sector do you associate yourself with? **Local Government**

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## Page 4: Planning and Design Code for South Australia

**Q4** Please upload your PDF template for submission here (pdf only)

**Roxby Downs - Submission P and D Code Phase 2 November 5 2019.pdf (693.6KB)**

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## Page 5: Planning and Design Code for South Australia

## Consultation Template Submission Form

**Q5** Please enter your general feedback here

**Respondent skipped this question**

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Roxby Downs Transition Table with Comments

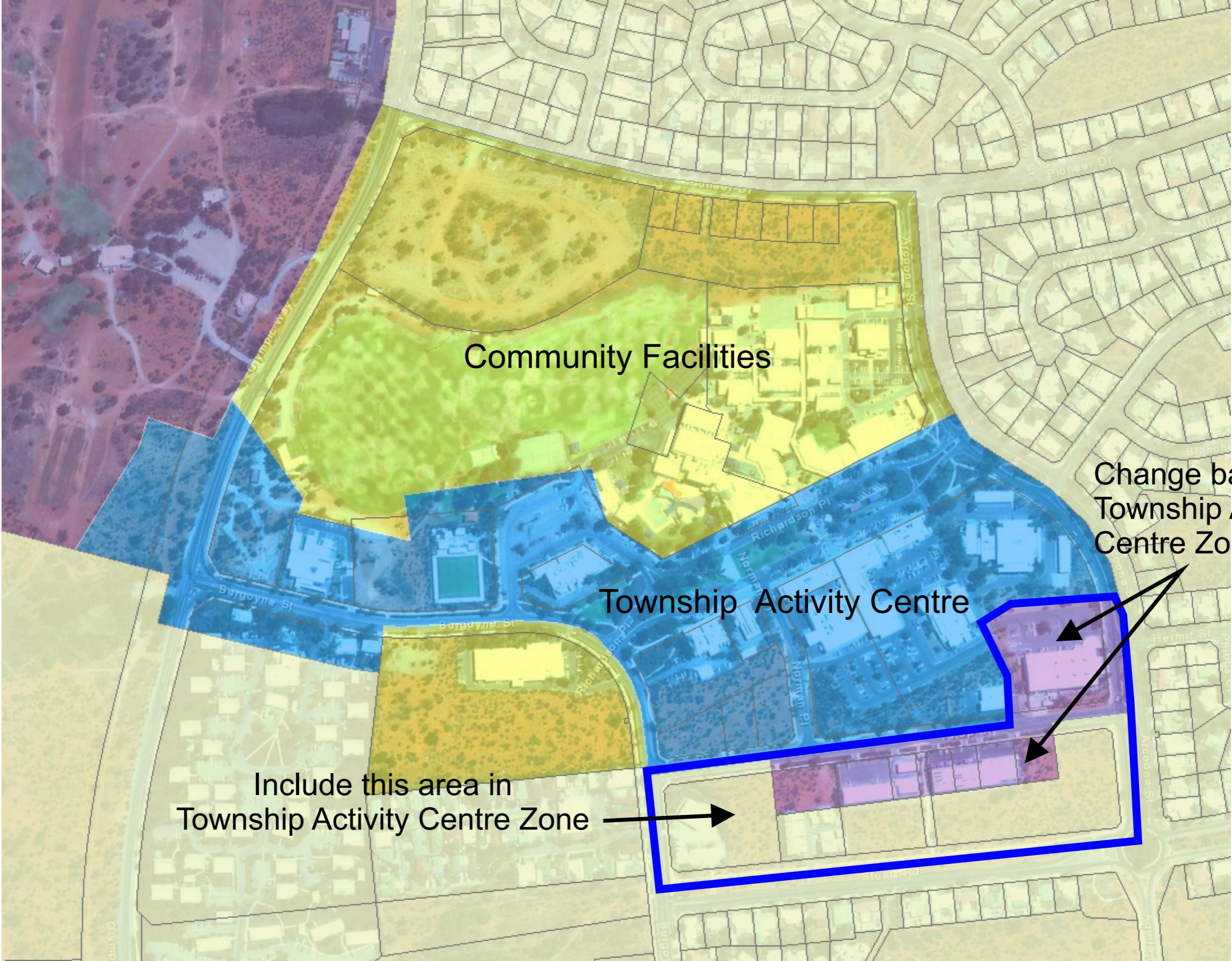
Current Development Plan Zone	Current Development Plan Policy Area	Planning & Design Code Zone	Planning & Design Code Subzone	Key Relevant Overlays	Technical and Numeric Variations	Comments
				Native vegetation		<p>As with all areas of the state outside Metro Adelaide, all Accepted Development is subject to the Native veg overlay. This effectively removes any development from the Accepted class except internal modifications, Solar PVs and demolition.</p> <p>Thus all development in rural areas is “Deemed to Satisfy” or “Performance Assessed”. Generally all Deemed to Satisfy devt requires compliance with Native Veg overlay DTS 1.1 DTS 1.1 requires a declaration from the applicant stating proposal will not involve clearance of native veg or that clearance is subject to exemptions.</p> <p>Otherwise a report under Reg 18(2)(a) ie native veg clearance report prepared by an approved person must be provided</p> <p>Performance assessed devt calls up all NV overlay provisions for assessment. In particular PO 1.1 and 1.2.</p> <p>PO 1.1 allows Council to determine if devt avoids or results in only minimal NV clearance. In the majority of cases, this would apply in RD.</p> <p>However where NV is present Council must determine the impact. PO 1.2 refers to types of vegetation to be cleared but is poorly worded and difficult to interpret. Generally would be outside the expertise of a Council planner doing assessment to make these determinations.