

# Onkaparinga Council Report



MARCH 2022

Prepared by Thalassa Ward Cr Marion Themeliotis. If you have any local issues, you would like me to follow up on or require any assistance with Council, please do not hesitate to contact me.

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## **Emergency Preparedness & Resilience Workshops Information**

Over an 18-month period, staff will work directly with two communities to build emergency preparedness and resilience for disaster and emergency. We are working with the Australian Red Cross to deliver three information sessions for people who are interested in progressing emergency resilience and recovery work. These sessions will support us to work together to be more prepared and to recover from emergencies or disaster.

These information sessions are for groups, organisations, businesses or individuals who are keen on supporting and building emergency preparedness and resilience in their communities. We will engage with people who are already involved in resilience initiatives, who are looking to be involved or whom are simply concerned about the impact of a disaster.

The information sessions and booking details are as follows:

**Thursday 3 March 2022, 6.30pm – 7.30pm** – Cherry Gardens Memorial Hall

<https://www.eventbrite.com.au/e/onkaparinga-disaster-resilience-information-sessions-with-red-cross-tickets-271782888937>

**Tuesday 8 March 2022, 6:25pm-7:30pm** – Online via Zoom

<https://www.eventbrite.com.au/e/271804974997>

**Wednesday 9 March 2022, 6.30pm – 7.30pm** – Clarendon - Hazel McKenzie Hall

<https://www.eventbrite.com.au/e/onkaparinga-disaster-resilience-information-sessions-with-red-cross-tickets-271799318077>

I encourage the community to attend these sessions so please feel to share with your networks and look forward to seeing you there if you are available.

**Future use of Frank Smith Park for organised sport**

*Cr Bray MOVED an AMENDMENT.*

*That Council notes:*

- 1. In principle support is provided to the future use of Frank Smith Park for organised sport to allow stakeholders to seek external funding for playing surface upgrades only at this time.*
- 2. By June 2022 City of Onkaparinga staff will engage with City of Mitcham and other stakeholders (including immediate residents, Coromandel Valley Primary School and the National Trust of Coromandel Valley) to finalise a district needs analysis and impact for the Mitcham Hills and Onkaparinga Northern Hills districts to confirm the level of demand, potential user groups, impact of increased traffic, increased noise levels on local residents*

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*and impact on historical nature of the reserve and that this information be used to inform the breadth of impact on the community and funding arrangements for future works.*

- 3. The prioritisation of capital funding for the delivery of playing surface improvements at Frank Smith Park needs to be considered in the context of other major sport infrastructure projects across the City of Onkaparinga.*
- 4. The Sturt Lions will be granted a permit for use of Frank Smith Park for junior soccer for the 2022 season and that feedback on this use will be sought from the park users and adjacent residents to support decision making on possible extension of use.*

*Seconded by Cr McMahon.*

*The AMENDMENT was PUT and CARRIED.*

*The MOTION, thus AMENDED, was PUT and CARRIED.*

**New Tourism signs**

The following information has been provided by Strategy and Engagement Division. Thank for your inquiry regarding the Clarendon tourist attraction brown signage that has recently been installed by the Department of Infrastructure and Transport (DIT). This sign formed part of a state wide program that has been undertaken by DIT with the South Australian Tourism Commission (SATC).

The national signage guidelines that apply to these signs prevent business names from being placed on them, ie Royal Oak Hotel.

We are seeking an update from Fleurieu Peninsula Tourism (our connection into the SATC) on the standard service symbols signs (blue blade) for underneath all the new tourist attraction signs installed by DIT across our city, including the Clarendon tourist attraction sign. The service sign would carry symbols for toilets, BBQ, rest area, restaurant/dining, accommodation etc (maximum five symbols per sign) indicating the types of services that are found in the township and how the hotel's offering would be represented. An example of this can be found on the Mid Coast Beach attractions signage below. Once we have an update from Fleurieu Peninsula Tourism we will advise.





