NOTICE OF MEETING

Notice is hereby given that a meeting of the Strategic Planning and Development Policy Committee will be held in the

Council Chamber, Glenelg Town Hall
Moseley Square, Glenelg

Tuesday 20 January 2015

Justin Lynch
CHIEF EXECUTIVE OFFICER
Strategic Planning and Development Policy Committee Agenda

1. OPENING

The Chairman, Mayor Patterson will declare the meeting open at __________ pm.

2. APOLOGIES

2.1 Apologies received

2.2 Absent

3. DECLARATION OF INTEREST

If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Committee they are asked to disclose the interest to the Committee and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

That the minutes of the Strategic Planning and Development Policy Committee held on 12 August 2014 be taken as read and confirmed.

Moved Councillor ______________, Seconded Councillor ____________ Carried

5. PUBLIC PRESENTATIONS

5.1 Deputations - Nil

6. QUESTIONS BY MEMBERS

6.1 Without Notice

6.2 With Notice - Nil

7. MOTIONS ON NOTICE - Nil

8. ADJOURNED ITEMS - Nil

9. REPORTS BY OFFICERS

9.1 Ministerial Minda Brighton Campus and General Section Amendments Development Plan Amendment for Consultation (Report No: 10/15)
10. URGENT BUSINESS – Subject to the Leave of the Meeting

11. DATE AND TIME OF NEXT MEETING

12. CLOSURE

JUSTIN LYNCH
CHIEF EXECUTIVE OFFICER
SUMMARY

On 27 November 2014, the Minister for Planning released the draft Minda Brighton Campus and General Section Amendments Development Plan Amendment (DPA) for consultation until 12 February 2015.

While Council was initially requested to provide a response on the DPA by 21 January 2015 in accordance with statutory requirements, the Minister has granted an extension to Council for a response by 12 February 2015 in accordance with the closing date for public submissions.

The purpose of this report is to present a review of the DPA and an initial draft response to the Minister’s appointed Development Policy Advisory Committee for Council’s consideration. Council can then refine the response for final endorsement on 10 February 2015 to meet the Minister’s deadline.

RECOMMENDATION

That the Committee recommends that:

1. Council notes the outcomes from the review of the draft Minda Brighton Campus and General Section Amendments Development Plan Amendment (by the Minister) as identified in Report Number 10/15 and draft response to the Minister located at Attachment 1 to this report

2. Elected Members provide any further comments on the draft Minda Brighton Campus and General Section Amendments Development Plan Amendment (by the Minister) to Administration by 30 January 2015 to enable comments to be incorporated in the draft response for Council’s final consideration on 10 February 2015.
COMMUNITY PLAN

A Place that is Well Planned  
A Place that Provides Choices and Enhances Life

COUNCIL POLICY

In relation to development on the Minda site, Council’s current policy position is contained in the Holdfast Bay Council Development Plan.

Council’s last Strategic Directions Report, which was endorsed by Council 11 September 2012, identified preparation of a DPA for the Minda site as a priority.

STATUTORY PROVISIONS

The Minister has released the DPA for public and council consultation in accordance with section 26(5a) (DPA Process B) of the Development Act 1993. Process B requires the Minister to refer the DPA to Government Departments or Agencies and the Council for comment within a period of 8 weeks, and release the DPA for public consultation for at least 8 weeks.

Given that the consultation period included the Christmas and New Year holiday period, the Minister extended public consultation until 12 February 2015 (approximately 11 weeks).

While Council was initially requested to provide response on the Minister’s DPA by 21 January 2015 in accordance with section 26(5a)(a) of the Development Act, the Minister has agreed to extend the time required for Council to make a submission to 12 February 2015, which is commensurate with the closing date for public submissions.

A public meeting on the DPA will be held on 3 March 2015 in accordance with section 26(5c)(b) of the Development Act to enable members of the public to make verbal representations to the Minister’s appointed Development Policy Advisory Committee (DPAC). This meeting will be held at Verco Hall in the Minda Brighton Campus.

BACKGROUND

On 27 November 2014, the Minister for Planning released the draft Minda Brighton Campus and General Section Amendments DPA for consultation until 12 February 2015.

The DPA is intended to facilitate the redevelopment of the Minda Brighton Campus to enable multi-storey residential development plus small scale commercial activity to serve residents on the site and the local community in accordance with Minda’s Master Plan and long term vision for the Campus.

While Council had previously initiated a DPA process to investigate planning policy changes that may support Minda’s Master Plan, the Minister lapsed Council’s DPA on 16 September 2014 as
Council was unable to release the DPA for consultation within the timeframes agreed with the Minister. This was due, in part, to Council having to re-tender for an independent consultant following a merger between Council’s previously contracted consultant and Minda’s lead consultant, and that Council was about to enter its pre-election caretaker period.

A briefing on the Minister’s draft DPA was provided to Elected Members on 2 December 2014, shortly after its public release. This was followed by an Item in Brief to Council on 9 December 2014, which outlined a proposed process for Council to make a submission on the DPA.

An open day was also held by the Government on 13 December 2014 at the Minda campus and is understood to have attracted at least 60 people from the community.

REPORT

The draft Ministerial Minda Brighton Campus and General Section Amendments DPA has been made available for viewing on the Government’s website at www.sa.gov.au/planning/ministerialdpas. Copies of the draft DPA can be made available to members on CD ROM upon request.

Proposed policy changes

The DPA broadly proposes to amend policies within the Holdfast Bay Council Development Plan relating to the Minda Brighton Campus site to facilitate its redevelopment and enable multi-storey residential development plus small scale commercial activity, generally in accordance with Minda’s Master Plan and long term vision.

Key changes proposed by the DPA include:

- Introducing a new Desired Character statement in the existing Institution Policy Area of the Residential Zone that specifically relates to the Minda campus. This statement supports the development of the site for medium density supported accommodation and retirement apartments, along with a range of small scale non-residential land uses including offices, consulting rooms and shops
- Replacing current requirements for minimum allotment sizes for certain dwellings with an overall target density for the site in the range of 35-60 dwellings per hectare net (‘net’ density generally excludes roads, open spaces, heritage buildings, site curtilage, etc)
- Allowing multi-storey development of up to nine storeys on the site. This includes making residential, commercial and mixed use buildings up to 9 storeys Category 1 development (no public notification) where specific setback requirements are met to the northern and southern site boundaries adjacent other residential areas. Where this setback criteria is not met, such proposals will generally default to Category 2 development (adjoining land owners notified but no third-party appeal rights)
- Introducing policy to reduce the massing of buildings (particularly where located adjacent to the northern and southern boundaries at the interface with adjoining
residential development), encourage spacing between buildings and avoid their location in significant open space areas

- Applying the same off-street car parking requirements to the Minda site as currently applies within Medium Density Policy Area 5 with regard to group dwellings and residential flat buildings
- Introducing a new Concept Plan Map HoB/6 for the site that identifies areas to be set aside as open space. This includes the area proposed to accommodate the Minda wetland, spaces around heritage buildings, future links to the Coast Park shared pathway and the undeveloped portion of secondary dune
- Removing non-complying triggers for advertising, shops, offices and consulting rooms as they apply to the Minda campus site.

In addition to the above, while the DPA primarily seeks to amend policies applying to the Minda Brighton Campus site, it also proposes a number of consequential amendments and adjustments to the General policies in the Development Plan. Importantly, these policies will apply across the whole Council area and are not limited to the Minda site.

**Key Issues**

Staff have extensively reviewed the DPA and identified a number of matters, which have been included in a draft submission of the DPA to the Minister’s appointed Development Policy Advisory Committee. The draft submission is located at Attachment 1 for Members’ consideration.

*Refer Attachment 1*

Importantly, while it is understood that implementation of the Master Plan and long term vision is based on Minda’s financial model to secure their operations into the future, Council has not been privy to this model and is therefore unable to measure the financial and economic impacts of any changes to Minda’s plans. The draft response to the DPA has therefore been based on the planning merits of the proposed policy approach contained in the draft DPA in the context of Minda’s long term vision for the site.

Broadly, the policy approach proposed in the DPA is considered to be overly flexible and the nature and scale of development envisaged in the policies is not clearly justified in the DPA investigations. Indeed, the future development outcome for the site under the DPA could be quite different to proposals under Minda’s Master Plan and long term vision. Further, the DPA does not give evidence of other building typologies or options that could meet Minda’s future operational requirements or which meet objectives for compatibility with the coastal environment and surrounding areas.

Specific issues are summarised under key headings below.
Format and Structure

The DPA proposes to incorporate new policies and a Desired Character statement applying specifically to the Minda site within the broader Institution Policy Area 4 of the Residential Zone. This approach has created a number of exceptions to policies applying within the broader Policy Area, which is not ideal in a policy sense.

While it is recognised that the site should remain with the broader Institution Policy Area, the unique circumstances applying to the Minda site warrant its inclusion within a defined ‘Precinct’ within the wider Policy Area. This would better define the site, provide greater clarity regarding development expectations, and more strongly recognise the range of planning issues to be considered in assessing future development applications. Inclusion of the site within a defined Precinct could also simplify future rating.

General Section Amendments

While the DPA is proposed to affect the Minda Brighton Campus site, a number of changes are proposed to the General section of the Development Plan. As identified above, these policies apply across the whole city, not just the area affected by the DPA.

The main amendments proposed to the General section include:

- Introduction of a new policy module titled *Medium and High Rise Development (3 or More Storeys)* to provide further policy guidance for medium and high rise development for the Minda site and wider city
- A number of updates to the General Design and Appearance, Residential Development, Heritage Places and Transport and Access policies to align with the version 6 of the State’s Planning Policy Library (the current Holdfast Bay Council Development Plan policies are based on version 5 of the Library). These updates broadly include introduction of new policies, wording amendments to some existing policies, transferring a number of policies from one section to another, or deletion of policies in some instances.

A detailed analysis and technical review of the proposed General section amendments is summarised in a table within Appendix A in the draft submission located at Attachment 1 for Members’ reference. This includes comments and recommendations in relation to individual proposed amendments.

Refer Appendix A in Attachment 1

Broadly, however, the proposed rearrangement of policies coupled with proposed deletions and new wording will impact on the application and intent of policies in a number of circumstances. Further, the proposed policy framework does not fully reflect version 6 of the South Australian Planning Policy Library, which will result in a ‘hybrid’ approach that could be problematic for future proposed Amendments to the Development Plan.
Land Uses

While the Institution Policy Area currently allows for non-residential developments such as shops and offices in appropriate locations, limitations are included in the non-complying list in terms of both floor area caps and/or requirements for such uses to be associated with an Institution. This use of floor area caps as a non-complying trigger has remained in the Development Plan to ensure that non-residential land uses contemplated within the Policy Area remain ‘smaller scale’, which is consistent with development specifically envisaged in the Residential Zone and commentary in the proposed Desired Character statement for the Minda campus in the DPA.

Notwithstanding this, however, the DPA is proposing to remove non-complying triggers applying to the Minda site for non-residential uses such as shops, offices and consulting rooms. This includes removing corresponding floor area caps without any clear justification or analysis in the DPA for this approach. While this approach is inconsistent with the remainder of the Institution Policy Area, it is also inconsistent with other zones in the Development Plan that specifically envisage these uses, such as the Commercial Zone.

In addition to the above, while it is acknowledged that Minda is seeking to develop the campus for retirement living to complement its core operations, the DPA does not propose to include ‘retirement village’ as an envisaged use. This terminology should be introduced to provide greater clarity for determining the nature of future development, particularly in light of recent Case Law regarding the definition of these uses. Use of this terminology would also better align with other policy expectations such as off-street car parking, which is discussed further below.

Building Heights, Density and Terminology

The DPA investigations and proposed policy framework refer to the site being developed for ‘low to medium rise’ buildings, yet the DPA proposes to accommodate construction of buildings up to 9 storeys on the site. Setting aside the appropriateness of taller buildings on the site, this terminology may be misleading in the South Australian context and does not appropriately clarify the nature and scale of development envisaged for the site. Further, this terminology does not align with recent guidelines issued by the State Government for designing housing and liveable neighbourhoods, which suggests that residential buildings or towers over four (4) storeys constitutes high rise development. The DPA policies should therefore be amended to clarify that low, medium and high rise buildings forms are contemplated for the site.

In addition, policies in the DPA relating to building heights should also refer to a corresponding height ‘in metres’ above natural ground level to provide greater clarification and be consistent with other locations within the Holdfast Bay Council Development Plan, such as the Residential High Density Zone.

The DPA proposes a ‘building envelope’ approach to minimise impacts of taller buildings on low rise residential development adjacent the northern and southern campus boundaries. Notably, the 30 degree angle proposed in the DPA correlates with the sun’s angle at the winter solstice and, coupled with the 3 metre vertical height projection at the site boundaries, should ensure
that properties along the southern boundary interface will not be unreasonably overshadowed. However, application of this approach in the DPA has been limited to mitigating impacts to the northern and southern property boundaries and therefore fails to address appropriate setback requirements to the eastern King George Avenue boundary (for buildings above 3 storeys) or the western boundary of the site adjacent the sensitive coastal dunes.

With regard to density, the DPA is also proposing to remove requirements to apply a minimum site area for dwellings within the Minda site and instead rely on an overall target density requirement for the site in the range of 35-60 dwellings per hectare net, which has been included in the proposed Desired Character statement. Reliance on a broad density requirement could result in development of smaller dwellings/apartments (eg. studios) within the site, which are not considered appropriate in sites with limited access to transit and are likely to increase demands for off-street car parking. While it is acknowledged that applying a minimum or average site area dwelling can be problematic within large institutional sites such as Minda, it is recommended that a minimum dwelling size be applied within the site to ensure appropriate dwelling types are developed within the area affected by the DPA that recognise its limited access to transit.

In addition to the above, the formula and approach applied in the DPA to determine an appropriate density range and overall site capacity is considered arbitrary and does not appear to recognise the comprehensive planning approach and infrastructure capacity modelling applied to the site under the Master Planning process or the Stormwater Management Plan process undertaken jointly with the City of Marion.

Design Review

While the DPA investigations identify that the Office of Design and Architecture SA has been consulted and contributed towards proposed policy and urban design considerations for the site, the extent and outcomes of the design review process have not been further discussed in the DPA. Notably, the design review report issued by the Government’s former Integrated Design Commission (IDC) identified a number of matters for further consideration which have not been identified in the DPA. This included consideration of climate adaptation, the relationship of proposed development with all adjacent land uses and facilities, further work around the massing of buildings and relationship with the coastal dunes, and engagement and recognition of Aboriginal culture through design.

Importantly, the Review Panel also considered that the proposed connections through the site and future village centre were convoluted and in need of refinement, yet the Concept Plan in the DPA generally reflects connections proposed in the Minda Master Plan.

Visual Impact

Council engaged GHD to undertake a visual impact assessment of development anticipated under Minda’s Master Plan and long term vision as part of the former Council-led DPA process. This included a number of photo montages of currently public accessible pedestrian level views
to demonstrate the visual impact that proposed future development may have on coastal and residential areas surrounding the site.

While it is noted that the images depicted in the Visual Assessment report are indicative only, they are intended to portray a sense of the bulk, scale and materiality of the apartment buildings proposed in Minda’s long term vision plans and therefore provide an important reference in formulating an appropriate policy response, particularly in relation to compatibility of higher rise buildings with the sensitive coastal environment.

Unfortunately, however, while this report was provided to officers from the Department of Planning, Transport and Infrastructure (DPTI) as a key reference toward developing a proposed policy response, it has not been referred to in the DPA and was not included in the suite of background and supporting documents publicly available on the SA Government website. A copy of the report is therefore proposed to be provided to the DPAC as part of the draft submission on the DPA located at Attachment 1.

Refer Appendix B in Attachment 1

Airport Operations

The Minda site is affected by airport height limits and is located within Zone D, where a referral is required for structures that exceed 45 metres above ground level. It is noted that the proposed policy framework could allow for construction of a building(s) exceeding this height based on application of the proposed 30 degree building envelope. While the appropriate triggers will remain in place in the Development Plan to ensure a referral to the relevant Federal Government body for ‘direction’, reference should be made to potential impacts on airport operations in the DPA given the proposed policies will theoretically allow this height to be exceeded.

It is noted that neither Adelaide Airport Limited (AAL) or the Commonwealth Department of Infrastructure and Regional Development have been included in the list of organisations to be consulted on the DPA, but are considered to have a direct interest in the DPA. Council staff have therefore referred the DPA to AAL for consideration.

