

Ref: 2019-0535

21 February 2020

Anita Allen
Manager Planning Reform
Department of Planning Transport and Infrastructure
50 Flinders Street
ADELAIDE SA 5000

By email: dpti.planningreformsubmissions@sa.gov.au



URPS

Suite 12
154 Fullarton Road
ROSE PARK SA 5067

08 8333 7999
www.urps.com.au
ABN 55 640 546 010

Dear Anita

Submission – Draft Planning & Design Code Review Relating to the Adelaide Caravan Park Site, Hackney

Introduction

We make this submission on behalf of the Aspen Group, who is the property owner of the Adelaide Caravan Park site on Richmond Street, Hackney. The plan on the following page depicts the current boundaries (in yellow) of the Adelaide Caravan Park site.

Aspen Group is an ASX listed property group focused on providing “value for money” accommodation and has been a leading owner and manager of holiday and accommodation parks since 2004. Aspen Group currently owns nine holiday and accommodation parks across Australia, two of which are in South Australia (the Adelaide Caravan Park at Hackney and the Highway 1 Tourist Park at Bolivar).

We have examined the Draft Planning & Design Code (the Draft Code) in some detail as it relates to the Adelaide Caravan Park site, focusing on the following issues:

- Land use
- Density
- Height
- Set-backs
- Restricted development, and
- Deemed to satisfy development.



Summary of Comments and Recommended Amendments to the Draft Code

The following comments and recommendations are made in relation to the Draft Code as it relates to the Adelaide Caravan Park site:

1. The land use elements of the of the Housing Diversity Neighbourhood Zone in the Draft Code are supported
2. Performance Outcome 2.1 of the Housing Diversity Neighbourhood Zone should be amended as follows:

PO 2.1 Allotments created for residential purposes accommodate a diverse range of ~~low~~ medium density housing.

If the State-Wide application of the Code prevents such an amendment, then some other mechanism should be introduced such as a Sub-Zone specific to this site that clearly anticipates medium density development as exists in Development Plan policy now.

3. The absence of minimum frontage widths and allotment sizes is anticipated to provide flexibility in density outcomes and, on that basis, is supported.

4. The provisions in the Housing Diversity Neighbourhood Zone of the Draft Code should be amended as follows:

DO 1 Low-rise **and medium-rise**, medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities...

PO 3.1 Buildings contribute to a low-rise **and medium-rise** residential character and complement the height of nearby buildings.

If the State-Wide application of the Code prevents such amendments, then some other mechanism should be introduced such as a Sub-Zone specific to this site that clearly anticipates building height up to four storeys as exists in Development Plan policy now.

5. The boundary setback guidelines in the Housing Diversity Neighbourhood Zone of the Draft Code are supported.
6. The absence of a quantitative site coverage guideline for Performance Assessed development in the Housing Diversity Neighbourhood Zone of the Draft Code is supported.
7. Tourist Accommodation should be listed within the Deemed To Satisfy table in the Housing Diversity Neighbourhood Zone.

If the State-Wide application of the Code prevents such an amendment, then some other mechanism should be introduced such as a Sub-Zone specific to this site that identifies some elements of tourist accommodation as Deemed To Satisfy.

Land Use

The Adelaide Caravan Park site is located within the Residential Zone (Medium Density Policy Area) under the existing Norwood Payneham St Peters Development Plan (Consolidated 21 March 2019). Principle of Development Control 1 anticipates the following forms of development:

Principle 1 The following forms of development, or combinations thereof, are envisaged in the zone:

- affordable housing
- dependent accommodation
- domestic outbuilding in association with a dwelling
- domestic structure
- dwelling
- dwelling addition
- small scale child care facility located along an arterial road or main road that serves the local community
- small scale community facility where it is ancillary to the function or operation of an aged care/retirement facility
- small scale shop, office, consulting room only where:
 - There is a lawful historic basis for such a use; or
 - It involves the re-use of an existing dwelling with a frontage to an arterial road; or
 - It is located on the ground floor of a mixed use building on an arterial road; or
 - It is ancillary to the function or operation of an aged care/retirement facility
- supported accommodation and housing for seniors (underlining added)

The Code places the Adelaide Caravan Park site in the Housing Diversity Neighbourhood Zone which anticipates the following land uses:

PO 1.1 Residential development and supporting uses that provide housing and supporting services and facilities that make it a convenient place to live.

DTS/DPF 1.1 Development comprises one or more of the following land uses:

- **Ancillary accommodation**
- **Community facility**
- **Dwelling**
- **Educational establishment**
- **Office**
- **Outbuilding**
- **Pre-school**
- **Recreation area**
- **Residential flat building**
- **Retirement facility**
- **Shop**
- **Supported accommodation**

PO 1.2 Residential development accommodates a range of housing choices.