**Question on notice  
– Development  
application**

**8.1 Question on notice – Cr Themeliotis – Development Applications**

*Could you please dot point out the process of a development application (example: proposed two-storey childcare centre) from beginning to when it is considered at a Council Assessment Panel meeting?*

- Since the changes to the state planning system in March 2021, a development application is lodged via the PlanSA [website](#), which also provides information on this process and the new system.
- The application is then referred to council for assessment against the relevant provisions of the [Planning and Design Code](#), and following the processes set out in the *Planning, Development and Infrastructure Act 2016* (and the associated [Regulations](#)).
- The Code sets out when development applications require public notification. If notification is required and representations are received requesting to be heard, the application is reported to our [Council Assessment Panel](#) for a decision. If not, the decision is made by council's Assessment Manager and delegated planning staff.
- Under the Land Use Definitions Table in the Code, child care centres fall within the definition of a 'pre-school', as 'a place primarily for the care or instruction of children of less than primary school age not resident on the site'.
- Child care centres, like schools (defined as 'educational establishments'), are often developed in either residential-type zones or centre-type zones.
- Under the Code, the most common residential-type zone is the General Neighbourhood Zone (GNZ), which includes the following Desired Outcomes and Performance Outcomes:
  - *DO 1 - Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.*
  - *PO 1.1 - Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.*
  - *PO 1.2 - Non-residential development located and designed to improve community accessibility to services, primarily in the form of: ... (b) community services such as educational establishments, community centres, places of worship, pre-schools, and other health and welfare services*
  - *PO 1.4 - Commercial activities improve community access to services are of a scale and type to maintain residential amenity.*
- Accordingly, child care centres are an appropriate land use in a GNZ, subject to assessment against other Code provisions such as visual and amenity impacts, traffic, car parking, trees, noise, stormwater etc.
- The GNZ also envisages buildings of single or two storeys high, including dwellings and non-residential buildings such as child care centres, schools, places of worship, community centres etc.
- Amenity impacts of two storey buildings are assessed against relevant Code provisions such as for bulk and scale, setbacks, overshadowing, overlooking etc.
- Development applications for child care centres typically include reports from relevant expert consultants, such as planning, traffic engineering, acoustic engineers and arborists. These reports are carefully assessed by relevant council staff, with advice provided to our

planning staff from teams such as Technical Services (traffic, stormwater, landscaping etc). Amended plans and updated reports are sometimes provided following staff review and/or in response to representations from the public notification period.

- Under the state planning legislation and Code, child care centres are 'performance assessed' in the GNZ, with a public notification period of 15 business days. This includes letters being sent to landowners and occupiers within 60 metres of the site, and an A3 sized notice sign placed on the land inviting representations.
- For a performance assessed application, the state planning legislation allows the applicant a right of appeal against conditions of approval or a refusal decision, but doesn't allow representors a right of appeal to the Environment, Resources and Development (ERD) Court. However, there may be other potential avenues of appeal available on processing/judicial grounds to the ERD Court or Supreme Court.
- The legislation/Code may also require referrals to relevant state agencies in some cases, such as the Department for Infrastructure and Transport if access is on an arterial road.
- A recent example of a two-storey child care centre at the corner of Pimpala Road and Panalatinga Road, Woodcroft, was considered by the Council Assessment Panel at its 16 December 2021 meeting. Refer to our [website](#) and that meeting date to see the agenda, attachments and minutes.

## 10.1 Questions on notice – Cr Themeliotis – Flags

1. *What is the process for a community group or association to request a flagpole?*
2. *Is there a form they must fill out?*
3. *If the request is for an additional flag pole for an Aboriginal flag are they any additional approvals or should this go through our First National Advisory Group?*
4. *Who is the best Council staffer for residents to contact should they like to request an additional flag pole?*

## 10.2 Questions on notice – Cr Themeliotis – Kurna acknowledgment signage requests

1. *If a community group or association would like to install Kurna Acknowledgement signage in their community, what is the process?*
2. *Are there any forms they should fill in?*
3. *Do requests like this need to go through our First National's Advisory Group?*
4. *Who is the best staffer to connect community groups and association with should they want to start the request process?*
5. *Does there need to be any community consultation?*

### Response

While some general information can be provided about these questions, specific details on requirements and process are context dependent, and additional information would be needed to provide specific advice. The process and requirements vary depending on factors such as:

- Whether the flagpole would be free standing or attached to a building
- Whether the flagpole or sign is proposed to be installed on or near a heritage building
- Where the parcel of land that the community group wish to install a sign or flagpole on is located, who owns the land and whether there is an existing lease agreement on the land
- The proposed dimensions of the sign or flagpole
- Proposed ownership and ongoing responsibility for the sign or flag relating to maintenance, meeting flag protocols, etc.