Affordable Housing

While the Development Plan generally requires a minimum of 15 percent affordable housing to be provided developments of 20 or more dwellings, Minda Incorporated is a specialist provider of high needs disabled residential case and the campus is uniquely placed to deliver new and improved residential accommodation options for its residents to provide a higher standard of care than is permitted in current outdated accommodation. The allocation of disabled care accommodation is undertaken through processes controlled by Minda, State and Commonwealth Governments. This is coupled with proposals to provide retirement accommodation on the campus, the sale of which is governed by the Retirement Villages Act 1987.

On this basis, the standard requirement relating to provision of 15 percent affordable housing (as defined under legislation) may not be appropriate given the specific nature of future
development envisaged for the site. It is also understood that the State’s targets for affordable housing comprise delivery of both low cost and high needs housing, the latter being proposed for the Minda campus.

Notwithstanding this, the DPA investigations imply that existing policies within the Residential Zone relating to 15 percent affordable housing will continue to apply to the Minda campus site. The DPA also specifically states that it introduces a new Affordable Housing Overlay to require the provision of affordable and high needs housing. However, the Overlay is not proposed to be introduced as part of the policy framework and amendment instructions in the DPA, which requires clarification.

Transport and Car Parking

The DPA acknowledges the outcomes of the wider traffic network assessment undertaken by InfraPlan on behalf of Council. This assessment tested assumptions contained in Minda’s preliminary traffic report and modelled a number of junctions to Brighton Road to confirm any future impacts on these junctions. The assessment concluded that the overall impact of the traffic generated from the proposed redevelopment under Minda’s long term vision can be considered negligible in the context of multiple route choices (ie there are approximately 15 side streets on the western side of Brighton Road available for traffic movement to/from the campus site).

Notwithstanding this, crash analysis undertaken by InfraPlan did identify some existing concerns at least three (3) side street junctions. While these do not directly relate to the Minda redevelopment, it would be appropriate for the State Government to undertake further assessment of these junctions as a matter of priority.

With regard to off street car parking, however, the DPA is proposing to apply a reduced car parking rate for residential development within the Minda campus commensurate with the rates applying in Medium Density Policy Area 5 of the Residential Zone. Medium Density Policy Area 5 currently applies to areas well served by frequent public transport or offer more than one mode of public transport (ie. both bus and rail). This includes on more significant transport corridors, including the train line and major roads such as Anzac Highway, Brighton Road/Tapleys Hill Road, and Jetty Road at Brighton. As a result, the car parking rates in the Policy Area are tailored to reflect the high levels of transit and frequent public transport options within these areas.

Application of this or a similar rate to the Minda campus is considered inappropriate in the context of the site’s location and distance to transit, being served by only two bus routes operating on King George Avenue that vary in frequency. Indeed, it is likely that private cars will provide the primary mode of travel for new residents (retirees) of the site.

A more contemporary parking rate should therefore be applied for retirement living that recognises the site’s distance to major transit routes and meets best practice standards for retirement living. Indeed, in assessing stage 1 of the Minda development under the current
Development Plan provisions, it was considered appropriate to test proposed parking rates against more contemporary standard provisions applying in Victoria.

Aurecon recently completed a report in October 2013 titled *Parking Spaces for Urban Places* on behalf of local government using funds from the Local Government Association’s Research and Development Fund and a number of councils, including the City of Holdfast Bay. The report analysed and tested parking rates applying to a range of land uses, including comparisons between the rates advocated in the State Government’s 2001 Planning Bulletin: *Parking Provisions for Selected Land Uses* (which several local Development Plans are based on) against the more contemporary standards in the Victorian Planning Provisions. Importantly, with respect to retirement living, the report identifies more contemporary, evidence-based rates for parking that could be applied to the Minda site.

**Coastal Dunes**

The Minda Dunes are one of the last remaining remnant dune systems along the developed Metropolitan Adelaide coastline. While the dunes are currently under the care and control of Minda Incorporated, Council has continued to recognise their significance and works closely with Minda and the Adelaide and Mount Lofty Ranges Natural Resources Management (NRM) Board to ensure their ongoing protection and rehabilitation.

Previous studies and surveys have identified a number of plants of local importance or conservation status within the dunes, and the site also provides habitat for indigenous birds, reptiles and insects. While these studies and surveys have generally been referenced in the DPA, there is limited discussion regarding the potential impacts of development envisaged by the DPA on the coastal dunes and sensitive dune ecosystem. This includes potential impacts of overshadowing or climatic changes (eg. wind tunnelling) as a result of taller buildings anticipated adjacent the Coastal Conservation Zone and primary dune system.

Importantly, while the DPA proposes setbacks from the southern and northern boundaries to minimise impacts on adjacent residential areas, it does not provide any guidance in relation to appropriate building setbacks or heights from the western boundary of the site adjacent the Coastal Conservation Zone.

Consultants, EBS Ecology conducted a desktop ecological assessment of the Minda dunes on Council’s behalf that identified a number of potential impacts on the dune system as a result of development envisaged by Minda’s Master Plan and long term vision. While a number of these matters can be mitigated through future management arrangements, the assessment identified some risks that should be addressed through planning policy.

Significantly, this assessment identified that shade modelling in the Master Plan shows that the dune front will be shaded during morning hours and, while shading from taller buildings is not expected to have a major impact on the coastal vegetation and fauna within the Coastal Conservation Zone, some indirect impacts may occur. However, the assessment also identified that the impacts of shading on ecological systems are not well understood and, in the absence of local research and data, the report identified this as a moderate risk. Based on shade
modelling and previous flora studies, shading from taller buildings will impact on at least two plant species of conservation significance.

While Council’s Environment and Coastal Assets has sought further expert advice regarding potential impacts of shading on specific species, it has been unable to obtain any conclusive research. A peer review of the EBS report conducted by the Nature Conservation Society of South Australia (NCSSA) (which has not been referenced in the DPA) also confirmed that there is insufficient available literature on the biology and physiology of these or related species, but noted that it is likely that the reduced levels of morning sunlight may affect the viability of these and other species. In addition, the peer review noted that other species, both native and exotic (ie. shade-tolerant weeds), may benefit from such changes to photoperiod and thus increase competition with the existing native species.

Notwithstanding these investigations, the DPA offers no further research or evidence in this regard and simply concludes that the assessment undertaken by EBS Ecology has not raised any direct concern about the area as a result of the proposed development on the Minda site. It also suggests that General Coastal Areas policies in the Development Plan will be sufficient to address any impacts. The nature and scale of development envisaged by the DPA may, however, be in conflict with these General policies and those applying to the adjacent Coastal Conservation Zone.

While the peer review suggested that monitoring could be established in shaded areas to test the impact of shading on the health and distribution of native species over time, it would not be possible to reverse the impacts of development.

Consequently, in the absence of any further data it would be prudent for the State Government to adopt a precautionary approach in the DPA through imposing greater setbacks for taller buildings adjacent to the dunes and Coastal Conservation Zone. Consideration should therefore be given to applying a similar building envelope mechanism from the western boundary (as is proposed in the DPA to apply to the northern and southern boundaries) to minimise impacts on the fragile dune and coastal system.

With regard to protection of the undeveloped portion of the secondary dunes, the DPA simply proposes to include this area as ‘Open Space – Public Access’ on the proposed Concept Plan. However, the peer review undertaken by the NCSSA recommended that this area be considered for inclusion in the Coastal Conservation Zone to provide greater future protection. This approach is consistent with recommendations from the State’s Department of Environment, Water and Natural Resources (DEWNR) and would provide greater certainty in ensuring this area remains undeveloped or sensitively developed with low scale/low impact interpretive features in the future.

**Heritage and Character**

The Minda site contains three (3) State Heritage listed buildings and one Local Heritage Place, which are included on the proposed Concept Plan in the DPA.
While Council proposed to list three (3) additional places within the Minda campus site as Local Heritage places as part of its recent Heritage and Character DPA based on initial investigations undertaken by qualified heritage consultants, the Minister ultimately resolved not to grant Local Heritage status to these places. This included the two conifer trees, former Coach House and avenue of River Red Gum trees within the campus. While the two conifer trees and River Red Gums are proposed to be retained under Minda’s Master Plan and are protected as Significant or Regulated trees, the DPA has not had any specific regard to these significant assets and their contribution to the character of the campus and local area.

The DPA is proposing to include a new General policy within the ‘Heritage Places’ module of the Development Plan that provides additional policy and design guidance for multi-storey additions to a State or Local Heritage place. While the DPA investigations recommend inclusion of this policy to address potential impact of multi-storey development on heritage places, the policy itself appears to specifically apply to ‘additions’ to a heritage place rather than buildings adjacent to a heritage place. On this basis, application of this policy to free-standing multi-storey development contemplated for the site is questionable. Further, the scale and nature of development proposed to be facilitated by the DPA may be in conflict with other General ‘Heritage Places’ policies.

While it is noted that the DPA has been referred to the Aboriginal Affairs and Reconciliation Division (AARD) and the Kaurna Nation Cultural Heritage Association, there has been no discussion in the DPA regarding Aboriginal heritage. While previous advice from AARD has confirmed that there are no current entries on the Central Archive for the site, the Division has suggested that there is strong potential for the remnant dunes to contain sites of aboriginal significance.

While procedures under the Aboriginal Heritage Act 1988 will apply and provide blanket protection should sites, objects or remains be found during development of the campus, regard to Aboriginal heritage and the comments from the former IDC identified above should be included in the DPA investigations. It is understood, however, that Minda has now engaged with Aboriginal groups as part of the site’s development, and further engagement is proposed to occur in the design phase for the Coast Park.

Public Notification Categories

Categories of public notification are prescribed in Schedule 9 of the Development Regulations 2008, although a Development Plan can also assign various forms of development as either Category 1 or 2.

The DPA proposes that development up to 9 storeys will be Category 1 (no notification) where it meets specific setback requirements to the northern or southern site boundaries. This includes residential, mixed use or non-residential buildings (eg. medical, consulting, office towers, shops/retail). Where development exceeds this height provision or setback requirements it will default to Category 2 (adjoining land owners notified, but no third party rights of appeal).
Regardless of the setback criteria applying in the DPA, the proposed categorisation of 9 storey buildings as Category 1 within an area surrounded by low rise residential development is not considered to be consistent with Schedule 9 of the Development Regulations. Indeed, residential developments specifically listed as Category 1 within Schedule 9 of the Regulations are generally of a minor nature and less than 2 storeys high. This approach is also inconsistent with the Residential High Density Zone in the Development Plan, which is a traditional medium to high-rise development area within Glenelg and lists development generally between 3-12 storeys as Category 2.

The impact of this categorisation is particularly concerning in the absence of both floor area limitations for non-residential forms of development on the campus or appropriate setback requirements for buildings above 3 storeys to King George Avenue.

**Proposed Concept Plan**

The new Concept Plan (Map HoB/6) proposed in the DPA provides limited guidance regarding future development arrangements for the campus and is not considered to represent the comprehensive planning approach undertaken as part of Minda’s long term vision.

As a minimum, it is considered appropriate to include the following elements on the proposed Concept Plan:

- key road entry and exit points anticipated by Minda’s Master Plan and long term vision to clarify future traffic and infrastructure expectations. This will also assist in current negotiations between Council and Minda on land and infrastructure arrangements and delivery
- clarify the location of Coastal Conservation Zone and transition or buffering arrangements to the sensitive coastal dunes based on recommendation in ecological assessment undertaken by EBS Ecology. This buffer could align with the proposed alignment of the Coast Park shared pathway and eastern extent of the Coastal Conservation Zone.

**Other Matters**

A number of typographical or referencing errors appear throughout the DPA, which have been identified in the draft submission located at Attachment 1.

It is also noted that Local Members of Parliament have not been included in the consultation list for the DPA, but should be consulted given the significance of the document.

**Conclusion**

Overall, the draft Ministerial Minda Brighton Campus and General Section Amendments DPA will facilitate a nature and scale of development on the Minda Brighton Campus that will result in a significant transformation of the local area and coastal vista. The significance of the site and complex range of issues warrants very thorough and considered investigations to both justify
the proposed policy directions and create a robust policy framework to guide the site’s development and the provision of critical infrastructure beyond the next decade. The proposed policy framework is not considered to deliver on these objectives and there are a number of policy matters that require further consideration prior to the Government finalising the policy framework for the site.

The draft submission attached to this report seeks to clarify the range of issues and matters that require further consideration by the Government in finalising the DPA. Further input is sought from Elected Members on the draft submission prior to finalising Council’s response in February to meet the Minister’s deadline for submissions.

**BUDGET**

Given that the DPA is an initiative of the State Government, there are no cost impacts to Council in making a submission.

**LIFE CYCLE COSTS**

While the DPA is a policy document, future development of Minda’s land will necessitate:

- augmentation and upgrade of public infrastructure surrounding the site, including roads, roundabouts, pedestrian crossings and stormwater infrastructure, and
- resolution of land ownership, including portion of Minda’s land occupied by the Somerton Surf Life Saving Club and Gladstone Road carpark, and unmade Council roads within the proposed development area at Lynton and Lynmouth Avenues.

Council will need to continue to work constructively with Minda to ensure that land and infrastructure matters are resolved through a negotiated agreement(s) prior to consideration of approval of the DPA by the Minister. Indeed the Minister has advised that it is his expectation that any infrastructure issues attributed to the site’s development, along with public access arrangements necessary for completion of the Coast Park, will be resolved prior to the DPA being considered for approval.

Advice is currently being sought from Minda to reach broad ‘in principle’ agreement for land arrangements and infrastructure delivery prior to working through the detail required to support a formal Development Deed or similar legal instrument. It is anticipated that a report will be provided to Council regarding potential arrangements once a response has been received from Minda Incorporated and its Board.
The Presiding Member
Development Policy Advisory Committee
Minda Brighton Campus and General Section Amendments DPA
C/- Department of Planning, Transport and Infrastructure
GPO Box 1815
Adelaide SA 5001

Dear Presiding Member

**Minda Brighton Campus and General Section Amendments Development Plan Amendment by the Minister**

The City of Holdfast Bay wishes to thank the State Government for the opportunity to provide formal comments in relation to the draft Minda Brighton Campus and General Section Amendments Development Plan Amendment (DPA).

Overall, Council supports Minda’s operations and the important work it does in the community and strongly supports the premise behind Minda’s Master Plan and long term vision to de-institutionalise the campus and provide contemporary accommodation for its residents. Council also commends Minda for undertaking a comprehensive planning approach to the Brighton campus and supports a number of broad elements of the Master Plan. This includes maintaining the open landscaped campus setting, creation of functional open spaces such as the wetlands, facilitating the future Coast Park and creating opportunities for wider community access, particularly in light of recent development of the former Jack Fox Oval as part of stage 1 of the development.

Council also shares the Government’s view that the Minda Brighton campus and DPA are of major strategic importance, but must emphasise that the nature and scale of development contemplated by Minda’s Master Plan and long term vision and facilitated by the DPA will result in a significant transformation of the local area and coastal vista. Council will, however, continue to work constructively with Minda to ensure that land and infrastructure matters, including structuring for the Coast Park, are resolved prior to consideration of approval of the DPA by the Minister.

While we understand that implementation of the Master Plan and long term vision is based on Minda’s financial model to secure its operations into the future and that it relies on significant Government funding at present, Council has not been privy to this model and is unable to measure or comment on the financial and economic impacts of any changes to Minda’s plans. Council’s response to the DPA is therefore based on the planning merits of development envisaged under Minda’s long term vision and the proposed policy approach contained in the draft DPA.

Importantly, as Council has previously identified, the significance of the site and complex range of issues warrants very thorough, considered and robust investigations to justify any future policy and zoning changes to support Minda’s long term vision for its Brighton campus. This includes managing impacts of development on the sensitive Minda dunes, being one of the few remnant dune systems remaining along the developed Adelaide
Council notes, however, that preparation of the draft DPA has been expedited by the Government and delivered within a very tight timeframe. Consequently, Council does not believe that the draft DPA investigations and proposed policy framework delivers on these objectives or gives appropriate regard to the range of issues and competing interests affecting the site’s future development. Further, while Council appreciates that the Minister has agreed to extend consultation on the draft DPA beyond the statutory timeframes provided in the Development Act, it is unfortunate that such a significant document has been released during the Christmas and New Year holiday period.