DTS/DPF 1.2 Residential development comprises:

- (a) detached dwellings;**
- (b) semi-detached dwellings;**
- (c) row dwellings;**
- (d) group dwellings;**
- (e) residential flat buildings;**
- (f) ancillary accommodation;**
- (g) retirement facility; and / or**
- (h) supported accommodation.**

PO 1.3 Non-residential development provides a range of services to the local community primarily in the form of:

- (a) commercial uses including small scale offices, shops and consulting rooms;**
- (b) community services such as educational establishments, community centres, places of worship, pre-schools, child care and other health and welfare services;**
- (c) services and facilities ancillary to the function or operation of supported accommodation or retirement housing; and**
- (d) open space and recreation facilities.**

DTS 1.3 None are applicable (underlining added)

It is apparent from this that the Code anticipates a similar variety of land uses for the Adelaide Caravan Park site. It is also apparent that a wide range of dwelling types and non-residential land uses are anticipated, providing considerable design flexibility. Therefore, the Draft Code as it relates to the site is supported from a land use perspective.

Density

The Desired Character statement for the existing Medium Density Policy Area of the Residential Zone states:

...Development on the Adelaide Caravan Park site will provide opportunity for medium density development... It is expected that a minimum net residential density target of 50 dwellings per hectare could be achieved if the site is fully re-developed... (underlining added)

The Housing Diversity Neighbourhood Zone includes the following Desired Outcome in terms of density of development:

DO 1 Low-rise medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities... (underlining added)

Deemed To Satisfy (DTS) and Designated Performance Feature (DPF) 2.1 in the Code changes the focus from a minimum density figure of 50 dwellings per hectare to a maximum density figure of 70 dwellings per hectare as follows and refers to “low-medium density housing” rather than “low-rise medium density housing” referenced in the Desired Outcome quoted above and the existing Development Plan’s reference to “medium density development” in the Desired Character statement quoted above:

PO 2.1 Allotments created for residential purposes accommodate a diverse range of low - medium density housing. (underlining added)

DTS/DPF 2.1 Development achieves a net residential density of up to 70 dwellings per hectare. (underlining added)

The Administrative Definitions at the rear of the Draft Code provide the following definitions of density:

Low-density - Means less than 35 dwelling units per hectare.

Medium-density - Means 35 to 70 dwelling units per hectare.

Given that the existing Development Plan anticipates a minimum net density of 50 dwellings per hectare and the Draft Code anticipates a maximum density of 70 dwellings per hectare, and given that Performance Outcome 1 refers to “medium density” only, it is recommended that Performance Outcome 2.1 be amended as follows:

PO 2.1 Allotments created for residential purposes accommodate a diverse range of ~~low~~ - medium density housing.

If the State-Wide application of the Code prevents such an amendment, then some other mechanism should be introduced such as a Sub-Zone specific to this site that clearly anticipates medium density development as exists in Development Plan policy now.

The absence of minimum frontage widths and allotment sizes is anticipated to provide flexibility in density outcomes and, on that basis, is supported.

Height

The Desired Character statement for the existing Medium Density Policy Area of the Residential Zone provides for a range of buildings heights between 1 and 4 storeys across the Adelaide Caravan Park site:

...Development on the Adelaide Caravan Park site will provide opportunity for medium density development, including buildings of up to three (3) storeys set back behind lower-scale, single-storey development along Richmond Street and two-storey development fronting the reserves. Development of up to four (4) storeys in the centre of the site will be considered where the visual impact is minimised through appropriate design and an appropriate built form transition can be provided to adjacent residential land outside of the Policy Area... (my underlining added)

The Code does not include this policy statement. Rather, it includes the following provisions in the Housing Diversity Neighbourhood Zone:

DO 1 Low-rise medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities...

PO 3.1 Buildings contribute to a low-rise residential character and complement the height of nearby buildings.

DTS/DPF 3.1 Building height (excluding garages, carports and outbuildings) does not exceed that specified in the Building Height Data Overlay. (underlining added)

The “Building Height Data Overlay” for the Draft Code as it relates to this site anticipates for 2 storeys and 9 metres.

The Administrative Definitions at the rear of the Draft Code provide the following definitions of height:

Low rise - In relation to development, means up to and including 2 building levels.

Medium-rise - In relation to development, means 3 to 6 building levels.

The proposed provisions do not anticipate 3 and 4 storey development as currently anticipated in the Development Plan.

On this basis, it is recommended that the provisions in the Draft Code be amended as follows:

DO 1 Low-rise **and medium-rise**, medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities...