</p> <p>Comment: Where NV clearance would occur due to devt, the onus for requiring compliance with NV legislation now rests with local councils as it is linked to the DA process. Previously, approval for clearance was a separate process.</p> <p>The matter of there being no Accepted Development class within non-metro areas is perhaps an unintended consequence of the blanket application of the NV overlay.</p> <p>It would be preferable to exclude towns and zoned urban areas from the NV overlay or otherwise revise the wording to remove the blanket application of the NV overlay.</p>
				Bushfire Regional		<p>The majority of the Council area, apart from some internal residential areas. Would likely not apply to very much development at Roxby Downs. Overlay intends to provide suitable access to firefighting vehicles and to locate building to minimise threat of bushfires.</p> <p>Affects Caravan and Tourist Park Zone, Conservation Zone, Employment Zone, Infrastructure Zone, Residential Park Zone, Suburban Employment Zone, Suburban Neighbourhood Zone.</p> <p>Does not affect Town Activity Centre or Community Facilities Zone</p>
					Maximum Building Height and Maximum stories	<p>Residential Zone has a building height limit of 9m and 2 stories. 9m currently mentioned in Principle 9 for Res Zone. No current policy restricting buildings to 2 storeys</p>
				Aircraft landing areas overlay		<p>Impacts Olympic Dam area. Imposes a building height restriction. Building height x30 should be greater than the distance to the runway centreline. May affect future telecommunications towers in this area. Appears an arbitrary restriction as it doesn't relate to approach lines to runways and instead is circular. Rationale?</p>
Buffer		Conservation		Native vegetation Bushfire Regional		<p>Conservation Zone to replace existing Buffer Zone and Rural Landscape Zone</p> <p>Buffer Zone was set up to implement provisions of the Indenture Ratification Act and did not allow for any development except for public toilets and shelters. Use is restricted to passive recreation only. The Conservation Zone has a similar intent to the Buffer Zone but allows for more uses. There is a list of accepted development (none of which applies due to being</p>