Notwithstanding this, Council has undertaken a detailed assessment of the proposed DPA, which is attached to this letter, and would welcome the opportunity to discuss this further with the State Government. In summary, the following key comments are made:

- While Council appreciates Minda’s motivation behind implementation of its Master Plan and long term vision to secure its operations into the future, the scale and height of development proposed in the DPA has not been appropriately justified in the investigations. In particular, the DPA investigations and proposed policy approach have limited regard to impacts on the sensitive coastal dunes and have not fully considered impacts and setbacks to King George Avenue
- The DPA does not give evidence of other building typologies or options that could meet Minda’s future operational requirements as well as objectives for compatibility with the coastal environment and surrounding areas, which comprises low rise residential development
- The resultant policy approach proposed by the DPA is considered to be overly flexible and, significantly, could actually facilitate a scale of development that exceeds proposals within Minda’s long term vision
- In the absence of local research and data regarding potential impacts of taller buildings on the ecology of the sensitive coastal dunes (eg. due to overshadowing), it would be prudent for the DPA to apply a more precautionary approach in relation to setbacks and interface with the dunes
- Terminology used in the DPA to describe building typologies envisaged for the Minda campus site is considered misleading and does not align with contemporary State Government guidelines
- The proposed policy approach in the DPA does not have appropriate regard to alignment and consistency with the broader policy framework in the Development Plan, including General Coastal Areas and Heritage Places policies or zones or areas that contemplate the form and scale of development anticipated for the Minda site, such as the Residential High Density Zone
- Some key reference documents provided to the Department of Planning, Transport and Infrastructure that are considered to provide important direction in formulating planning policies for the site have been omitted from the DPA investigations. This includes a visual impact assessment of development anticipated by Minda’s long term vision as well as a peer review of the desktop ecological assessment of the coastal dunes, which provided additional recommendations to manage impacts of development on the dunes. Additional documents included in the references in the DPA have also not been made publicly available during the consultation period
• Public notification categories proposed in the DPA are not consistent with the intent of the Development Regulations or other areas within the Development Plan, and fail to recognise development contemplated within the surrounding area.

• With regard to structure, Council believes that the unique circumstances and issues applying to the Minda site warrant its inclusion within a defined ‘Precinct’ within the wider Institution Policy Area of the Residential Zone. This approach would also provide greater recognition to the comprehensive planning approach undertaken by Minda and provide stronger definition of the site for the purposes of development assessment.

• Assumptions in the DPA in relation to on-site car parking requirements are not supported and a more contemporary approach to parking for retirement accommodation is needed.

• Updates proposed to the General section policies, which will apply to whole Council area, are not well justified and a rearrangement of policies coupled with proposed deletions and new wording will impact on the application and intent of policies in a number of circumstances or result in a loss of valued policy. Importantly, the proposed policy framework does not fully reflect version 6 of the South Australian Planning Policy Library (SAPPL), which will result in a ‘hybrid’ approach that could be problematic for future proposed Amendments to the Development Plan.

• The proposed new Concept Plan for the Minda campus does not recognise the comprehensive planning approach undertaken by Minda in developing its long term vision, and key elements from this process have not translated through to the Plan.

• There are a number of errors and omissions in the document and limited justification in relation to a number of the proposed changes in the DPA. This is likely the result of the limited time allocated to the DPA’s preparation.

In addition to the above, Council notes that Adelaide Airport Limited and local Members of Parliament have not been identified as organisations to be consulted on the DPA. The significance of the DPA warrants further consultation with these bodies.

While Council trusts that its position and comments on the DPA are clear, it wishes to reserve the right to be heard at the public meeting scheduled to be held on 3 March 2015.

Council would also welcome the opportunity to discuss these matters and refinement of the proposed policy approach further with the State Government.

Yours sincerely

Justin Lynch
Chief Executive Officer

Stephen Patterson
Mayor
Council notes that the DPA proposes to incorporate new policies and a Desired Character statement applying specifically to the Minda site within the broader Institution Policy Area 4 of the Residential Zone. This approach has created a number of exceptions to policies applying within the broader Policy Area, which is not ideal in a policy sense.

While it is recognised that the Minda campus site should remain with the broader Institution Policy Area, Council believes that the unique circumstances applying to the site warrant its inclusion within a defined ‘Precinct’ within the wider Policy Area. This would provide greater clarity regarding development expectations for the site based on the comprehensive planning approach undertaken by Minda, and stronger recognition of the range of planning issues to be considered in assessing future development applications. This includes proposals for a more significant scale of development to that contemplated within the remainder of the Institution Policy Area and the need to manage the interface with the Coastal Conservation Zone and sensitive Minda dunes.

Further, while the DPA proposes a range of policies that will specifically apply to the ‘Minda Incorporated Brighton Campus’, the site itself is not well defined in the DPA and proposed policy framework. Indeed, the boundary for the site only appears to be conceptually defined within proposed new Concept Plan HoB/6 in the DPA. Given recent Case Law regarding the definition of ‘site’, it is considered appropriate to include an enlargement map (similar to HoB/12 but showing the full site with relevant measurements and coordinates) that clearly defines the boundary of the Minda Incorporated Brighton Campus to which the new policies will apply. Again, creation of a distinct and clearly defined Precinct within the Development Plan would assist in this regard.

Council notes that the DPA proposes a number of amendments to the General section of the Holdfast Bay Council Development Plan, which will apply city-wide and are not limited to the Minda site. This includes introduction of a new ‘Medium and High Rise Development (3 or More Storeys)’ policy module and, according to the supporting information for the DPA, a number of ‘consequential’ amendments to other parts of the Plan’s General section. This includes amendments to the General ‘Design and Appearance’, ‘Residential Development’ and ‘Transportation and Access’ sections of the Development Plan.

It is understood that the primary intent of these consequential amendments is to update Council’s Development Plan to better align with version 6 of the South Australian Planning Policy Library (SAPPL) given that the current Development Plan is based on version 5 of the Library following recent approval of the Better Development Plan (BDP) Conversion DPA. This has broadly included proposed introduction of new policies (including some ‘optional’ policies), wording amendments to some existing policies, transferring a number of policies from one section to another, or deletion of core policies and local additions in some instances.

Council has undertaken a detailed analysis of the proposed changes to these General policies, which is provided in Appendix A to this submission. This includes recommendations for changes to the DPA, and Council staff
would welcome the opportunity to meet with officers from the Department of Planning, Transport and Infrastructure (DPTI) to discuss these recommendations. Importantly, the following broad observations and comments are made regarding the proposed changes:

- Policy number references corresponding to a number of policies proposed to be deleted or transferred to a different section do not match the current version of the Holdfast Bay Council Development Plan. This has created some confusion in clarifying the proposed changes and correct numbering references have been detailed in Appendix A. There is also a numbering error from version 5 of the SAPPL (within the Residential Development module) that has been inadvertently carried over into the current version of the Development Plan that should be corrected by the DPA.

- Some proposed amendments (e.g. new policy) have not been correctly tracked, and there are some instances where core policy from the SAPPL has been reflected as local additions and vice versa.

- Some policies proposed to be deleted address matters that are not adequately addressed in other parts of the Development Plan and should be retained.

- Proposed amendments to wording of policies or relocation of policies into other sections of the Development Plan will inadvertently change the intent of these policies or expand their application to land uses or areas that may not be intended. For example, some policies previously only applying to residential development may now apply to non-residential development or zone, which changes the intent of this policy and could have adverse outcomes. Council has recommended that either wording be amended or some policies remain within the current sections of the Development Plan to clarify intent and application.

- Significantly, the DPA has proposed deletion of some local policy that was identified as valued policy as during the recent BDP conversion process or inclusion of ‘optional’ policy from version 6 of the SAPPL without any evidence or justification to support these changes. Recognition should therefore be given to considerations in the recent conversion process (e.g. where optional policy was not adopted for certain reasons) as well as the applicability of new optional policies to Holdfast Bay.

Overall, updates made to the General section policies do not fully reflect version 6 of the SAPPL, resulting in a ‘hybrid’ approach. While it is acknowledged that the inclusion of new policies for medium and high rise development (consistent with version 6 of the SAPPL) will provide additional policy guidance for this form of development, the benefits of the other proposed changes to the General section policies are therefore questionable, particularly in the context of redevelopment of the Minda campus. Council also believes this approach is likely to add confusion for future Amendments to the Development Plan.

**Land Use**

**Residential Development**

The DPA states (page 45) that it will deliver housing to support ‘a range of lifestyles and family groupings’. However, the Master Plan prepared by Minda primarily seeks to deliver both high needs housing and retirement accommodation within the ambit of the Retirement Villages Act 1987. On this basis, and given Case Law in 2009 regarding the definition of such developments, the list of envisaged uses within Principle of Development Control (PDC 1) of the Institution Policy Area should be amended to include ‘retirement village’. Use of this terminology is consistent with proposed amendments to the categories of notification in the DPA as well as the South Australian Planning Policy Library Terminology Guide, and will provide greater clarity for determining the
nature of future development. This recommendation also supports and corresponds to recommended changes to the car parking rates in the Development Plan applying to future retirement living, which is discussed under ‘Transport and Car Parking’ further below.

Non-Residential Development

While the Institution Policy Area currently allows for non-residential developments such as shops and offices in appropriate locations, limitations are included in the non-complying list in terms of both floor area caps and/or requirements for such uses to be associated with an Institution. This use of floor area caps as a non-complying trigger has remained in the Development Plan to ensure that non-residential land uses contemplated within the Policy Area remain ‘smaller scale’, which is consistent with the list of development in PDC 1 of the Residential Zone and discussion in section 5.1.1 of the DPA regarding current planning policy applying to the area affected.

However, while it is noted that the proposed Desired Character statement in the DPA specifically envisages the development of “Small scale non residential land uses including shops, offices and consulting rooms…” on the Minda campus (which is consistent with the intent of the Residential Zone), the DPA is proposing to remove corresponding floor area caps in the non-complying list as it applies to the Minda. Notwithstanding broad commentary in section 5.3.6 of the DPA regarding consistency between PDC 4 of the Residential Zone and the non-complying list for the Zone, there is no clear justification or analysis in the DPA investigations to support this approach or encourage larger scale non-residential development.

Indeed, in conjunction with the list of envisaged uses within PDC 1 of the Residential Zone which clearly contemplates small scale non-residential development, PDC 4 of the Zone states that these uses should be of an appropriate nature and scale. Consequently, the floor area limitations that currently apply to development in the form of offices or shops within the Institution Policy Area should continue to apply to the Minda Incorporated Brighton Campus.

It is recognised, however, that while PDC 4 of the Residential Zone makes specific reference to the potential for consulting rooms to establish in residential areas, these are currently non-complying within the Zone and Institution Policy Area. While there may be scope to allow consulting rooms within the Minda Campus where associated with Minda’s operations, it is also appropriate to apply a floor area cap in the non-complying development exemptions to ensure such operations are also of a ‘small scale’ to align with the Desired Character statement for the Minda Campus and broader Residential Zone policies. Indeed, the current Commercial Zone in the Holdfast Bay Council Development Plan, which contemplates non-residential development, currently envisages consulting rooms up to 450m². It would therefore seem inappropriate to allow larger scale consulting rooms with a residentially-focused institution site such as Minda without any clear justification.

Finally, the wording proposed in the Desired Character statement to describe the level of non-residential development envisaged for the Minda site is confusing and should be amended as follows:

“Small scale non-residential land uses including shops, offices and consulting rooms will be developed on the campus to support Minda Incorporated’s operations, residents and the local community”.
Building Heights, Density and Terminology

Building typologies and terminology

The DPA investigations and proposed policy framework for Minda Incorporated Brighton Campus refer to the site being developed for ‘low to medium rise’ buildings, yet the DPA proposes to accommodate construction of buildings up to 9 storeys on the site.

Setting aside the appropriateness of taller buildings on the site, Council believes that this terminology may be misleading in the South Australian context and does not appropriately clarify the nature and scale of development envisaged for the site. Indeed, the State Government’s own Design Guidelines for Sustainable Housing and Liveable Neighbourhoods defines medium rise building forms as apartment complexes of two, three and four storey construction, with high rise building forms defined as residential buildings or towers over four storeys. While this differs from the typologies identified in the 30 Year Plan for Greater Adelaide, these Guidelines were released more recently and are considered to represent a more accurate description of low, medium, and high rise development in the context of metropolitan Adelaide and suburban areas.

The Desired Character statement should therefore be amended to state that the site will be “developed with low, medium and high rise buildings mainly for residential accommodation”. Further, it is recommended that corresponding proposed PDCs 16 and 18 in the Institution Policy Area 4 should also be amended to clarify the intent for low, medium and high-rise development.

In addition to the above, policies relating to building heights should also refer to a corresponding height ‘in metres’ above natural ground level to provide greater clarification and be consistent with other locations within the Holdfast Bay Council Development Plan, such as the Residential High Density Zone. This is also considered important given the topography of the site (eg. elevated areas within the secondary dunes) and that application of the proposed building envelopes could theoretically result in building heights far greater than that anticipated in corresponding setback requirements (ie. 9 storey buildings located greater than 51 metres from the northern or southern campus boundary could be taller than 51 metres but would generally be consistent with the proposed policies and constitute a Category 1 development).

Further, while the DPA contemplates development of up 9 storeys within the Minda Incorporated Brighton Campus, paragraph 5 in the Desired Character statement for the Institution Policy Area continues to reference ‘two and three storey development’ only in the context of requirements to incorporate architectural features to reduce the bulk of development and add visual interest. Such features should also apply to taller buildings anticipated for the Minda campus site. This policy therefore requires review.

Building envelopes and setbacks

The use of building envelopes proposed in the DPA to guide appropriate setbacks for taller buildings from low rise development areas is supported as a means of mitigating impacts, and aligns with existing commentary in the Desired Character statement for the Institution Policy Area. It is also noted that the 30 degree angle proposed in the DPA correlates with the sun’s angle at the winter solstice and, coupled with the 3 metre vertical height projection at the site boundaries, should ensure that properties along the southern boundary interface will not be unreasonably overshadowed. However, application of this approach in the DPA has been limited to mitigating impacts to the northern and southern property boundaries (which adjoin lower scale residential
areas) and therefore fails to address appropriate setback requirements to the eastern King George Avenue boundary or western boundary of the site adjacent the sensitive coastal dunes.

With regard to the eastern site boundary, existing PDC 7 of the Institution Policy Area currently requires development to be setback 6 metres from a primary road frontage under certain circumstances (ie. where an adjoining dwelling is setback 8 metres or more). This PDC also provides specific setback requirements for developments up to 3 storeys to primary and secondary roads and as well as to side and rear boundaries (with the exception of northern boundaries) where the criteria for adjoining dwelling setbacks is not met.

While the DPA proposes to introduce a new PDC 17 to address setbacks of buildings above 3 storeys to northern and southern boundaries on the Minda site, it does not provide any requirements for road setbacks. This could therefore allow taller buildings to be constructed within close proximity to King George Avenue without any guidance on appropriate setbacks. It is therefore critical for the DPA to include additional policy to guide the appropriate setback of buildings above 3 storeys to the eastern boundary adjacent King George Avenue. Application of a building envelope approach similar to that proposed for the northern and southern site boundaries that recognises prevailing building heights along King George Avenue should be considered.

In addition to the above, setbacks to internal roads within the Minda site have not been appropriately addressed in DPA either and require further consideration.

Setback requirements to the western boundary to manage the interface with the coastal dunes are discussed further under ‘Coastal Dunes’ below.

**Site capacity and density**

The overall development capacity of a site is generally dictated by the capacity of surrounding infrastructure (social and economic) to support development. The comprehensive master planning approach undertaken by Minda has considered hard infrastructure capacity and the level of upgrade/augmentation required to support the long term vision. This has also been undertaken in the context of a catchment-wide Stormwater Master Plan undertaken jointly by the Cities of Holdfast Bay and Marion that has modelled development potential and infrastructure capacity within the catchment.

The formula and approach applied in sections 5.2 and 5.3.5 of the DPA to determine site capacity is therefore considered arbitrary and does not recognise this comprehensive planning approach and infrastructure capacity modelling.

The DPA investigations state that while the site has potential to accommodate over 900 dwellings, the Master Plan and long term vision proposes around 690 dwellings, “well below the site’s current potential development capacity”. However, staging information included in the Concept Report that supports the Master Plan suggests that approximately 821 dwellings could be envisaged, which is nearing the capacity stated in the DPA. While it is understood that some modifications were made to the Master Plan and long term vision after completion of the Concept report in 2011, it is unclear if the ‘690 dwellings’ included in the DPA is based on the revised plans.