PO 3.1 Buildings contribute to a low-rise **and medium-rise** residential character and complement the height of nearby buildings.

If the State-Wide application of the Code prevents such amendments, then some other mechanism should be introduced such as a Sub-Zone specific to this site that clearly anticipates building height up to four storeys as exists in Development Plan policy now.

Setbacks

Council Wide, Design and Appearance of Land and Buildings, Principle of Development Control 50 and Table NPSP/3 in the existing Development Plan anticipates development being setback from Richmond Street in the following terms:

Setbacks from Primary Street

Principle 50 The setback of buildings should:

- (a) be similar to, or compatible with, the setbacks of buildings on adjoining land and the predominant setback of buildings in the locality, unless otherwise specified in the relevant Zone and/or Policy Area;
- (b) contribute positively to the existing or desired streetscape character of the locality; and
- (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality. (underling added)

TABLE NPSP/3 - Building Set-back for Development Located in the St Peters Area

Richmond Street - 10.5 metres

Deemed To Satisfy (DTS) and Designated Performance Feature (DFP) 4.1 in the Draft Code stipulates a quantitative guideline as follows to achieve Performance Outcome 4.1:

Primary Street Setback

PO 4.1 Buildings are setback from primary street boundaries to establish a consistent streetscape character and provide a functional semi-private space between the building and street.

DTS/DPF 4.1 Buildings are setback from the primary street boundary:

- (a) 8m or more when the primary street boundary is an arterial road;
- (b) 3m from any other road.

PO 4.2 Building elements are setback from public streets to establish a consistent streetscape character while adding interest and animation to street frontages.

DTS/DPF 4.2 The following elements can extend up to 1.5m closer to the street than the minimum primary street setback specified in DTS 4.1:

- (a) a porch or portico with at least 2 open sides;
- (b) a balcony;
- (c) a verandah with at least 3 open sides;
- (d) window awnings or shading features; and
- (e) architectural fins or blades. (underlining added)

Richmond Street is not an arterial road controlled by DPTI. Therefore, the proposed setback guideline for a Deemed to Satisfy development is 3m. This is significantly closer than the existing Development Plan policy and provides for greater design flexibility. It could also be argued via an individual development application that a primary street setback of less than 3m may be appropriate. Therefore, this element of the Draft Code is supported.

The main entry road to the Caravan Park appears to be a public road referred to as Bruton Street in the Development Plan. Principle of Development Control 7 in the Medium Density Policy Area states:

Principle7 Development should be designed within the parameters set out in the following table:

Parameter	Value
Maximum building height above natural ground level for dwellings:	
- Arterial roads	3 storeys
- Broad Street, Marden	3 storeys
- Marden Road and Wear Avenue, Marden (south of Kent Street)	3 storeys
- Lutheran Homes Incorporated and Australian Retirement Homes Limited sites at Glynde	3 storeys
- Adelaide Caravan Park site (24-46 Richmond Street, Hackney)	4 storeys, except dwellings fronting Richmond Street, which should not exceed 1 storey and dwellings fronting Twelftree and Old Mill Reserves, which should not exceed 2 storeys
- Former Highways Department car park, located at the termination of Holton Court, St Peters)	3 storeys
- Where identified in the Desired Character Statement for the River Street/Glenbrook Close locality	3 storeys
- All other localities	2 storeys
Minimum setback from a primary road frontage:	
- Arterial roads (subject to any future road widening requirements set out in the <i>Metropolitan Adelaide Road Widening Act 1972</i>)	6 metres* <i>*A closer set-back may be provided for mixed-use buildings on arterial roads that comprise non-residential uses at ground level</i>
- All other (public) roads	4 metres
Minimum setback from a secondary road frontage:	
- Arterial roads	6.5 metres
- All other (public) roads	0.9 (single storey) 2 metres (where it does not exceed 2 storeys in height)
Maximum site coverage (inclusive of ancillary structures):	
- Detached and semi-detached dwellings	60 per cent
- Other dwelling forms	70 per cent

From this table, it is not entirely clear what the setback guideline from Bruton Street is (4m or less?).

Deemed To Satisfy (DTS) and Designated Performance Feature (DFP) 5.1 in the Draft Code stipulate a quantitative guideline as follows to achieve Performance Outcome 5.1:

Secondary Street Setback

PO 5.1 Buildings are set back from secondary street boundaries to maintain a pattern of separation between building walls and public thoroughfares and reinforce streetscape character.

DTS/DPF 5.1 Buildings are set back at least 900mm from the boundary of the allotment with the secondary street frontage, or if a dwelling on any adjoining allotment is closer to the secondary street than 900 millimetres, the distance of that dwelling from the boundary with the secondary street (being, if relevant, the lesser of the 2 distances).