					affected by the Native Vegetation overlay), some Deemed to Satisfy uses including advertisement, demolition, minor land division, plus others not relevant to Roxby Downs. All other development is Code Assessed. While the list of possible uses is greater, given the Restricted Development list is much shorter, there is ample means of control of undesirable development in the zone. The zone is considered an appropriate replacement for the Buffer Zone.
Caravan and Tourist Park		Caravan and Tourist Park		Native vegetation Bushfire Regional	Similar to current policy. There are fewer items in the Restricted Devt list in comparison with current policy. Therefore, the current use of the land for horse keeping (Pony Club) is no longer restricted.
Commercial		Suburban Employment		Native vegetation Bushfire Regional	This zone applies to an area of land created on the eastern boundary of the Council area to accommodate a service station and restaurant. This land is unlikely to be developed for this purpose. Proposed amendment in the zoning would allow for the intended use to proceed.
Deferred Urban		Deferred Urban		Native vegetation	No issues with this zone. Similar to the current one.
Industry		Employment		Native vegetation Bushfire Regional	Covers the OD Industry Zone – Charlton Road and some land on eastern side of Olympic Way. Currently a range of Devt is Complying/Cat 1. Including Construction Camp and Aerodrome General and Light Industry. These can be approved subject to compliance with complying conditions which are minimal. Under the new zone only the three uses are in the deemed to satisfy list advertisement, consulting room and office All other development is performance assessed. Under the new system, Aerodrome and Construction Camp are performance assessed devt and require notification rather than complying – so additional complexity and time required to assess. Appears to be an error in the Restricted Devt list which includes Industry with the Exception of Special Industry. DTS 5.2 requires landscaping to cover 10% of the site with a dimension of 1.5m This would be difficult to achieve in OD/RD. Need not be applied as PO 5.2 speaks more generally about landscaping.
Light Industry		Suburban Employment		Native vegetation Bushfire Regional	This zone cover the current Roxby Downs Light Industry Area Currently, Complying/Cat 1 development includes Light industry Motor repair station Plant nursery Public service depot Service industry Service trade premise Store Warehouse There are a number of conditions which apply to complying development. Under the new zone, the majority of the uses are performance assessed per the Employment Zone above All other development is performance assessed requiring more onerous assessment procedures for small scale development. No forms of development are listed as requiring notification. There is a reference to an exception but this has not been filled in (Possible error?) This is different to Employment Zone above. Currently, Roxby Downs Light Industry Zone allows for a Waste processing facility. This is Restricted Development under the new policy.

						Wrecking Yard, shop over 1000m2 and Industry are also restricted uses. Currently a shop over 100m2 is non-complying along with a long list of other uses. New policy allows for shops up to 1000m2. This has potential to impact the Town Centre.
Residential		Suburban Neighbourhood		Native vegetation Bushfire Regional	Building height (metres) Building Height (storeys) Frontage Minimum Lot Size Minimum	<p>Note that no Accepted Devt apply due to NV overlay. All development becomes Deemed to Satisfy or Performance Assessed.</p> <p>Note that it is tedious to attempt to find how the new system is different from the old in terms of assessment as the current arrangement of zone policies, overlays, general requirements and numerical and technical variations all must be referenced.</p> <p>As a general observation, development generally is subject to a much expanded range of assessment criteria.</p> <p>In regard to the assessment of a dwelling in the Roxby Downs suburban neighbourhood zone, the following additional criteria will have to be satisfied:</p> <p>Site coverage less than 50% (currently 70% - in RD additional shaded living areas are required and change to 50% is unworkable)</p> <p>Connection to water, sewer systems or standalone – rainwater storage: not practical to allow for standalone water storage in RD</p> <p>Windows of 2m2 facing street.</p> <p>Habitable room facing the street</p> <p>Area of site to be landscaped</p> <p>Trees, number and size per dwelling - these are impractical for RD as tall trees are not endemic to the area</p> <p>Rainwater tank required to collect runoff from 60% of roof to service toilet and laundry. Not appropriate or practical in a low rainfall area</p> <p>Carparking space dimensions</p> <p>Development should not impair solar access to adjoining dwellings as at 21 June</p> <p>Development should not impair solar access to outdoor open space – need shading plans to determine these things</p> <p>Area for bins and pathway to bins – very fine detail of individual lot design required here.</p> <p>Site contamination issues – no change of land use or land use change is less sensitive.</p> <p>Otherwise an environmental audit is required. This is a massive overkill and impractical to try to enforce – yet it is a deemed to satisfy criteria.</p> <p>In all there are approx. 30 different deemed to satisfy criteria for assessing a dwelling in a residential zone. Many additions relate to non-planning matters.</p> <p>Generally, it would appear that meeting all the various DTS criteria will leave many people giving up on the process. Councils will then have to assess in accordance with performance assessment criteria. (Which are just as numerous and onerous)</p> <p>Specific to RD: Currently there is a provision to limit swimming pool size to 40,000 litres This has not been carried over.</p> <p>There is no recognition of the likelihood of workers accommodation facilities in the Res Zone. This would become performance assessed devt. subject to notification.</p> <p>Errors: In reading through the tables and referring back to general development guidelines there were a number of incorrect heading references and reference to missing DTS's</p>
Rural Landscape		Conservation		Native vegetation Bushfire Regional		See comments re Buffer Zone. The Zone is an appropriate replace for the Rural Landscape Zone.
Special Living		Residential Park		Native vegetation Bushfire		This zone does not allow for workers accommodation/construction camps and is not the correct zone designation to replace the existing zone. Doesn't appear to any zone in the Code