Council notes that the DPA is also proposing to remove requirements to apply a minimum site area for dwellings within the Minda site and instead rely on an overall target density requirement for the site in the range of 35-60 dwellings per hectare net, which has been included in the Desired Character statement. Council is concerned...
that, in addition to the limitations of the approach applied in the DPA to calculate site capacity, reliance on a broad density requirement could result in development of smaller dwellings/apartments (eg. studios) within the site. While this these types of dwellings may be suitable in areas located within close proximity to transit such as Glenelg, they should not be encouraged within sites such as the Minda campus given its distance to rail and arterial roads (and hence, potential to place a greater reliance on private cars as a primary mode of travel and generate greater parking requirements). Notwithstanding this, while it is agreed that applying a minimum or average site area dwelling can be problematic within large institutional sites such as Minda, it is recommended that a minimum dwelling size be applied within the site to ensure appropriate dwelling types are developed within the area affected by the DPA that recognise its limited access to transit.

Design Review

Section 5.3.7 of the DPA investigations identifies that the Office of Design and Architecture SA (ODASA) has been consulted and contributed towards proposed policy and urban design considerations for the site. However, the extent and outcomes of the design review process have not been further discussed in the DPA. Importantly, the Design Review report (issued by the Government’s former Integrated Design Commission) identified a number of matters for further consideration which have not been identified in the DPA. These are discussed below:

- It would be beneficial to consider a climate change adaptation strategy and consider risks with respect to coastal exposure. While the DPA investigations have briefly acknowledged the potential impacts of development on natural coastal areas and reliance on General policies to address this, there does not appear to be any recognition in the DPA in relation to potential impacts of coastal processes on development anticipated within the Minda campus (particularly higher rise development adjacent the coastal frontage), which will accommodate a substantial number of new residents.

- Engagement with Aboriginal Groups to refine the design approach, including opportunities to reference Aboriginal culture in design. While it is acknowledged that the DPA has been referred to Aboriginal Affairs and Reconciliation and the Kaurna Nation Cultural Heritage Association, there is no discussion in the DPA regarding Aboriginal heritage or further consideration of its potential influence in the design process for both the Minda campus and Coast Park. Implications for Aboriginal heritage is discussed further below under ‘Heritage’.

- Further consideration should be given to the relationship of proposed development in the Master Plan with adjacent land uses/facilities to ensure overall integration with the broader area. As discussed above, the DPA has generally focused on potential impacts of development on adjacent residential areas only as opposed to how the site’s development relates to the wider area.

- Further work is required on the general configuration and massing of buildings on the site and how they respond to the proposed built environment and surrounding natural environment, particularly the coastal dune system. While it is acknowledged that the DPA provides some discussion regarding appropriate massing of buildings, there is limited discussion regarding potential impacts of higher rise development on the coastal dunes. This is discussed further under ‘Coastal Dunes’ below.

- While the Panel supported the establishment of a village centre and links to the future shared pathway as part of the Coast Park, it considered the connection to be convoluted and in need of refinement. It is noted, however, that the Concept Plan in the DPA appears to be based purely on the Master Plan in terms of these connections without any further discussion regarding their appropriateness and relationship to proposed village centre or exploration of other opportunities.
Based on these and other comments, the Design Review Panel recommended that Minda seeks further advice from the Panel given the significance of the project. However, there does not appear to be any evidence within the DPA investigations to confirm if further consultation occurred with the IDC or ODASA following this initial review and how the Panel’s comments have further shaped design responses.

**Sustainable Design**

Council believes that the Minda campus site provides an important and unique opportunity to showcase environmentally sustainable housing in a sensitive coastal location, with the scale of the site also providing opportunities for on-site power generation.

The DPA proposes to introduce new commentary to the Desired Character statement for the broader Residential Institution Policy Area 4 (and hence will apply to all sites within the Policy Area) that states that “Sustainable design is a key focus and strength of the proposal, particularly the application of passive design features to minimize thermal load and achieve good natural lighting and ventilation”. While Council strongly supports inclusion of additional policies to encourage sustainable development outcomes, the terminology used in this commentary appears to be written specifically based on the Minda proposal. It is therefore suggested that the policy be amended as follows:

“Sustainable design is** will be** a key focus and strength of the proposal, particularly the application of passive design features to minimize thermal load and achieve good natural lighting and ventilation”

Consideration could also be given to relocating the above commentary under the separate Desired Character Statement for Minda and including reference to potential for on-site power generation.

Council also notes that energy efficiency and potential for on-site generation is appropriately addressed within the General ‘Energy Efficiency’ policies in the Development Plan. The above policy will further support these policies.

**Visual Impact Assessment**

As an outcome of the original Statement of Intent prepared for the former Council-led DPA process and to assist in considering an appropriate policy approach, Council engaged GHD to undertake a visual impact assessment of development anticipated under Minda’s Master Plan and long term vision. This included a number of photo montages of currently public accessible pedestrian level views to demonstrate the visual impact that proposed future development may have on coastal and residential areas surrounding the site.

Importantly, while it is noted that the images depicted in the Visual Assessment report are indicative only, they are intended to portray a sense of the bulk, scale and materiality of the apartment buildings proposed in Minda’s long term vision plans. The assessment therefore provides an important reference in formulating an appropriate policy response, particularly in relation to compatibility of higher rise buildings with the sensitive coastal environment.

Council notes, however, that while this report was provided to DPTI as a key reference toward developing a proposed policy response, it has not been referred to in the DPA and was not included in the suite of
background and supporting documents publicly available on the SA Government website. A copy of the report is therefore attached to this submission as Appendix B for the Committee’s reference.

**Airport Operations**

The Minda site is affected by airport height limits and is located within Zone D, where a referral is required for structures that exceed 45 metres above ground level. It is noted that the proposed policy framework could allow for construction of a building(s) exceeding this height based on application of the proposed 30 degree building envelope. While the appropriate triggers will remain in place in the Development Plan to ensure a referral to the relevant Federal Government body for ‘direction’, reference should be made to potential impacts on airport operations in the DPA given the proposed policies will theoretically allow this height to be exceeded. Further, it is noted that neither Adelaide Airport Limited or the Commonwealth Department of Infrastructure and Regional Development have been included in the list of organisations to be consulted on page iii of the DPA, but are considered to have a direct interest in the DPA.

**Affordable Housing**

In general, a minimum of 15 percent affordable housing is sought for developments of 20 or more dwellings and is a requirement within PDCs 10 and 11 of the Residential Zone in the Holdfast Bay Council Development Plan. Council understands that affordable housing is specifically defined by Notice under the *South Australian Housing Trust Regulations 2010*.

Notwithstanding this, Council recognises that Minda Incorporated is a specialist provider of high needs disabled residential care and the campus is uniquely placed to deliver new and improved residential accommodation options for its residents to provide a higher standard of care than is permitted in current outdated accommodation. The allocation of disabled care accommodation is undertaken through processes controlled by Minda, State and Commonwealth Governments. This is coupled with proposals to provide retirement accommodation on the campus, the sale of which is governed by the *Retirement Villages Act 1987*.

On this basis, the standard requirement relating to provision of 15 percent affordable housing (as defined under legislation) may not be an appropriate policy response to the specific nature of future development envisaged for the site. It is also understood that the State’s targets for affordable housing comprise delivery of both low cost and high needs housing, the latter being specifically proposed for the affected area.

Notwithstanding this, the DPA investigations imply that existing policies within the Residential Zone relating to 15 percent affordable housing will continue to apply to the Minda campus site. It is also noted that the DPA specifically states on page 43 that it introduces a new Affordable Housing Overlay to require the provision of affordable and high needs housing. However, the Overlay is not proposed to be introduced as part of the policy framework and amendment instructions in the DPA. This requires further clarification.

**Transport and Car Parking**

*Transport and Movement*

The DPA acknowledges the outcomes of the wider traffic network assessment undertaken by InfraPlan on behalf of Council. This assessment tested the assumptions in the Preliminary Traffic Assessment undertaken by
Aurecon (on behalf of Minda Inc.) and broadly investigated the effects of traffic projected to be generated by Minda’s long term vision on the broader traffic network. Modelling of key Brighton Road intersections was also undertaken in this analysis to determine any impacts on Brighton Road junctions based on requests from DPTI’s Transport Division. Modelling data has also been provided to the Transport Division.

As identified in the DPA investigations, the wider traffic assessment concluded that the overall impact of the traffic generated from the proposed redevelopment can be considered negligible in the context of multiple route choices (ie. there are approximately 15 side streets on the western side of Brighton Road available for traffic movement to/from the campus site). Notwithstanding this, crash analysis undertaken by InfraPlan did identify some existing concerns at least 3 side street junctions. While these do not directly relate to the Minda redevelopment, it would be appropriate for the State Government to undertake further assessment of these junctions as a matter of priority.

It is noted that under section B.4.1 in relation to the ‘External Road Network’, the DPA incorrectly states that the “roads in the immediate vicinity of the Minda Campus are under the care and control of the Commissioner of Highway”. However, roads located within the immediate vicinity of the area affected by the DPA are actually Council-controlled roads, with the exception of Brighton Road located further to the east. Similarly, travel data referred to in section B.4.4 was recorded and provided by Council, not the Commissioner of Highways.

With regard to the existing Pedestrian Actuated Crossing (PAC) in King George Avenue, the DPA should state that the crossing is predominantly used by both school children and Minda clients. While the crossing may be relocated under Minda’s Master Plan, it will be critical for this infrastructure to remain in this location to ensure safe passage across King George Avenue for users of the Minda site and school children.

In addition, the final statement under section B.4.6 should read “Based on the traffic and parking assessment undertaken by Aurecon and the conclusions reached by InfraPlan, ...” to clarify which investigations and findings are being referred to. Proposed traffic management measures identified in section B.4.6 of the DPA are currently being considered by both Council and Minda as part of negotiations on a more formal infrastructure agreement. In light of this and to better clarify future traffic and infrastructure expectations, transport access and exit points should be clearly identified on the proposed Concept Plan in the DPA.

**Car Parking**

Council notes that the DPA is proposing to apply a reduced car parking rate for residential development within the Minda Incorporated Brighton Campus site commensurate with the rates applying in Medium Density Policy Area 5 of the Residential Zone. However, application of this rate is considered inappropriate in the context of the site’s location and distance to transit.

Specifically, as recognised in the DPA investigations, Medium Density Policy Area 5 currently applies to areas well served by frequent public transport or offer more than one mode of public transport (ie. both bus and rail). This includes on more significant transport corridors, including the train line and major roads such as Anzac Highway, Brighton Road/Tapleys Hill Road, and Jetty Road at Brighton.

As also highlighted in the DPA, the Minda site itself is recognised as a ‘potential regeneration area (non-corridor)’ in the 30 Year Plan and located in an area predominantly serviced by two bus routes only operating on King George Avenue that vary in frequency. The closest train station to the site is Hove, which is some 1.2
kilometres away and exceeds a 10 minute walking distance. This, coupled with the targeted age cohort for the Minda site, would suggest that rail and more frequent buses available on Brighton Road may not be a feasible alternative transport mode. Consequently, it is likely that private cars will provide the primary mode of travel for new residents (retirees) of the site.

In addition and as identified above, the proposed removal of minimum site areas applying to dwellings on the site may result in development of smaller housing (eg. studios), which could place greater demands on on-site parking availability given the limited access to frequent public transport. Council is concerned that a shortfall of parking, in particular visitor parking, could place further pressure on on-street parking availability along Repton Road and The Esplanade. Further, while Council understands that Minda may propose its own independent bus services for residents, this is not guaranteed and cannot be required through planning policy.

While it is noted that the proposed car parking rates will apply generally to group dwellings or residential flat buildings, a more contemporary parking rate should be applied that recognises the site’s distance to major transit routes and meets best practice standards for retirement living. Indeed, in assessing stage 1 of the Minda development under the current Development Plan provisions, it was considered appropriate to test proposed parking rates against more contemporary standard provisions applying in Victoria.

Aurecon recently completed a report in October 2013 titled Parking Spaces for Urban Places on behalf of local government using funds from the Local Government Association’s Research and Development Fund and a number of councils, including the City of Holdfast Bay. While this report is referred to in the References/Bibliography of the DPA, it has not been referenced in the ‘Car Parking and Access’ discussions in section 5.3.10 of the DPA investigations. Notably, this report was finalised by Aurecon subsequent to preparation of the Preliminary Traffic Assessment report for the Minda campus.

The Parking Spaces for Urban Places report analysed and tested parking rates applying to a range of land uses, including comparisons between the rates advocated in the State Government’s 2001 Planning Bulletin: Parking Provisions for Selected Land Uses (which several local Development Plans are based on) against the more contemporary standards in the Victorian Planning Provisions. Importantly, with respect to retirement living, the report identifies both recommended rates for parking as well as potential parking discounts that may apply where sites are located close to major transit for example. It also acknowledges potential parking requirements for staff, depending on the operational requirements for the retirement village. It is therefore recommended that the same or similar formula could be applied to the Minda site within Table HoB/1 – Off Street Vehicle Parking Requirements in the Development Plan as follows:

| Table HoB/1 – Off Street Vehicle Parking Requirements |
|---------------------------------|-------------------------------------------------|
| Form of Development             | Number of Required Car Parking Spaces             |
|                                 | (the resultant number of car parks rounded to the nearest whole number) |
| Retirement Village within the Minda Incorporated Brighton Campus | 1 per one or two bedroom dwelling, with a maximum allowable discount of 15%
|                                 | PLUS                                              |
|                                 | 2 per three or more bedroom dwelling, with a maximum allowable discount of 10%
|                                 | PLUS                                              |
In support of the above recommended amendment, it would also be appropriate to update policies at the Zone / Policy Area level of the Holdfast Bay Council Development Plan to clarify circumstances where the maximum allowable discounted rates may apply (eg. where substantial shared car parking may be available, the site is located within close proximity to major transit routes and supported by frequent public transport services, etc). Such an approach currently exists within the District Centre Zone Glenelg Policy Area 2 of the Development Plan (refer PDC 16 of the Policy Area) but would need to be specifically adapted to apply to a retirement village.

Coastal Dunes

The Minda Dunes cover an area of some 3.7 hectares and are one of the last remaining remnant dune systems along the developed Metropolitan Adelaide coastline. While the dunes are primarily under the care and control of Minda Incorporated, the City of Holdfast Bay recognises their significance and continues to work closely with Minda and the Adelaide and Mount Lofty Ranges Natural Resources Management (NRM) Board to protect and rehabilitate the dune system. The State and Federal Government has also provided funding support for this work.

Importantly, previous studies and surveys have identified a number of plants of local importance or conservation status within the dunes, and the site also provides habitat for indigenous birds, reptiles and insects. While these studies and surveys have generally been referenced in the DPA, there is limited discussion regarding the potential impacts of development envisaged by the DPA on the coastal dunes and sensitive dune ecosystem. This include potential impacts of overshadowing or climatic changes (eg. wind tunnelling) as a result of taller buildings anticipated adjacent the Coastal Conservation Zone and primary dune system. The importance of the site and its future management is also recognised in the Metropolitan Adelaide and Northern Coastal Action Plan (MANCAP), which is a State strategic document but is not referenced in the DPA.

Indeed, while discussion in section 5.1.2 of the DPA regarding ‘Adjoining Land Use and Zoning’ includes reference to adjacent residential areas, Brighton Cemetery and the Brighton High School, there is no reference or acknowledgement of the Coastal Conservation Zone and coastal dunes. Further, as identified above while the DPA proposes setbacks from the southern and northern boundaries, it does not provide any guidance in relation to appropriate building setbacks or heights from the western boundary of the site adjacent the Coastal Conservation Zone.

Ecological Assessment

The desktop ecological assessment of the Minda dunes conducted by EBS Ecology identified a number of potential impacts on the dune system as a result of development envisaged by the Minda Master Plan. While a number of these matters can be mitigated through future management arrangements, the assessment identified some risks that should be addressed through planning policy. Notwithstanding this, the DPA states that assessment undertaken by EBS Ecology “has not raised any direct concern about the area as a result of the proposed development on the Minda site” and suggests that General ‘Coastal Areas’ provisions in the Development Plan will be sufficient to address any impacts.
Importantly, with regard to planning policy, the EBS Ecology Report identified that shade modelling in the Master Plan shows that the dune front will be shaded during morning hours. This shading will impact on at least two plant species of conservation significance. The EBS report identified that while shading from taller buildings is not expected to have a major impact on the coastal vegetation and fauna within the Coastal Conservation Zone, some indirect impacts may occur but the impacts of shading on ecological systems are not well understood. Consequently, in the absence of local research and data, the report identified this as a moderate risk. While Council had sought further expert advice regarding potential impacts of shading on specific species, it was unable to obtain any conclusive advice prior to the Minister initiating this DPA.

