

10 February 2020

Mr M Lennon
Chair State Planning Commission
GPO Box 1815
ADELAIDE SA 5001

Dear Michael

Draft Phase 3 Planning and Design Code

Stimson Consulting has been engaged by Fairland Pty Ltd to review the draft Phase 3 Planning and Design Code in relation to its potential impacts on the various land development sites it has across Metropolitan Adelaide. There are various issues affecting the different sites that I will address below.

Seaford Heights

The draft PD Code has proposed a rezoning of the majority of the subject land to the Housing Diversity Neighbourhood Zone with a small portion to Suburban Activity Centre Zone. See zone map below.



The Vista development at Seaford Heights has been under development for a decade. In the planning and design stage it went through a master plan process that was undertaken in consultation with the City of Onkaparinga and then signed off by then Land Management Corporation (now Renewal SA). A Development Plan Amendment was undertaken by the City of Onkaparinga that introduced specific residential policies to enable the master plan to be implemented. An Annual Report is prepared for Renewal SA



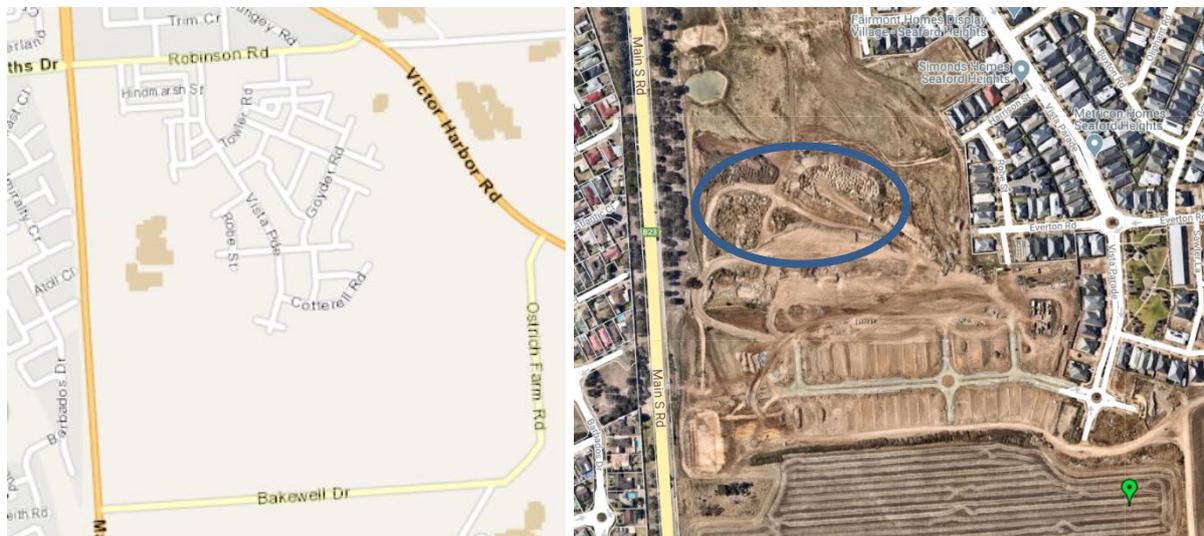
that specifies the progress towards achieving the master plan. The project has at least another five years of development.

A number of proposed policies in the Housing Diversity Neighbourhood Zone do not align with the type of development that the approved master plan seeks to achieve. Particularly with regard to the development of various forms of dwellings the PD Code policies will mean more applications need to go through a Performance Assessed process rather than a Deemed To Satisfy process, whereas at present many applications are able to go through the Rescode process. Such a change would mean substantial more workload for the applicants and Council for seemingly no benefit.

It is considered the subject land should be zoned Masterplanned Suburban Neighbourhood Zone. This zone has presumably been developed to guide development that have been through master plan processes.

With regard to the centre, as the catchment is below 2000 dwellings it is considered the centre should also be zoned Masterplanned Suburban Neighbourhood as opposed to the Suburban Activity Centre Zone.

There are a number of Overlays that impact the Vista land. The Native Vegetation Overlay is not required for the land and should be removed. There is no native vegetation on the land as prior to urban development commencing the land was used for cropping. The Sloping Land Overlay (as shown below) is incorrect. That part of the site (in the western portion) that is coloured brown is one of the flatter parts of the site. Not being sure of how the sloping land was determined, if an aerial data gathering was used it may have picked up some piles of soil in that location which would have relatively steep sides (see aerial photo below within the blue oval).



Seaford Meadows

The South at Seaford Meadows award winning estate has been in development mode for the past 14 years and is nearing completion from a civil perspective, but still has another couple of years of dwelling development. It too is proposed to be zoned Housing Diversity Neighbourhood in the draft PD Code. See Zone map on the following page.



As with Vista, the South@SeafordMeadows project went through a comprehensive master planning process in consultation with the City of Onkaparinga which was then signed off by the then Land Management Corporation. A Development Plan Amendment was prepared and authorised to enable the master plan to be achieved. An Annual Report has been prepared each year since the project began.

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It is considered the subject land should be zoned Masterplanned Suburban Neighbourhood Zone. This zone has presumably been developed to guide development that have been through master plan processes.