				Regional		which could replace the current zone and none allow for workers accommodation as a primary function. May need a subzone designation.
Special Use		Infrastructure		Native vegetation Bushfire Regional		Proposed infrastructure Zone incorporates waste processing facility and wastewater treatment works. Also includes the golf course and motor sport venues north of Opal Road. All development is performance assessed and subject to notification. No restricted devt categories. The Desired Outcomes and Performance Outcomes do not recognise existing uses which cover over half the occupied area of the zone. May be a case for dividing this zone into Recreation and Infrastructure Zone. No allowance for infrastructure corridor.
						Comments re Town Centre Zone Currently, the TC is divided into a number of policy areas listed in the column opposite. The transition will result in the existing Business, Retail Core and Tourist Accommodation becoming a Township Activity Centre Zone. Community and Education Policy Areas become part of a Community Facility Zone. These changes are reasonable and reflect the existing intent of the policy areas. The two remaining policy areas have been wrongly assigned. Medium Density Res has gone to Suburban Neighbourhood (ie a residential zone) Retail Showroom has gone to a Suburban Employment Zone (ie industry) The Retail Showroom policy area is developed as an overflow shopping precinct. It should become Township Activity Centre Zone rather than an employment zone. While the Medium Density Res policy area is designated for dwellings and flat buildings, the land has not developed as such. It has always been part of a town centre (District Business) zone prior to the amendment which created policy areas in 2011. To provide area for further expansion to the Town Centre, it is more appropriate for this area to be zoned Township Activity Centre. There is still a provision for dwellings and residential flat buildings within the TAC Zone. Re Community Zone – most development is performance assessed. No restricted devt. Most subject to notification.
Town Centre	Business	Township Activity Centre		Native vegetation		See comments above
Town Centre	Community	Community Facilities		Native vegetation		See comments above – Area designated is suitable
Town Centre	Education	Community Facilities		Native vegetation		Suitable zone amendment.
Town Centre	Medium Density Residential	Suburban Neighbourhood		Native vegetation Bushfire Regional		Change to Town Activity Centre – see above
Town Centre	Retail Core	Township Activity Centre		“		Suitable
Town Centre	Retail Showroom	Suburban Employment		“		Change to Town Activity Centre Zone – See above
Town Centre	Tourist Accommodation	Township Activity Centre		“		Suitable.

Amendments to zoning within town centre area.



Community Facilities

Change back to Township Activity Centre Zone

Township Activity Centre

Include this area in Township Activity Centre Zone