A peer review of the EBS Report was also conducted by the Nature Conservation Society of South Australia (NCSSA). While a copy of the peer review was provided to the State Government to assist in formulating a policy response, it has not been referenced in the DPA investigations. A copy of the peer review is therefore included at Appendix C for the DPAC’s reference.

While the peer review identified that the EBS Report provides a comprehensive and largely accurate assessment of the potential ecological impacts of the proposed development activities at the Minda Dunes site, it also concluded the following in relation to potential impacts of overshadowing from taller buildings:

“The impact of shading from buildings up to nine storeys may be significant and has been identified as being of moderate risk. As suggested in the [EBS] report, the potential impacts of such shading are poorly understood and a preliminary search of the literature regarding the plant species of particular interest (i.e. those listed as significant by SA Urban Forest Biodiversity Program 2006), revealed that there is insufficient available literature on the biology and physiology of these species, or other related species, to be able to accurately inform the discussion. It is likely that the reduced levels of morning sunlight may affect the viability of these and other species. In addition, other species, both native and exotic (i.e. shade-tolerant weeds), may benefit from such changes to photoperiod and thus increase competition with the existing native species”

“Given the placement of buildings R7 and R5 in the master plan, it is likely that impact of shading will also be significant on the secondary dune system, adjacent to the conservation zone. This may be even more pronounced in winter when the sun is low in the northern sky.”

While the peer review suggested that monitoring could be established in shaded areas to test the impact on the health and distribution of native species over time, it would not be possible to reverse the impacts of development. Consequently, in the absence of any further data it would be prudent for the DPA to adopt a precautionary approach through imposing greater setbacks for taller buildings adjacent to the dunes and Coastal Conservation Zone. Consideration should therefore be given to applying a similar building envelope mechanism to minimise impacts on the fragile dune and coastal system as is proposed in the DPA to mitigate impacts to adjacent residential areas (northern and southern boundaries).

In addition to the above, the DPA investigations also state (refer page 58) that the area within the current Coastal Conservation Zone (outside the area affected by the DPA) is subject to the Native Vegetation Act 1991. However, Council understands that the Native Vegetation Act only applies to specific areas within Metropolitan Adelaide that fall within the Metropolitan Open Space Scheme (MOSS) as prescribed by the Development Plan. On this basis, Map HoB/6 Natural Resources suggests that only a small portion of the Coastal Conservation Zone

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may in fact be subject to protection under this Act and that the bulk of the Zone is not granted this protection. This requires clarification.

Consistency with other Development Plan policies

The policies applying to the adjacent Coastal Conservation Zone recognise the need to enhance and conserve the natural features of the coast and dunes system, including maintaining its high visual amenity and scenic beauty, and protecting flora and fauna. The Zone therefore envisages sensitive, lower scale forms of development such as interpretive signage, shelters and minor structures associated with public recreation that use low reflective materials and finishes that will minimise glare and blend in with the features of the landscape – and only very minor forms of development are listed as Category 1 development for the purposes of public notification such as signs, shelters and pathways.

More significant forms of development as anticipated under Minda’s Master Plan such as residential flat buildings and various non-residential uses (eg. shops and consulting rooms) are specifically listed as non-complying development in the Coastal Conservation Zone as they are seen to be at variance to the objectives and principles of the Zone. Notwithstanding this, the DPA proposes to include such uses as Category 1 forms of development immediately adjacent to the Zone in the Minda Campus site without any setback requirements.

While the area affected by the DPA is focused on land within the adjacent Residential Zone (Institution Policy Area 4), the scale of development envisaged adjacent to the Coastal Conservation Zone and coastal dunes is significant and is likely to impact on achieving the key aims and objectives of the Coastal Conservation Zone. Indeed, as identified above, the impacts of this future development are likely to extend across the Coastal Conservation Zone (eg. in terms of overshadowing from buildings during morning hours and changes to climatic conditions). This has not been appropriately considered in the DPA investigations or recommended policy approach.

While the DPA also acknowledges that the Development Plan contains a number of General policies to address protection of the coastal dunes and environment, it is argued that the form of development advocated adjacent the dunes in the DPA is contrary to a number of these General policies that seek development that is ‘compatible and sensitive’ to the coastal environment. It is unclear in the DPA investigations as to whether any further analysis has been undertaken regarding the consistency of the proposed zone/policy area policies with the General provisions.

Undeveloped secondary dunes

With regard to protection of the undeveloped portion of the secondary dunes, the DPA simply proposes to include this area as ‘Open Space – Public Access’ on the proposed Concept Plan. Council is concerned that this approach does not provide the level of certainty required to ensure this area remains undeveloped or sensitively developed with low scale/low impact interpretive features in the future.

Indeed, the peer review undertaken by the NCSSA also recommended that the undeveloped portion of the secondary dunes be considered for inclusion in the Coastal Conservation Zone to provide greater future protection. This is consistent with recommendations from the State’s Department of Environment, Water and Natural Resources (DEWNR).
Importantly, the review noted that any loss of biodiversity values in this area (eg. by modification or disturbance) has the “potential to adversely affect the adjacent conservation zone by reducing buffering capacity and increasing edge effects, thus affecting population viability of native species. If disturbed, animal species are also likely to be displaced from this area, leading to direct competition effects for resources with populations within the conservation zone”.

Council would therefore support DEWNR’s and NCSSA’s recommendations to include the undeveloped portion of the secondary dunes within the Coastal Conservation Zone. This approach, coupled with recommendations to increase building setbacks to the western boundary, would also assist in rejuvenating the secondary dunes.

Access through the dunes

The EBS Report also recommended that buffers should be established between the Coastal Conservation Zone and the landscaped gardens and residential use areas, to reduce the potential for impacts such as dune erosion and the spread of exotic plants into the dunes. While the future Coast Park shared pathway may assist in minimising these impacts, its effectiveness will depend on future alignment of the pathway. The report also recommends that access points through the dunes should be clearly defined and that future tracks should minimise fragmentation of the dunes. This is consistent with recommended actions in the State’s MANCAP report. While these recommendations will need to be considered in the design of the Coast Park, buffer expectations should be acknowledged in the DPA investigations and proposed Concept Plan. This will also better align with policies within the adjacent Coastal Conservation Zone that seek to limit and control access.

The DPA should also recognise the need for best practice construction techniques to ensure care is taken to limit externalities created by the construction of taller buildings within the secondary dunes or in close proximity to the primary dunes. This could be recognised through the proposed Desired Character statement in the DPA.

Heritage and Character

State and Local Heritage

It is noted that the DPA is proposing to include a new General policy within the ‘Heritage Places’ module of the Development Plan from version 6 of the SAPPL that provides additional policy and design guidance for multi-storey additions to a State or Local Heritage place. While the DPA investigations recommend inclusion of this policy to address potential impact of multi-storey development on heritage places, the policy itself appears to specifically apply to ‘additions’ to a heritage place rather than buildings adjacent to a heritage place. On this basis, application of this policy to free-standing multi-storey development contemplated by the DPA is questionable.

In addition to the above, while section 5.4.3 of the DPA states that the Development Plan contains a number of General policies to address development related or adjacent to a heritage place, the scale and nature of development proposed to be facilitated by the DPA could be in conflict with these provisions.

Council’s Heritage and Character DPA was approved and Gazetted by the Minister on 13 February 2014. The DPA proposed to list three (3) additional places within the Minda campus site as Local Heritage places based on initial investigations undertaken by qualified heritage consultants. This included the two conifer trees, former
Coach House and avenue of River Red Gum trees within the campus. However, the Minister ultimately resolved not to grant Local Heritage status to these places.

While Council appreciates that the two conifer trees and River Red Gums are proposed to be retained under Minda’s Master Plan and are protected as Significant or Regulated trees, the DPA has not had any specific regard to these significant assets and their contribution to the character of the campus and local area.

The DPA notes that in addition to the three (3) State Heritage listed buildings within the Minda campus, Frank Hayward House is listed as a Local Heritage place in the Development Plan. However, the DPA states that this building ‘will be retained in any redevelopment of the Minda Campus’. While it is noted that Minda’s Master Plan is also proposing to retain this building, the local heritage status of the building cannot guarantee its future retention. The DPA should therefore simply clarify that the building currently has local heritage protection under the Development Act and is proposed to be retained as part of Minda’s Master Plan and long term vision.

Aboriginal heritage

While it is noted that the DPA has been referred to Aboriginal Affairs and Reconciliation and the Kaurna Nation Cultural Heritage Association, there has been no discussion in the DPA regarding Aboriginal heritage. Indeed, while Council understands that there are no current entries on the Central Archive for the site based on previous advice from the Department of the Premier and Cabinet’s Aboriginal Affairs and Reconciliation Division, the Division has suggested that there is strong potential for the remnant dunes to contain sites of aboriginal significance. As identified above, the design review process undertaken by the former IDC also identified a need to further engage with Aboriginal groups to refine the design approach, including opportunities to reference Aboriginal culture in design.

While Council appreciates that procedures under the Aboriginal Heritage Act 1988 will apply and provide blanket protection should sites, objects or remains be found during development of the area affected, regard to Aboriginal heritage and the comments from the former IDC should be included in the DPA investigations. Council understands, however, that Minda has now engaged with Aboriginal groups as part of the site’s development, and further engagement is proposed to occur in the design phase for the Coast Park.

Infrastructure

A number of land arrangements and infrastructure upgrade/augmentation requirements have been identified to implement Minda’s Master Plan and long term vision. This includes required upgrades to both road and stormwater infrastructure. As previously advised to the State Government, Council has and will continue to work constructively with Minda to confirm arrangements for the delivery of this infrastructure.

In releasing the DPA for consultation, the Minister has also advised Council that he expects that any infrastructure issues attributed to the site’s development, along with public access arrangements necessary for completion of the Coast Park, will be resolved prior to the DPA being considered for approval.

Notwithstanding this, the DPA investigations state that “Development of the precinct over the medium to long term, in conjunction with new development in the broader vicinity, could result in the need for augmentation of infrastructure. However, it is impractical to speculate about the capacity of improvements that may be needed, or the precise timing as to when potential augmentation may be required”. Given upgrade/augmentation
requirements already identified by both Council and Minda to deliver the long term vision, the DPA should clearly state that the development will require augmentation of infrastructure. Similarly, the Implications for this DPA on page 49 of the document should clearly state that while the DPA supports ‘development within an area already serviced by existing infrastructure’, the extent and scale of development anticipated by the DPA will require significant upgrade and augmentation of infrastructure.

With specific regard to stormwater infrastructure, the DPA suggests a number of future requirements for locations outside the Minda site (ie. within the wider catchment) to adequately manage stormwater flows through the campus site. In particular, the DPA envisages that detention basins will be required upstream of the Minda site at Brighton High School and Bowker Oval. Further modelling undertaken by Council has concluded, however, that there is limited benefit in developing a basin within the Bowker Oval site and the feasibility of constructing a basin within the Brighton High School campus has not been confirmed. Council is, however, seeking funding support to commence significant upgrade works to the surrounding stormwater system to accommodate anticipated development within the Minda campus site.

Public notification categories

The DPA proposes that development up to 9 storeys will be Category 1 (no notification) where it meets specific setback requirements to the northern or southern site boundaries. Where development exceeds this height provision or setback requirements it will default to Category 2 (adjoining land owners notified, but no third party rights of appeal).

Categories of public notification are prescribed in Schedule 9 of the Development Regulations 2008, although it is noted that a Development Plan can also assign various forms of development as either Category 1 or 2. Notwithstanding this, however, the list of residential developments specifically listed as Category 1 within Schedule 9 of the Regulations are generally of a minor nature and less than 2 storeys high. Regardless of any side setback requirements, the proposed categorisation of residential, mixed use or non-residential buildings (eg. medical, consulting, office towers, shops/retail) up to 9 storeys within an area surrounded by low rise residential development is clearly not within the spirit of Schedule 9 of the Development Regulations.

Indeed, development generally between 3-12 storeys is listed as Category 2 within the Residential High Density Zone of the Holdfast Bay Council Development Plan, which is a traditional medium to high-rise development area within Glenelg. It is also interesting to note that Minda Incorporated may receive notification of relatively minor forms of residential development located adjacent its boundary based on public notification requirements in the wider Residential Zone or Regulations. The DPA is therefore also inconsistent with public notification requirements in the Development Plan.

Significantly, however, the categorisation of 9 storeys buildings as Category 1 within the affected area is particularly concerning in the absence of both floor area limitations for non-residential forms of development on the campus or appropriate setback requirements for buildings above 3 storeys to King George Avenue (eastern boundary), which is fronted by traditionally low rise residential development. Both of these issues have been identified earlier in this submission and warrant significant attention.

While Council does not support the categorisation of development proposed in the DPA, the proposed wording in the policies under Public Notification in Attachment F of the DPA should read:
“Development where it is located within the Minda Incorporated Brighton Campus and is 9 storeys or less in height and is setback from the northern or southern Campus boundary as defined on Map X at least...”

Concept Plan

Proposed Concept Plan Map HoB/6 is considered to provide limited guidance regarding future development arrangements for the campus and does not represent the comprehensive planning approach undertaken as part of Minda’s long term vision.

As a minimum, it is considered appropriate to include the following elements on the proposed Concept Plan in the DPA:

- key road entry and exit points anticipated by Minda’s Master Plan and long term vision to clarify future traffic and infrastructure expectations. As identified above, this will also assist in current negotiations between Council and Minda on land and infrastructure arrangements and delivery
- clarify the location of Coastal Conservation Zone and transition or buffering arrangements to the sensitive coastal dunes based on recommendation in ecological assessment undertaken by EBS Ecology. This buffer could align with the proposed alignment of the Coast Park shared pathway and eastern extent of the Coastal Conservation Zone.

In addition to the above elements, the format of the proposed Concept Plan does not align with existing Concept Plans within the Development Plan, which were recently updated as part of introduction of the Better Development Plan (BDP) Conservation DPA. These Concept Plans are represented in full colour showing adjacent land uses and zoning and other key features in the locality to provide context. The proposed Concept Plan should therefore be updated to ensure a consistent format is achieved.

Other Matters

References

As noted above, the References/Bibliography section in the DPA is considered to be incomplete and does not include the following key background documents which were provided to the Government by Council to assist in the DPA’s preparation:

- Desktop Ecological Impact Assessment of Minda Dunes, *EBS Ecology*, 24 June 2014. This document has, however, been referred to in section B.7.2 in Appendix B of the DPA
- Peer review of the EBS Ecology Minda Dunes report prepared by Stuart Collard of the Nature Conservation Society of South Australian (4 August 2014) on behalf of URS Australia. This document has not been referred to in the ‘Investigations Previously Undertaken’ in section 4 of the DPA either but includes additional recommendations to the EBS report
- *Visual Impact Assessment* prepared by GHD dated 3 April 2014. Again, this document has not been referred to in the ‘Investigations Previously Undertaken’ in section 4 of the DPA either but is considered an important reference in formulating an appropriate policy approach.
The References/Bibliography in the draft DPA also refers to a document prepared by Jensen Planning and Design in October 2013 titled ‘Minda Brighton Campus Investigations and Policy Approach’. Council has not been privy to this document and it has not been included on the State Government’s website for viewing. It may have been advantageous to view this document during the consultation period to further clarify the policy framework proposed in the DPA.

Consultation with Local Members of Parliament

Council notes that Local Members of Parliament (MPs) have not been included in the list of organisations and Agencies to be consulted in the DPA. It is assumed and strongly recommended, however, that the Government has consulted with Local MPs given the significance of the DPA and Minda campus site.