If Bruton Street is considered to be the secondary street, the proposed setback distance in the Draft Code are supported.

Given that the Adelaide Caravan Park is bounded by the River Torrens Linear Park to the north, it is not entirely clear which are the side and rear boundary setbacks for this site.

The existing Development Plan includes the following side and rear boundary setback guidelines in the Residential Zone:

Principle 8 Except where a different parameter is provided in the relevant Policy Area, dwellings fronting a public road should be designed within the parameters set out in the following table:

Parameter	Value
Maximum building height above natural ground level	2 storeys
Minimum setback from primary road frontage	6 metres* <i>*A closer set-back may be provided for mixed-use buildings on arterial roads that comprise non-residential uses at ground level.</i>
Minimum setback from secondary road frontage:	
- Arterial roads	4.5 metres
- Non-arterial roads	0.9 (single storey) 2 metres (upper storey)
Minimum setback from one side boundary:	
- for walls with a vertical height of up to 3 metres measured from natural ground level	0.9 metre* <i>*Single storey boundary development may occur on one side boundary for a garage, carport, a small portion of a new dwelling or in the case of existing dwellings, a small addition (such as an ensuite or walk-in robe addition), or in the case of semi-detached dwellings, for a party wall.</i>
- for walls with a vertical height exceeding 3 metres measured from natural ground level	0.9 metre plus one-third of the increase in vertical wall height above 3 metres
- for upper level walls located on the southern side of a site, with a vertical height exceeding 3 metres measured from natural ground level	1.9 metres plus one-third of the increase in vertical wall height above 3 metres
Minimum setback from rear boundary:	
- single storey	4 metres
- upper storey	6 metres
Maximum site coverage (inclusive of ancillary structures):	60 per cent

Deemed To Satisfy (DTS) and Designated Performance Feature (DFP) 7.1 in the Draft Code stipulate a quantitative guideline as follows to achieve Performance Outcome 7.1:

Side Boundary Setback

PO 7.1 Buildings are set back from side boundaries to provide:

- (a) separation between dwellings in a way that complements the established character of the locality; and
- (b) access to natural light and ventilation for neighbours.

DTS/DPF 7.1 Buildings not sited on side boundaries setback from the side boundary:

- (a) **900 mm for a wall height less than 3 metres; and**
- (b) **900mm plus 1/3 of the wall height above 3m.**

Rear Boundary Setback

PO 8.1 Buildings are set back from rear boundaries to provide:

- (a) separation between dwellings in a way that complements the established character of the locality;
- (b) access to natural light and ventilation for neighbours;
- (c) open space recreational opportunities; and
- (d) space for landscaping and vegetation.

DTS/DPF 8.1 Buildings are set back from the rear boundary:

- (a) **3m or more for the first building level; and**
- (b) **5m or more for any second building level; and**
- (c) **5m plus any increase in wall height over 7m for buildings three storey and above.**

The Draft Code has similar side boundary setback guidelines to the existing Development Plan and slightly lesser quantitative guidelines for rear boundaries. On this basis, the side and rear boundary setback guidelines in the Draft Code are supported.

Site Coverage

Principle of Development Control 7 in the existing Medium Density Policy Area anticipates a maximum site coverage of 60-% of detached and semi-detached dwellings, and 70% for other types of dwellings.

The Draft Code does not appear to have a quantitative site coverage guideline. From a design flexibility perspective, this approach is supported.

Restricted Development

Restricted Development is development that requires assessment by SCAP. This assessment process replaces, but is also different, to non-complying development designation within the existing Development Plan. Within the Housing Diversity Neighbourhood Zone, the following key forms of development are listed as restricted:

Shop, except:

- (a) **with a gross leasable floor area less than 1000m².**

I anticipate that this limitation will be generally acceptable to you in relation to the Adelaide Caravan Park site.

Deemed to Satisfy Development

There are no “Deemed To Satisfy” provisions (effectively providing for as of right development) for tourist accommodation within the new Code. This is neutral outcome in comparison to the existing Development Plan where tourist accommodation is also not designated as Complying Development. It is considered, however, that the creation of the Code provides an opportunity to list tourist accommodation within the Deemed To Satisfy Table, particularly given the long-standing use of the Adelaide Caravan Park on this site.

I trust that this review of the Draft Code as it relates to the Adelaide Caravan Park site is useful for the finalisation of the Draft Code. Please call me or Rebecca Gosling if you have any questions on [REDACTED].

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Rolfe', with a long horizontal flourish extending to the right.

Marcus Rolfe MPlA (Fellow)
Director