Furthermore, the Zone map appears to have two colours overlapping in the northeast part of Seaford Meadows which represent the Housing Diversity Neighbourhood Zone and the Open Space Zone. The green of the Open Space Zone should be removed.

It is considered the Suburban Activity Centre Zone can be retained as it is fully developed and is appropriate to guide any future minor development.



Almond Grove

The Almond Grove project at Fradd Rd Munno Para West has been underway for 8 years and is proposed to be zoned Masterplanned Suburban Neighbourhood which is considered appropriate.

Masterplanned Suburban Neighbourhood Zone

There are some issues with the Zone policies. These issues are discussed below:

- . group dwellings should be Deemed To Satisfy subject to certain policies being met and also listed in the Performance Assessed Table 3 with certain policies applying.
- . land division creating allotments where dwellings have already been approved should be DTS – it is understood from the Update Report dated December 2019 that this is being considered.
- . DTS/DPF 1.4 is somewhat ambiguous. One reading of the policy seems to require development have a minimum density of 40 dwellings/hectare, whereas the ability to develop at a density above 40dw/ha should be the aim of the policy, but not be required.
- . DTS/DPF 8.1 has part of its metrics not being in accordance with other proposed policy. The proposed maximum length of boundary wall of 10m does not allow a stacked garage to be built on the boundary as a stacked (tandem) garage has to be a minimum of 11m long in the Design in Urban Areas DTS/DPF 23.1. The maximum boundary wall length should be 11m.
- . The front, side, rear and secondary street setbacks in DTS/DPF 6.1, 7.1, 9.1 and 10.1 should be able to be altered with a Building Envelope Plan that is approved as part of a land division. The Procedural Matters (d) should be amended to read **"dwellings that do not satisfy 5.1, 6.1, 7.1, 8.1, 9.1 or 10.1, unless it meets an approved Building Envelope Plan."**
- . In order to reduce public notifications to a level that is reasonable and appropriate it is considered zones should be grouped by type and the Procedural Matters table **be amended so that (a) reads "the site of the development is adjacent land to land in a different zone group". This should occur in all zones.**

Land Division in Urban Areas

DTS/DPF 2.3 should read "A minimum of 50% of the interface boundary has lots or facing or roads abutting the reserve." This policy has been in place for many years and has successfully been used to create good outcomes.

PO 3.6 should refer to underground (piped) stormwater being in road reserves. Swales can be provided successfully in reserves.

DTS/DPF 8.2 is a dramatic reduction in the amount of open space that can be affected by flood events being counted towards the 12.5% public open space provision. The policy in many Councils has been up to 50% rather than 20%. Well designed and constructed wetlands, detention basins and swales are amenity enhancing assets which have a positive impact on surrounding land values. There are a number of examples (eg: Dry Creek at Mawson Lakes, River Torrens Linear Park) where active and passive recreation areas **have been created in "wet" affected land (typically above the 1 in 20 flood line)**. Given outer suburban Councils have been actively negotiating with developers over the past 10 years to provide less than 12.5% public open space in master planned communities it is clear that the quantity and quality of open space being provided in these localities is high. Developers quite successfully use their parks as a selling point for their estates. It is considered the policy should be reworded to state the following:



"Where provided no more than:

- (g) 20% of public open space has a slope of more than 1 in 4;
- (h) 75% of public open space is comprised of wetlands, watercourses or detention basins that are well landscaped and useable for passive and/or active recreation ."

DTS 5.2, 7.2, 9.1 and 9.2 relate to stormwater detention. The proposed policies fundamentally change the nature of who is responsible for dealing with drainage systems that are inadequate. For decades the principle of do not discharge more stormwater from your site than you currently do has been in place. The proposed policies will, in many instances, require developers to detain more stormwater on site in order to deal with upstream and/or downstream drainage system inadequacies. Fixing up such inadequacies is the responsibility of the Council (the entire community) not the first purchasers of allotments/dwellings in a new estate. These two policies must be rewritten.

Design in Urban Areas

PO 7.1 and DTS/DPF 7.1 are in appropriate for land with gradients of more than 1 in 15. There are many sites for residential development that have such slopes that are being developed at present (including Seaford Heights).

The policy also fails to deal with the issue of combined retaining wall and fence heights. It is considered reasonable to expect a <1m retaining wall (not development) and a 1.8m high fence (combined height <2.8m) to be DTS. This is particularly the case in a greenfield situation where the purchasers are fully aware of what scenario they are buying into, as there are inevitably Design Guidelines and Building Envelope Plans attached to contracts that provide guidance in this regard. There are many examples where retaining walls and fences are around 3.5m high that have been approved by Councils as they are the best solution. As such it is considered the DPF policy needs to accommodate retaining walls and fences with a combined height of around 3.5m in greenfield locations – such as, but not limited to, the Masterplanned Suburban Neighbourhood Zone. The policy for infill locations could understandably be more restrictive as the development is occurring in a locality with existing dwellings.

Should you have any queries regarding the above please do not hesitate to contact the undersigned or Scott Searle – General Manager, Fairland on [REDACTED]

Yours sincerely
STIMSON CONSULTING PTY LTD

JOHN STIMSON
Managing Director

Cc: S Searle - Fairland