Typographical or Referencing Errors

A number of typographical or referencing errors appear throughout the DPA. While Council appreciates that these errors may not affect the proposed policy framework in the DPA, they may influence the directions of the DPA and are listed below:

- The Background section of the DPA states that the “Minda Brighton Campus site is predominantly located within the Residential (Institution) Zone...”. Following the recent approval of Council’s Better Development Plan (BDP) Conversion DPA and based on the Development Plan that was consolidated on 27 November 2014 (which is the version that the Minda DPA is based on), the area affected by the DPA now sits predominantly within Institution Policy Area 4 of the Residential Zone.
- Typographical errors on pages 5 and 12 of the DPA – should refer to Residential Institution Zone (not ‘Institute’).
- Commentary within sections 5.1.1 and 5.1.2 of the DPA (pages 9 & 12) incorrectly refers to the ‘Coastal Policy Area 3’ of the Residential Zone. While this policy area was initially proposed under Council’s Better Development Plan (BDP) Conversion DPA, it was later replaced by the ‘Central West Policy Area 3’ as included in the Holdfast Bay Council Development Plan consolidated on 27 November 2014.
- The introductory paragraph under section 5 ‘Investigations and Rationale Informing the DPA’ should state that “in addition to those investigations already undertaken to inform the DPA (outlined in Section 4 and detailed in Appendix B)…” to direct the reader to the more detailed synopsis of the previous investigations undertaken.
- Typographical error on page 15 of the DPA – should refer to ‘curtilage’ not cartilage.
- The ‘Implications for DPA policy amendment’ at the top of page 22 refers to amending Residential Zone Principle of Development Control 7 to include the words “Except where specified in a particular policy area,...”, but should refer to PDC 3. It is noted, however, that the correct PDC reference has been included in the Amendment Instructions Table in the DPA.
- Reference on page 28 of the DPA to the Holdfast Bay (City) Development Plan should be amended to the Holdfast Bay Council Development Plan to reflect the latest Plan as consolidated on 27 November 2014.
- Typographical error on page 33 – Reference should read “Minda North Brighton Campus DPA – Wider Traffic Network Assessment, InfraPlan, October 2014”.

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• The last sentence on page 37 is incomplete

• Typographical error on page 38 – The fourth dot point in the ‘Implications for this DPA’ commentary should read “Ensuring that the new residential areas will be walkable and contain high quality, accessible and usable open space”

• The ‘Implications for this DPA’ at the bottom of page 45 is unclear and refers to the need for the final DPA to be consistent and reflect the outcomes of the Government’s Draft Integrated Transport and Land Use Plan, yet this document is the final DPA

• Commentary under section B.4 (page 49) and B.4.5 (page 51) refer to background information in section 3.2 of the DPA, but should refer to section 3.3

• Section B.8 within Appendix B of the DPA refers to Utility Infrastructure, yet commentary in paragraph 1 refers to social infrastructure, which should be included in section B.9

• Under ‘Waste Collection’ on page 60, the DPA states that “No costs will be incurred as a result of intensification in Klemzig which will increase requirements for waste collection and disposal services”. The relationship of the area affected to Klemzig is unclear

• The next statement also states that “Council’s cost will be covered by the additional rates collected from the new dwellings and businesses” – this is not always the case and the rating system for Minda recognises its institutional role. While not specifically related to the DPA or planning policy, Council is working with Minda to develop a fair and equitable rating regime based on current and future operations and tenure arrangements on the site

• Under section B.9 on page 61 the DPA states that Council engaged ‘Urban Regional Solutions’ to undertake a Social Infrastructure Assessment, which is incorrect. Council engaged the services of URS Australia to undertake this work
APPENDIX A

Analysis of General Section Amendments
APPENDIX B

Visual Impact Assessment (GHD)
APPENDIX C

Desktop Ecological Assessment of Minda Dunes
– Peer Review by the Nature Conservation Society of South Australia
## MINDA BRIGHTON CAMPUS AND GENERAL SECTIONS AMENDMENT BY THE MINISTER