Without knowing the specific requirements, we can provide the following general information in response to the questions asked.

### Process and forms:

- If the identified land or building is council-owned, a community group would need to hold a lease for the land or building before installing a permanent or semi-permanent structure (such as sign or flagpole). The inclusion of a sign or flag pole on a lease agreement would need to be discussed with the relevant team with consideration for the community land management plan for the area, ongoing ownership and responsibility for the structure, maintenance, and removal and remediation if the structure is no longer needed.
- Installation of a sign or flagpole on land/building not owned by Council does not require a permit or permission from Council but may require development approval.

	<ul style="list-style-type: none"> <li>Whether development approval is required or not depends on a number of factors including size and location of the proposed structure. Development applications are now made through the State Government planning portal, and further information regarding development applications can be found on the SA Planning website.</li> </ul> <p><u>First Nations People Advisory Group:</u></p> <ul style="list-style-type: none"> <li>Currently, the First Nations People Advisory Group is focused on providing advice to council, on council policies and projects. Individual requests for signage or a flagpole would not typically go to the group.</li> <li>It is however recommended that Traditional Owners are engaged in any decisions regarding Kurna Country acknowledgement to ensure that wording, design, positioning and any use of Kurna language is respectful and appropriate.</li> </ul> <p><u>Acknowledgement of Kurna Country on council-owned signs:</u></p> <ul style="list-style-type: none"> <li>Council does not currently have a policy position on acknowledgement of Kurna Country on council-owned signs. There are multiple aspects to be carefully considered to establish a consistent city-wide approach and ensure appropriate consultation on any policy or position council adopts.</li> <li>Acknowledgement on council-owned signage will be included in our review of Kurna acknowledgement protocols, which is an action in the draft Reconciliation Action Plan (RAP) that will be completed this year. To ensure the process is respectful and appropriate, the RAP will be discussed with the First Nations People Advisory Group in the first half of this year.</li> <li>A city-wide policy on Kurna Country acknowledgement on council-owned signage, developed in partnership with the First Nations People Advisory Group, will provide clarity in responding to future requests from community members related to council-owned signs.</li> </ul> <p><u>Council contact people:</u></p> <p>Leases:</p> <p>Fiona Dallimore, Team Leader Property Transactions, Planning and Regulatory Services 8384 0642</p> <p>Development:</p> <p>PlanSA Service Desk 1800 752 664 Council's Development Support Team 8384 0666</p> <p>First Nations People Advisory Group:</p> <p>Mike Brown, Social Planner, Strategy, Engagement and Economic Growth 8384 0192</p>
<b>Proposed Childcare Center Flagstaff Hill</b>	<p><b>UPDATE</b> – At the Council assessment panel (CAP) meeting of 17<sup>th</sup> February 2022.</p> <p>The CAP resolved to approved the development of a 2 story childcare centre at Bolton Court, Flagstaff Hill.</p>



## DECISION

### The Council Assessment Panel resolved that:

*MOVED* Stephanie Johnston

1. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21021587, by Leyton Property Pty. Ltd. is granted Planning Consent, subject to the following reserved matters and conditions.

*SECONDED* Ross Bateup

*CARRIED*

Due to the Planning reform changes there is not right of appeal after the decision has been made.

Through the SA Planning portal, directly impacted residents has some rights of appeal should they wish to do so.

## New Facebook Page



Keep up to date with everything happening at Council, through my new Facebook page.

You can follow the page here: [Deputy Mayor Cr Marion Themeliotis - Thalassa Ward - City of Onkaparinga | Facebook](#)