### ANALYSIS OF GENERAL SECTION AMENDMENTS

<table>
<thead>
<tr>
<th>Module</th>
<th>Proposed Amendment</th>
<th>Actual Corresponding Policy in Development Plan</th>
<th>Core or Local Policy?</th>
<th>Consistent with SAPPL (Version 6)?</th>
<th>Comments / Recommendations</th>
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<tr>
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<td>Wording amendments to Objective 1</td>
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<td>Wording Amendments to Objective 2</td>
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<td>Delete and Replace PDC 2</td>
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<td>Generally</td>
<td></td>
<td>Some minor wording variations to version 6 of SAPPL, but overall policy is stronger and has been adopted to avoid duplication. New PDC 2 replaces previous PDC 4 under Design and Appearance module</td>
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<td></td>
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<td>Module</td>
<td>Proposed Amendment</td>
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<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<td>Core</td>
<td>Yes</td>
<td>Now addressed by new PDC 13</td>
<td></td>
</tr>
<tr>
<td>New PDC 13</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC replaces previous PDC 10 (actual PDC 11)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delete PDC 11</td>
<td>PDC 13</td>
<td>Core</td>
<td>Yes</td>
<td>Addressed by new PDC 18</td>
<td></td>
</tr>
<tr>
<td>New PDC 14</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to avoid extensive or uninterrupted walling facing public areas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New PDC 15</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC replaces previous PDC 8 (actual PDC 9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delete PDC 12</td>
<td>PDC 14</td>
<td>Core</td>
<td>Yes</td>
<td>Now addressed by new PDC 19</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 13</td>
<td>PDC 15</td>
<td>Core</td>
<td>Yes</td>
<td>PDC relates to light spillage from outdoor lighting onto adjacent land, but no longer appears in version 6 of the SAPPL. However, policy issue does not appear to be addressed elsewhere in the Development Plan and therefore should be retained</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 14</td>
<td>PDC 16</td>
<td>Core</td>
<td>Yes</td>
<td>Now addressed by new PDC 5</td>
<td></td>
</tr>
<tr>
<td>New PDC 16</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to encourage non-residential uses at ground floor in mixed use developments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New PDC 17</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to address street activation from mixed use development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<tr>
<td>New PDC 18</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td></td>
<td>New PDC replaces previous PDC 11 (actual PDC 13)</td>
</tr>
<tr>
<td>New PDC 19</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td></td>
<td>New PDC replaces and improves on previous PDC 12 (actual PDC 14)</td>
</tr>
<tr>
<td>Revised PDC 20</td>
<td>PDC 17</td>
<td>Core with some Local</td>
<td>No</td>
<td></td>
<td>New PDC should refer to setback of buildings, but policies for outdoor storage and service areas have been included here in error. Further, Council amended the word ‘building’ to refer to ‘development’ to ensure that setbacks apply to all forms of development</td>
</tr>
<tr>
<td>Delete PDC 16</td>
<td>PDC 19</td>
<td>Local</td>
<td></td>
<td></td>
<td>Now addressed by new PDC 32. Wording remains unchanged</td>
</tr>
<tr>
<td>New PDC 21</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td></td>
<td>New policy to address setbacks to a secondary street in all areas (except where specified at Zone or Policy Area level) and requires 'compatibility'. During the recent BDP conversion it was identified that there was no existing policy regarding secondary street setbacks for non-residential development in the previous Development Plan. While there may be some advantage to including a policy in this regard, the relevance and outcome of this policy in a non-residential environment (eg. commercial or industrial zones) is questioned. As this policy is 'optional' under version 6 of the SAPPL, Council does not support its introduction in the absence of further testing</td>
</tr>
<tr>
<td>New PDC 22</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td></td>
<td>New policy to ensure setbacks also consider road widening, which is considered appropriate. This is now Core policy for all Greater Adelaide Development Plans under version 6 of the</td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<td>SAPPL</td>
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<tr>
<td>New PDC 24</td>
<td>Core</td>
<td>Partly</td>
<td></td>
<td></td>
<td>New PDC carried over from core PDC 9 (actual PDC 22) in the Residential Development module and relates to dwelling setbacks from side and rear boundaries. Wording remains unchanged, but given that the policy relates strictly to dwellings it would be appropriate to retain this PDC within the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td>New PDC 25</td>
<td>Local</td>
<td>-</td>
<td></td>
<td></td>
<td>New PDC carried over from local PDC 10 (actual PDC 23) in the Residential Development module and relates to side and rear setbacks for residential development where not located on a boundary. Wording remains unchanged, but given that the policy relates strictly to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td>New PDC 26</td>
<td>Local</td>
<td>-</td>
<td></td>
<td></td>
<td>New PDC carried over from local PDC 11 (actual PDC 24) in the Residential Development module and relates specifically to dwellings and residential flat buildings on hammerhead/battle-axe sites. Wording remains unchanged, but given that the policy relates strictly to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td>New PDC 27</td>
<td>Core</td>
<td>Partly</td>
<td></td>
<td></td>
<td>New PDC carried over from core PDC 12 (actual PDC 25) in the Residential Development module and relates to residential development on side boundaries. Wording remains unchanged, but given that the policy generally relates to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td>New PDC 28</td>
<td>Local</td>
<td>-</td>
<td></td>
<td></td>
<td>New PDC carried over from local PDC 13 (actual PDC 26) in the Residential Development module and specifically relates to residential development on side boundaries (and aligns with</td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<td></td>
<td>the Residential Code). Wording remains unchanged, but given that the policy relates strictly to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td></td>
<td>New PDC 29</td>
<td>Local</td>
<td>-</td>
<td></td>
<td>New PDC carried over from local PDC 14 (actual PDC 27) in the Residential Development module and relates to residential development on corner sites (secondary street). Wording remains unchanged, but given that the policy relates strictly to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td></td>
<td>New PDC 30</td>
<td>Local</td>
<td>-</td>
<td></td>
<td>New PDC carried over from local PDC 15 (actual PDC 28) in the Residential Development module and relates to residential development on corner sites (secondary street). Wording remains unchanged, but given that the policy relates strictly to residential development it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td></td>
<td>New PDC 31</td>
<td>Core</td>
<td>Partly</td>
<td></td>
<td>New PDC carried over from core PDC 16 (actual PDC 29) in the Residential Development module and specifically relates to carports and garages. Wording remains unchanged, but given that the policy relates to development of a residential nature (eg. refer to part (d) of the policy) it would be appropriate to retain this PDC in the General Residential Development section of the Development Plan</td>
</tr>
<tr>
<td></td>
<td>New PDC 32</td>
<td>Local</td>
<td>-</td>
<td></td>
<td>Location of local PDC has shifted within the Design and Appearance module, which is considered appropriate. Wording remains unchanged</td>
</tr>
<tr>
<td>Medium and High Rise Development (3 or More Storeys)</td>
<td>Insert completely new</td>
<td>Core</td>
<td>Yes</td>
<td>New policies to address design and location of medium and</td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<tr>
<td></td>
<td>module</td>
<td></td>
<td></td>
<td></td>
<td>high rise development. New policies will apply City-wide. However, policies generally complement existing policies for medium and higher density development in the Development Plan and are considered appropriate to further guide the design and location of taller buildings within the city</td>
</tr>
<tr>
<td>Residential Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Objectives</td>
<td>Wording amendments to Objective 2</td>
<td>Core</td>
<td>Yes</td>
<td>Wording amendments align with version 6 of the SAPPL and do not impact on the intent of the policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wording amendments to Objective 3</td>
<td>Core</td>
<td>Yes</td>
<td>Wording amendments align with version 6 of the SAPPL to provide greater clarity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wording amendments to Objective 4</td>
<td>Core</td>
<td>Yes</td>
<td>Wording amendments align with version 6 of the SAPPL, but complement other policies within the Development Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wording amendments to Objective 5</td>
<td>Core</td>
<td>Yes</td>
<td>Wording amendments to align with version 6 of the SAPPL and include promotion of student accommodation in appropriate locations. The Development Plan currently encourages student accommodation within the Medium Density Policy Area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New Objective 6</td>
<td>Core</td>
<td>Yes</td>
<td>New Objective to encourage affordable housing through land divisions and conversion of non-residential buildings. Policies generally complement existing policies in the Development Plan</td>
<td></td>
</tr>
<tr>
<td>Principles</td>
<td>Wording amendments to PDC 1</td>
<td>Core</td>
<td>Partly</td>
<td>Wording in the lead-in sentence has changed slightly in version 6, but is not picked up in the DPA changes. Remaining wording amendments to align with version 6 of the SAPPL and ensure that pedestrian and cycling access is safe and convenient and encourage water sensitive urban design (WSUD) in residential development. However, Council’s BDP adopted an optional policy from version 5 of the SAPPL that referred to passive energy design, which has now been deleted as it no longer features in version 6. Notwithstanding this, Council’s new Development Plan already includes General land division policies that encourage layouts for optimal energy efficient building orientation</td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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</tr>
<tr>
<td>Delete PDC 4</td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>PDC relates to location of affordable housing but no longer exists in version 6 of the SAPPL, possibly given introduction of the Affordable Housing Overlay in version 6. Council’s Development Plan does not include the Affordable Housing Overlay and the policy is therefore not replicated elsewhere in the Plan. Notwithstanding, this policy has limited value for retention and Zone policies will dictate where affordable housing may be developed in the Council area</td>
</tr>
<tr>
<td>New PDC 4</td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to control design and appearance of residential development, which is considered to complement existing policies within the Development Plan</td>
</tr>
<tr>
<td>New PDC 5</td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to ensure living rooms have an external outlook, which is considered to complement existing policies within the Development Plan</td>
</tr>
<tr>
<td>Delete PDC 5</td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>PDC no longer forms part of SAPPL, but is considered to be addressed in other areas of the Development Plan, including the Crime Prevention and Landscaping, Fences and Walls modules</td>
</tr>
<tr>
<td>Delete PDC 6</td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>PDC now generally addressed under the Medium and High Rise Development (3 or More Storeys) module</td>
</tr>
</tbody>
</table>
| Local additions showing as ‘Core’ policy in PDC 10 | PDC 11             |                                               | Core with some Local   | No                                 | PDC has been retained in the General Residential Development section of the Development Plan and was included as part of version 5 of the SAPPL. However, the PDC contains local additions that are being reflected as ‘core’ policy. PDC 10(a) should therefore be amended as follows:
   (a) windows of habitable rooms (all rooms excluding bathrooms, laundries and hallways), particularly living areas  |
<p>| Number missing on what should be PDC 14 |                    |                                               | -                     | -                                  | This is an error from version 5 of the SAPPL, which was inadvertently carried over into Council’s current Development Plan as part of the BDP conversion DPA. All PDCs following PDC |</p>
<table>
<thead>
<tr>
<th>Module</th>
<th>Proposed Amendment</th>
<th>Actual Corresponding Policy in Development Plan</th>
<th>Core or Local Policy?</th>
<th>Consistent with SAPPL (Version 6)?</th>
<th>Comments / Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delete PDC 7</td>
<td>PDC 20</td>
<td>Core with some Local</td>
<td>Yes</td>
<td>PDC no longer forms part of version 6 of the SAPPL. Street and boundary setbacks are more specifically addressed through other policies in the Development, including within Zone and Policy Areas. Further, the component of the policy dealing with visual privacy from pedestrian and vehicle movement is ambiguous. Therefore, policy not considered to provide significant value for assessment of development and deletion is supported</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 8</td>
<td>PDC 21</td>
<td>Core</td>
<td>Yes</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 21. As above, this would mean that the policy will apply to non-residential buildings also, which is not desirable and inconsistent with the BDP Conversion DPA</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 9</td>
<td>PDC 22</td>
<td>Core</td>
<td>Yes</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 24. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 10</td>
<td>PDC 23</td>
<td>Local</td>
<td>-</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 25. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 11</td>
<td>PDC 24</td>
<td>Local</td>
<td>-</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 26. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 12</td>
<td>PDC 25</td>
<td>Core</td>
<td></td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 27. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 13</td>
<td>PDC 26</td>
<td>Local</td>
<td>-</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 28. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 14</td>
<td>PDC 27</td>
<td>Local</td>
<td>-</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 29. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 15</td>
<td>PDC 28</td>
<td>Local</td>
<td>-</td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 30. Wording remains unchanged</td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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</tr>
<tr>
<td>Delete PDC 16</td>
<td>PDC 29</td>
<td>Core</td>
<td></td>
<td></td>
<td>PDC has been carried over into the Design and Appearance module as new PDC 31. Wording remains unchanged</td>
</tr>
<tr>
<td>Wording amendments to PDC 20</td>
<td>PDC 31</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>Minor wording amendments to PDC to align with version 6 of the SAPPL and provide greater clarification</td>
</tr>
<tr>
<td>Wording amendments to PDC 22</td>
<td>PDC 33</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>Minor wording amendments to PDC to align with version 6 of the SAPPL and provide greater guidance regarding the design of private open space to ameliorate noise and air quality impacts (eg. for development adjacent to main or arterial roads) and ensure sufficient area and shape to be functional</td>
</tr>
<tr>
<td>Delete PDC 17</td>
<td>PDC 34</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>PDC has been incorporated into PDC 22(j)</td>
</tr>
<tr>
<td>Wording amendments/deletion of wording in PDC 24</td>
<td>PDC 36</td>
<td>Core with some Local</td>
<td></td>
<td>Yes</td>
<td>Deletions are consistent with core policy in the SAPPL. Local additions remain unchanged</td>
</tr>
<tr>
<td>Delete PDC 18</td>
<td>PDC 37</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>PDC no longer exists in version 6 of SAPPL</td>
</tr>
<tr>
<td>Delete PDC 19</td>
<td>PDC 38</td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>PDC no longer exists in version 6 of SAPPL</td>
</tr>
<tr>
<td>New PDC 25</td>
<td></td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>New PDC to ensure open space provides a consolidated area of deep soil for drainage, deep planting and to reduce heat and is supported</td>
</tr>
<tr>
<td>New PDC 26</td>
<td></td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>New PDC to establish minimum open space requirements for studios to 3+ bedroom dwellings located above ground level. PDC is supported by existing PDC 35, which addresses private open space at ground level including for residential flat buildings. Similar policy currently applies in the Residential High Density Zone (PDC 12) of Council’s Development Plan, but applies to both ground level and above ground level dwellings – this will, however, override General policy where there is a conflict</td>
</tr>
<tr>
<td>New PDC 27</td>
<td></td>
<td>Core</td>
<td></td>
<td>Yes</td>
<td>New PDC to require minimum 2m dimension, which is consistent with version 6 of the SAPPL and existing PDC 36 in the Residential Development module of Council’s Development Plan (proposed to be deleted under this DPA). Policy does,</td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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</tr>
<tr>
<td>New PDC 28</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to allow private open space to be substituted for the equivalent area of communal open space in certain circumstances. This is consistent with a similar policy (PDC 7) in the <em>Urban Glenelg Policy Area 15</em> of the Residential Zone. No conflicts with existing policy apparent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New PDC 29</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to address communal open space under version 6 of the SAPPL. Policies do not appear to conflict with existing policies in Council’s Development Plan and provide additional policy guidance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New PDC 30</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to address communal open space under version 6 of the SAPPL. As above, policies do not appear to conflict with existing policies in Council’s Development Plan and provide additional policy guidance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delete PDC 20</td>
<td>PDC 39</td>
<td>Core with some Local</td>
<td>No</td>
<td>PDC has been relocated and incorporated into new PDC 37 in the <em>Residential Development</em> module, with all local additions</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 21</td>
<td>PDC 40</td>
<td>Local</td>
<td>-</td>
<td>PDC has generally been replicated in new PDC 10 within the <em>Design and Appearance</em> module</td>
<td></td>
</tr>
<tr>
<td>New PDC 31</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to address sill and screen heights to upper level windows for buildings less than 3 storeys. PDC also includes optional height values of 1.7m, which is consistent with Council’s current Development Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delete PDC 22</td>
<td>PDC 41</td>
<td>Local</td>
<td>-</td>
<td>PDC is relatively prescriptive (including diagrams) regarding location of upper storey windows, but has not been carried over into another module. This was negotiated as valued policy during the BDP conversion process and should be retained in the General <em>Residential Development</em> policies in the Development Plan</td>
<td></td>
</tr>
<tr>
<td>Delete PDC 23</td>
<td>PDC 42</td>
<td>Core</td>
<td>Yes</td>
<td>PDC has been carried over into PDC 11 of <em>Design and Appearance</em> module</td>
<td></td>
</tr>
<tr>
<td>New PDC 33</td>
<td>Core</td>
<td>Yes</td>
<td>New PDC introduced in version 6 of the SAPPL to control</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<tr>
<td></td>
<td>Delete PDC 24</td>
<td>PDC 47</td>
<td>Core</td>
<td>Yes</td>
<td>intrusion of external noise and artificial light into bedrooms</td>
</tr>
<tr>
<td></td>
<td>New PDC 37</td>
<td>Core and some Local</td>
<td>Yes</td>
<td></td>
<td>PDC has been relocated and replaces previous PDC 20 (actual PDC 39). Wording retains all core and local additions</td>
</tr>
<tr>
<td></td>
<td>New PDC 38</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>New PDC to ensure design of affordable housing complements other dwellings</td>
</tr>
<tr>
<td></td>
<td>Delete PDC 25</td>
<td>PDC 48</td>
<td>Core with substantial Local</td>
<td>Yes</td>
<td>PDC carried over to new PDC 23 in Transportation and Access module. Wording remains unchanged</td>
</tr>
<tr>
<td></td>
<td>Delete PDC 26</td>
<td>PDC 49</td>
<td>Local</td>
<td></td>
<td>PDC carried over to new PDC 24 in Transportation and Access module. Wording remains unchanged</td>
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<tr>
<td></td>
<td>Delete PDC 27</td>
<td>PDC 50</td>
<td>Core</td>
<td>Yes</td>
<td>PDC carried over in part to new PDC 49 in Transportation and Access module. Wording is consistent with version 6 of SAPPL, but does not include parts (d) and (e) referring to availability of on-street parking and loss of on-street car parks. While removal of parts (d) and (e) is consistent with version 6 of the SAPPL, these are considered important elements in the consideration of on-site parking in the Council area (eg. in our mainstreet areas) and should be retained as local additions</td>
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<td>Delete PDC 28</td>
<td>PDC 51</td>
<td>Core</td>
<td>Yes</td>
<td>PDC carried over to new PDC 50 in Transportation and Access module. Very minor wording changes, but consistent with version 6 of the SAPPL</td>
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<td></td>
<td>Delete PDC 29</td>
<td>PDC 52</td>
<td>Core and some Local</td>
<td>Yes</td>
<td>PDC carried over to new PDC 48 in the Transportation and Access module with wording changes to be consistent with version 6 of the SAPPL. Wording changes considered minor</td>
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<td>Delete PDC 30</td>
<td>PDC 53</td>
<td>Core</td>
<td>No</td>
<td>PDC carried over to new PDC 25 in Transportation and Access module. Wording remains unchanged. However, PDC originated from version 5 of the SAPPL and does not appear in version 6, but appropriate to retain</td>
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<td>Delete PDC 31</td>
<td>PDC 54</td>
<td>Core</td>
<td>No</td>
<td>PDC carried over to new PDC 26 in Transportation and Access module. Wording remains unchanged. However, again PDC</td>
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<tr>
<td>Module</td>
<td>Proposed Amendment</td>
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<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
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<tr>
<td></td>
<td>Delete PDC 32</td>
<td>PDC 55</td>
<td>Local</td>
<td>-</td>
<td>originated from version 5 of the SAPPL and does not appear in version 6, but appropriate to retain</td>
</tr>
<tr>
<td></td>
<td>Delete PDC 33</td>
<td>PDC 56</td>
<td>Core with some Local</td>
<td>-</td>
<td>PDC carried over to new PDC 27 in Transportation and Access module. Wording remains unchanged</td>
</tr>
<tr>
<td></td>
<td>Delete PDC 34</td>
<td>PDC 57</td>
<td>Core</td>
<td>No</td>
<td>PDC carried over to new PDC 52 in Transportation and Access module. However, optional policy (h) has now been included (as policy (i)) but was not introduced during BDP conversion. A development constraint was recently introduced into Council’s Development Plan as part of the BDP conversion process to require new buildings along the coast to meet a minimum site and floor level. Optional policy (i) may therefore conflict with this policy and development constraint in some circumstances and therefore should not be included in the Development Plan. Further, while undercroft car parking has been advocated in Holdfast Bay where sites slope up from the street (as per PDC new PDC 52(c) in the Transportation and Access module), the nature and topography of the Minda site may justify the inclusion of undercroft car parking as a means of reducing the visual scale and bulk of new residential buildings within the site. New PDC 52(c) could therefore be amended as follows: &quot;(c) the site slopes up from the street (except where located in the Minda Incorporated Brighton Campus)&quot;</td>
</tr>
<tr>
<td></td>
<td>Delete PDC 35</td>
<td>PDC 58</td>
<td>Core</td>
<td>No</td>
<td>PDC carried over to new PDC 54 in Transportation and Access module. Wording remains unchanged. However, while PDC was included in version 5 of the SAPPL, it no longer exists in version 6 of SAPPL. Retention of policy is considered appropriate</td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<tr>
<td>Transportation and Access</td>
<td>Delete PDC 36</td>
<td>PDC 59</td>
<td>Core</td>
<td>Partly</td>
<td>PDC carried over to new PDC 55 in <em>Transportation and Access</em> module. Wording remains unchanged but minor variation to wording in version 6 of the SAPPL.</td>
</tr>
<tr>
<td>Principles</td>
<td>Deletion of wording in PDC 8</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC amended to reflect wording in version 6 of the SAPPL to remove unnecessary wording.</td>
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<tr>
<td>Wording amendments to PDC 10</td>
<td>PDC 11</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>Minor wording amendments to be consistent with version 6 of the SAPPL.</td>
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<tr>
<td>New PDC 11</td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>New PDC to address separation of driveways to optimise provision of on-street parking, which is supported.</td>
</tr>
<tr>
<td>Wording amendments to PDC 12</td>
<td>PDC 13</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC amended to ensure that crossovers match the surface colour of the footpath. Wording is now consistent with version 6 of the SAPPL.</td>
</tr>
<tr>
<td>Wording amendments to PDC 14</td>
<td>PDC 17</td>
<td>Core</td>
<td>No</td>
<td></td>
<td>New PDC actually reflects existing PDC 16 in the General <em>Transportation and Access</em> section of the Development Plan and was derived from version 5 of the SAPPL – it should therefore appear in black text (not red) in the DPA as it is not proposed as new policy. However, the policy is no longer included in version 6 of the SAPPL.</td>
</tr>
<tr>
<td>New PDC 20</td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC has been worded consistent with Council’s Development Plan even though use of strikethrough implies there have been changes made.</td>
</tr>
<tr>
<td>New PDC 21</td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>New PDC to address requirements for on-site bicycle parking facilities.</td>
</tr>
<tr>
<td>Wording amendments to PDC 22</td>
<td>PDC 21</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC amended to refer to design of both pedestrian and cycling facilities.</td>
</tr>
<tr>
<td>Delete PDC 17</td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC replaced by amended and updated PDC 22 in <em>Transportation and Access</em> module.</td>
</tr>
<tr>
<td>New PDC 23</td>
<td></td>
<td>Core and</td>
<td>-</td>
<td></td>
<td>PDC transferred from PDC 25 (actual PDC 48) in <em>Residential</em></td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<td></td>
<td></td>
<td></td>
<td>Local</td>
<td></td>
<td>Development module. Wording primarily local and remains unchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local</td>
<td></td>
<td>PDC transferred from PDC 26 (actual PDC 49) in Residential Development module. Wording remains unchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Core</td>
<td>No</td>
<td>PDC transferred from PDC 30 (actual PDC 53) in Residential Development module. However, while PDC was included in version 5 of the SAPPL, it no longer included in version 6 of SAPPL. However, retention of policy is considered appropriate</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Core</td>
<td>No</td>
<td>PDC transferred from PDC 31 (actual PDC 54) in Residential Development module. However, while PDC was included in version 5 of the SAPPL, it no longer included in version 6 of SAPPL. However, retention of policy is considered appropriate</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local</td>
<td></td>
<td>PDC transferred from PDC 32 (actual PDC 55) in Residential Development module. Wording remains unchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Core</td>
<td>Yes</td>
<td>New PDC to address structure such as canopies and balconies that encroach onto the footpath of an arterial road. PDC is included in version 6 of the SAPPL. Content of policy is considered appropriate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PDC 35</td>
<td>Core</td>
<td>Yes</td>
<td>PDC has been amended to reflect wording of version 6 of SAPPL, including consideration for electric vehicles. Amended wording considered appropriate. However, text showing in ‘green’ was actually core policy from version 5 of the SAPPL and should therefore be shown as ‘black’ text in the DPA</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Core</td>
<td>No</td>
<td>PDC 36 in the General Transportation and Access section of the Development Plan that deals with reducing opportunities for crime in the design of parking areas was included as part of version 5 of the SAPPL but has been deleted in the DPA without any acknowledgement of being deleted. While the PDC no longer exists in version 6 of the SAPPL, deletion of this policy requires some justification</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PDC 39</td>
<td>Core</td>
<td>Yes</td>
<td>Very minor wording amendment to PDC to provide greater clarification and align with version 6 of the SAPPL</td>
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<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<tr>
<td></td>
<td>Wording amendments to PDC 46</td>
<td>PDC 40</td>
<td>Core</td>
<td>Partly</td>
<td>Wording amendments to PDC align with version 6 of the SAPPL to further clarify that the policy relates to outdoor parking areas only. However, the words ‘soft (living) landscaping’ should be shown as black text (not green) as they reflect core wording in version 5 of the SAPPL.</td>
</tr>
<tr>
<td></td>
<td>Wording amendment to PDC 47</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>The word ‘Vehicle’ has been added to this PDC (currently PDC 41 in the General Transportation and Access section of the Development Plan) to align with version 6 of the SAPPL and should therefore be shown as ‘red’ in the DPA to reflect this change</td>
</tr>
<tr>
<td></td>
<td>Wording amendments to PDC 48</td>
<td>Core and some Local</td>
<td>Yes</td>
<td></td>
<td>PDC has been carried over from PDC 29 (actual PDC 52) of the General Residential Development section but has been amended to align with wording contained in version 6 of the SAPPL to provide greater clarity. Local additions remain unchanged</td>
</tr>
<tr>
<td></td>
<td>New PDC 49</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC has been transferred from PDC 27 (actual PDC 50) in the Residential Development module. Wording is consistent with version 6 of SAPPL, but does not include parts (d) and (e) referring to availability of on-street parking and loss of on-street car parks. As identified above, while removal of parts (d) and (e) is consistent with version 6 of the SAPPL, these are considered important elements in the consideration of on-site parking in the Council area (eg. in mainstreet areas) and should be retained as local additions</td>
</tr>
<tr>
<td></td>
<td>New PDC 50</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>PDC has been transferred from PDC 28 (actual PDC 51) in Residential Development module. Very minor wording changes, but consistent with version 6 of the SAPPL</td>
</tr>
<tr>
<td></td>
<td>New PDC 51</td>
<td>Core</td>
<td>Yes</td>
<td></td>
<td>New PDC to control the location of ground level parking areas associated with dwellings, including garages and carports. This policy appears to be written to apply to multiple dwelling sites or vehicle parking areas servicing more than one dwelling, as in most cases, vehicle access will be from a primary street. The</td>
</tr>
<tr>
<td>Module</td>
<td>Proposed Amendment</td>
<td>Actual Corresponding Policy in Development Plan</td>
<td>Core or Local Policy?</td>
<td>Consistent with SAPPL (Version 6)?</td>
<td>Comments / Recommendations</td>
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<td></td>
<td>PDC should therefore be amended to clarify in what circumstances it is intended to apply</td>
</tr>
<tr>
<td>New PDC 52</td>
<td>Core and some Local</td>
<td>Yes</td>
<td>PDC has been transferred from PDC 33 (actual PDC 56) in the <em>Residential Development</em> module. However, optional policy (h) (referred to as (i) in the DPA) has now been included and there may be some conflict regarding required levels based on Development Constraints recently introduced into the Development Plan for coastal sites (refer commentary above)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New PDC 53</td>
<td>Core</td>
<td>No</td>
<td>PDC transferred from PDC 34 (actual PDC 57) in the <em>Residential Development</em> module. Wording remains unchanged. However, while PDC formed an ‘optional’ policy in version 5 of the SAPPL, it no longer exists in version 6 of SAPPL. Retention of policy is considered appropriate</td>
<td></td>
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<tr>
<td>New PDC 54</td>
<td>Core</td>
<td>No</td>
<td>PDC transferred from PDC 35 (actual PDC 58) in the <em>Residential Development</em> module. Wording remains unchanged. However, while PDC was included in version 5 of the SAPPL, it no longer exists in version 6 of SAPPL. Retention of policy is considered appropriate</td>
<td></td>
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<tr>
<td>New PDC 55</td>
<td>Core</td>
<td>Partly</td>
<td>PDC transferred from PDC 36 (actual PDC 59) in the <em>Residential Development</em> module. Wording remains unchanged but minor variation to wording in version 6 of the SAPPL</td>
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<td>Context for Report</td>
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<td>Executive Summary</td>
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<td>1.2 Master Plan &amp; Cross sections</td>
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<td>1.3 Views - Before &amp; After</td>
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<td>3 Coastal Examples &amp; Comparisons</td>
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<td>3.1 Coastal Examples</td>
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<td>3.2 Conclusion</td>
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<td>Figure 1 - Master Plan Long Term Vision Plan</td>
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<td>Figure 2 - Master Plan - Typical Cross Sections</td>
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**Context of report**

**EXECUTIVE SUMMARY**

In February 2014 GHD was engaged by the City of Holdfast Bay to prepare a Visual Impact Analysis, as part of the overall investigations informing the Development Plan Amendment (DPA) for the Minda Redevelopment at the Brighton site, SA as expressed in the overall Master Plan (specifically the Long Term Vision Plan) prepared by Woodhead and Jensen Planning and Design dated 23 July 2013.

The objectives of this Visual Impact Analysis is to provide before and after site focused photo montages of currently publicly accessible pedestrian level views to demonstrate the visual impact that the proposed long term future development may have on the surrounding coastal and residential areas surrounding the site.

Views have been taken from key locations at eye level, namely from:

- The Somerton Surf Life Saving Club (north of the site) - looking south southeast towards the two storey townhouses at the end of Gladstone Road that are located on the southern boundary of the site, on the primary dune, facing directly onto the beach.
- The water’s edge (from a boat) looking directly east towards the existing sand dunes (conservation zone), the proposed development area, showing the Somerton Surf Life Saving Club to the north and the two storey residential townhouses to the south for context.
- The two storey townhouses (south of the site) looking north east towards the sand dunes (conservation zone) and Somerton Surf Life Saving Club in the horizon for context.
- Repton Road (close to the Esplanade), looking south into the development site.
- King George Avenue, into the existing main entry into the Minda site.

**1. Methodology**

**1.1 APPROACH TO ANALYSIS**

This work is intended to offer a realistic impression of the likely visual impact of the overall Master Plan.

The images depicted in this report are indicative only and are intended to portray a sense of the bulk, scale and materiality of the proposed residential apartment buildings.

It should be noted that the building facade designs represent ‘typical’ contemporary multi-storey building typologies. These are based on and are consistent with the designs of the buildings currently being built on site in the eastern sector and the north west sector of the site.

The final finishes, design, colours and materials have yet to be fully developed and realised.

The photos represented within this report are ‘actual’ photos taken on the ground at eye level height.

Locations of views were selected on the basis of typical locations where members of the public might view the site. These key locations include the areas adjacent the north west of the site – the Somerton Surf Life Saving Club and the kiosk (along the western section of Repton Road, near the Esplanade corner), along King George Avenue and at the end of the Gladstone Road boat ramp and coastal area in front of the conservation zone (along the western frontage of Minda).

The photos were taken using actual AHD (Australian Height Datum ) levels.

The photo-montages were prepared using actual building information data i.e. 3-D models which were generated using contour information to determine the height of the buildings in relation to the position and height of the viewer in each view and the surrounding properties and dunes.

The Somerton Surf Life Saving Club adjacent the north west corner of the Minda site and the two storey residential building at the end of Gladstone Road, near the south west corner of the site have been incorporated into the 3-D models to provide height reference points.

None of the images presented in this analysis have altered the vegetation except for the Repton Road corner site, where, as part of the overall redevelopment of the north east corner, a future landscape treatment is proposed to enhance the streetscape.
1. Methodology

1.2 MASTERPLAN & CROSS SECTIONS

Figure 1 - The Masterplan - Long Term Vision Plan identifies the proposed new residential apartment buildings. In addition, the key locations where the views/photos have been taken from have been numbered on the plan to provide a clearer understanding of the site context.

1.3 VIEWS - BEFORE & AFTER

Views have been taken from key locations around the site which are in public view, namely from:

- View 1 - taken from the Somerton Surf Life Saving Club (north of the site) - looking south southeast towards the two storey townhouses at the end of Esplanade.
- View 2 - taken in close proximity to the two storey townhouses (south of the site) looking north east towards the sand dunes.
- View 3 - taken from the water’s edge looking directly east towards the existing sand dunes (Conservation Zone) in the foreground.
- View 4 - View taken from boat on the water looking directly east towards the Minda site.
- View 5 - View taken from the beach looking towards the car park and boat ramp adjacent the two storey residential townhouses at the south edge of the Minda site.
- View 6 -View taken from the end of the car park adjacent the two storey residential townhouses at the south edge of the Minda site.
- View 7 - View taken from the end of the car park adjacent the two storey residential townhouses at the south edge of the Minda site.
- View 8 - King George Avenue, into the existing main entry into the Minda site.
- View 9 - Repton Road, looking south into the development site.

FIGURE 1 : MASTERPLAN - LONG TERM VISION PLAN
1. Methodology

Figure 1 - The Master Plan by Woodhead defines the heights / number of levels for each of the residential apartment buildings. They clearly indicate that the proposed residential buildings are to be set back from the primary dune / conservation zone with an access road servicing the new development.

The foreshore frontage is significant at approximately 440 metres. The existing undeveloped secondary dunes frontage is approximately 140 metres.

Figure 2 - The Master Plan Cross Sections by Woodhead define the heights / number of levels for each of the residential apartment buildings. They clearly indicate that the proposed residential buildings are to be set back from the primary dune / conservation zone with an access road servicing the new development.

R7 is setback approximately 50 metres from the boundary and R7, R8, R9 are setback 100 metres from the boundary.

R4 is setback approximately 100 metres from the boundary (adjacent the southern boundary).

Note: the existing dunes obscure 1 to 2 levels.
2. Views

2.1 VIEW 1 - BEFORE

View 1 is taken from the Somerton Surf Life Saving Club (north of the site) - on top of the ramp - looking south southeast. The two storey townhouses can be seen in the distance, at the end of Gladstone Road - located on the southern boundary of the site, elevated on the primary dune, and facing directly onto the beach.
2. Views

2.2 VIEW 1 - AFTER

View 1 indicates the four proposed residential apartment buildings R8, R9, R7 and R4 consecutively. The buildings are set back from the primary dune with a future proposed Coast Park connection between the apartment buildings and the top edge of the conservation zone.

R8 is proposed at 8 levels, R9 is at 9 levels, R7 is 7 levels and R4 is proposed at 4 levels above the ground level (proposed car parking basement).

The materials have been chosen to reflect the colour scheme of the coastal dune system.

Note that Levels 1 and 2 of the residential buildings are obscured by the primary dune and conservation zone (refer to figure 2 for height comparison between the proposed residential buildings and the existing primary dune system).
2. Views

2.3 VIEW 2 - BEFORE

View 2 is taken in close proximity to the two storey townhouses (south of the site) looking north-east towards the sand dunes (conservation zone) and Somerton Surf Life Saving Club in the horizon, for context.
2. Views

2.4 VIEW 2 - AFTER

View 2 indicates the proposed residential apartment buildings R7 and R5 adjacent to the Surf Life Saving Club with R8 in the foreground.

The buildings are set back from the primary dune with a future proposed Coast Park connection between the apartment buildings and the top edge of the conservation zone.

R8 is proposed at 8 levels, R7 is 7 levels and R5 is proposed at 5 levels above the ground level (proposed car parking basement).

Note that the development is not continuous throughout the dune frontage, allowing a significant visual distance between the apartment buildings.

Materials are in keeping with the dune colour scheme.
2. Views

2.5 VIEW 3 - BEFORE

View 3 is taken from the beach edge looking north east towards the existing sand dunes (conservation zone) in the foreground, and the proposed development area, (with the Somerton Surf Life Saving Club to the left).
2. Views

2.6 VIEW 3 - AFTER

The View indicates the proposed residential apartment buildings R3 and R7 adjacent to the Surf Life Saving Club with R8 in the foreground towards the right.

The buildings are set back from the primary dune with a future proposed Coast Park connection between the apartment buildings and the top edge of the Conservation Zone.

R3 is proposed at 3 levels, and R7 is 7 levels above the ground level (with the proposed car parking within basement level).

The materials are in keeping with the dune colour scheme.
2. Views

2.7 VIEW 4 - BEFORE

View 4 is taken from a boat on the water looking directly east towards the two-storey residential townhouses (on the right) of the Minda site, and the Surf Life Saving Club (on the left of the photo).
2. Views

2.8 VIEW 4 - AFTER

View 4 is taken from a boat on the water with the proposed development forming a gentle ‘wave’ in terms of a gradual increase in height from adjoining 2 storey buildings either side of the Minda site.

To the left, the residential apartment buildings gradually increase in height from 3 to 7 storeys adjacent the Surf Life Saving Club.

There is a significant visual gap provided with the conservation zone dominating the view in this section (approximately 140 metres).

The residential buildings then continue at 8 levels, then to a maximum height of 9 levels which then reduces to 7 levels and then finally to 4 levels which is set back from the adjacent two storey townhouses on the right by approximately 100 metres.
2. Views

2.9 VIEW 5 - BEFORE

View 5 is taken from the beach looking south east, towards the car park and boat ramp adjacent the two storey residential townhouses at the south edge of the Minda site.
2. Views

2.10 VIEW 5 - AFTER

View 5 is taken from the beach looking towards the car park and boat ramp adjacent the two storey residential townhouses at the south edge of the Minda site, showing the proposed new 9, 8, and 7 storey residential buildings set back behind the conservation zone.
2. Views

2.11 VIEW 6 - BEFORE

View taken from the end of the car park and boat ramp adjacent the two storey residential townhouses at the south edge of the Minda site, looking directly north towards the Surf Life Saving Club.
2. Views

2.11 VIEW 6 - AFTER

View 6 is taken from the end of the car park and boat ramp adjacent the two storey residential townhouses at the south edge of the Minda site. The view is looking directly north towards the Surf Life Saving Club and indicates the proposed new 7, 6, 8, 9 and 7 level residential apartment buildings to the right.
2. Views

2.12 VIEW 7 - BEFORE

View 7 is taken from the end of the car park adjacent to the Surf Life Saving Club, looking directly north towards the edge of the Minda site.
2. Views

2.13 VIEW 7 - AFTER

View 7 is taken from the end of the car park adjacent the two storey residential townhouses at the south edge of the Minda site, looking directly north towards the Surf Life Saving Club. It indicates the proposed new residential apartment buildings with a height of 7 and 6 levels in the background, and 8, 9 and 7 levels in the foreground, on the right.
2. Views

2.14 VIEW 8 - BEFORE

Views 8 is taken from King George Avenue, into the existing main entry into the Minda site.
2. Views

2.15 VIEW 8 - AFTER

Views 8 is taken from King George Avenue, into the existing main entry into the Minda site.

Note that it is difficult to see the proposed new development through the canopy of the existing significant trees.
2. Views

2.16 VIEW 9 - BEFORE

View 9 is taken from Repton Road, looking south west into the development site, approximately 100 metres from the Esplanade.
2. Views

2.17 VIEW 9 - AFTER

View 9 is taken from Repton Road, looking south west into the development site. It indicates the proposed new residential apartment buildings at 3 levels in the foreground with proposed new street tree planting and landscaping along Repton Road.
3. Coastal Examples & Comparisons

3.1 COASTAL EXAMPLES

Views have been taken along the Adelaide Coastline from Glenelg to Somerton Park, South Australia, to provide comparisons of other residential developments along the southern Adelaide shoreline.

The examples demonstrate a preference for a 3 storey minimum height for residential buildings along the Esplanade / foreshore. In all cases they are built directly on the primary dune system and are designed to take full advantage of the coastal views with large areas of glazing. In comparison, the proposed sitting and configuration for the apartment buildings at Minda appears less imposing and more sympathetic to the coastal context being set back from the primary dune.

The photo below is of the 2 storey residential building on the southern boundary of the Minda site, substantially elevated, adjacent the Esplanade car park and boat ramp.

The 3 storey examples on the right are taken along the Esplanade at Brighton.

The examples on the adjoining page show developments of up to 7 storeys in height at Somerton Park. The views on the far right hand side of the adjoining page are taken along Jimmy Melrose Reserve, Glenelg SA, with heights varying from 5 levels up to 11 levels for apartment buildings and 13 levels for the Grand Hotel, Moseley Square.
3. Coastal Examples & Comparisons
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4/08/2014

Paul Vivian
Senior Associate Planner
Environment and Planning (SA) Work Group Leader, URS

Dear Paul,

RE: Review of EBS Ecology Minda Dunes report

Please see below our response to the report prepared by EBS Ecology in relation to the ecological impacts of the proposed development at the Minda Dunes.

Please don’t hesitate to contact me should you have any questions about our review.

Yours sincerely

Stuart Collard
Conservation Programs Manager
Nature Conservation Society of South Australia
This document provides a review of the report:


**Overview**

This report provides a comprehensive and largely accurate assessment of the potential ecological impacts of the proposed development activities at the Minda Dunes site. All of the potential risks at the site appear to have been considered and the level of risk associated with each of these seems appropriate. There are some areas where further information may help to determine the level of risk and decision-making based on these risks. For example, the impacts of shading of native vegetation communities and threatened plant species are unclear. Future monitoring to assess the response of these species is important.

There is very little technical information on the actual species that may be affected by the development. It is acknowledged that this is covered in other reports that are cited, however, it would be useful for the reader to have a summary table of these species, highlighting those with threatened species status at national, state and regional levels. Where appropriate, comments on the potential impacts of the development on these species would also be of value.

The report focusses on the potential impacts of the development on the conservation zone adjacent to the proposed development, but pays limited attention to the area of undeveloped secondary dunes adjacent to the conservation zone (as depicted in the master plan). Any loss of biodiversity values in this area (e.g. by modification or disturbance) has the potential to adversely affect the adjacent conservation zone by reducing buffering capacity and increasing edge effects, thus affecting population viability of native species. If disturbed, animal species are also likely to be displaced from this area, leading to direct competition effects for resources with populations within the conservation zone. As recommended by DEWNR, adding this area to the ‘Conservation Zone’ would be of great importance. As pointed out in the EBS report, the creation of a wetland and detention basin adjacent to the secondary dunes may result in significant changes to current species assemblages in both this area and in the conservation zone.

There are strong recommendations in the report to continue existing monitoring at the site and to commence monitoring of other biodiversity assets that may be affected. We believe that this is critical in being able to understand the ecological changes brought about by the proposed development and to inform future management of the area for conservation.
Specific comments

Introduction

- As above, it would be useful for the reader to have a summary of flora and fauna recorded at the site, including threatened species either as a table or an Appendix.

- It is worth mentioning the significant ongoing monitoring efforts that have occurred at the site using Bushland Condition Monitoring by AMLR NRM and NCSSA.

Potential Impacts

- The impact of shading from buildings up to nine storeys may be significant and has been identified as being of moderate risk. As suggested in the report, the potential impacts of such shading are poorly understood and a preliminary search of the literature regarding the plant species of particular interest (i.e. those listed as significant by SA Urban Forest Biodiversity Program 2006), revealed that there is insufficient available literature on the biology and physiology of these species, or other related species, to be able to accurately inform the discussion. It is likely that the reduced levels of morning sunlight may affect the viability of these and other species. In addition, other species, both native and exotic (i.e. shade-tolerant weeds), may benefit from such changes to photoperiod and thus increase competition with the existing native species. We suggest that specific monitoring could be established in shaded areas to test the impact on the health and distribution of native species over time. Give the placement of buildings R7 and R5 in the master plan, it is likely that impact of shading will also be significant on the secondary dune system, adjacent to the conservation zone. This may be even more pronounced in winter when the sun is low in the northern sky.

- It is uncertain what is meant by the phrase “to allow areas for foraging throughout the day” in relation to shading impacts on plants.

- The effects of fragmentation are alluded to in the section on “Human Activity/Increased foot traffic” – some further explanation on of the impact of this is warranted considering the very small amount of highly modified coastal vegetation remaining in the landscape.

- In relation to the risk from predatory birds, it is considered unlikely that this would be of significant concern. The occurrence of the listed species in the area (i.e. Collared Sparrowhawk (note spelling), Brown Falcon and Peregrine Falcon) is possible but unlikely – the former more likely than the latter two species. Australian Kestrel would be more likely to display this sort of behaviour in the coastal dune environment. It is also likely that the disturbance to the adjacent area, new buildings and availability of resources associated with human habitation will favour ‘generalist’ bird species such as
Australian Magpie that can compete with and prey on more specialist species such as Golden Whistler and Grey Fantail, which have previously been recorded at the site.

**Management strategies**

- ‘Bushland Condition Monitoring’ includes photopoint monitoring as part of the methodology


- The two existing BCM sites will be useful for monitoring changes over time as a result of the proposed development against existing measures of baseline condition.

- Also suggest monitoring of species of conservation concern that may be outside BCM plots, particularly if affected by shading and/or other disturbances.

- The placement of access tracks is considered critical to the long-term protection of the ecological integrity of this area and existing tracks should be used and modified as suggested in the EBS report, rather than new tracks created. Consideration should be given to the impacts of track construction/modification on native species of conservation concern. The implementation of specific mitigation measures may be appropriate for these species.

**References**

- Suggest addition of BCM manual reference as above

- Small error in date for Telfer (2000b)