

Ref: 2020-0080

28 February 2020

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Dear Jason

**Submission – Planning and Design Code – Two Wells Concept Plan - Rural Living Zone and General Neighbourhood Zone**

URPS acts for Weeks Development Pty Ltd, the applicant for approved and proposed land divisions in and adjacent the Two Wells township within the Adelaide Plains Council area. The proposed two 'Stage 5' land divisions have been lodged under the Mallala Council Development Plan, but the submission considers the potential application of the draft Code as it applies to the subject land comprised of the following allotments:

- (a) Lot 50 Wilson Road CT 5726/143
- (b) Lot 51 Wilson Road CT 5726/142
- (c) Lot 2 Wilson Road CT 5483/581
- (d) Lot 1 Wilson Road CT 5782/526.

**BACKGROUND**

To ensure the orderly processing of the intended residential and rural living development, the applicant delayed progressing the applications until the land division consent for an earlier adjoining 'Stage 4'. Stage 4 created road extensions to enable Stage 5 to proceed in order to realise the development potential of land within the township.

In that period since lodgement of Stage 5, the applicant has also been liaising with the Adelaide Plains Council on the related civil/stormwater management works in the above land division applications that will enable it to address strategic stormwater management works in the wider locality. The Council has prepared a broader strategy to manage floodwater/ stormwater in and around the Two Wells township, which includes land that is currently in private ownership.



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The Stage 4 consent has now been issued and the applicant is progressing the Stage 5 land division applications.

This submission considers the draft Code as it applies to two land division applications. They are described by the applicant as 'Stage 5' of their Two Wells residential development, to be undertaken in two consecutive divisions:

- 312/D032/18 lodged 07/09/18 (3 into 4 – part in the Residential Zone, the balance in the Rural Living Zone where no additional allotment is created) – the division is reproduced below and in **Attachment A** on a plan showing the arrangement of zone boundaries



- 312/D033/18 lodged 07/09/18 the division is reproduced below and in **Attachment B** on a plan showing the arrangement of zone boundaries



## THE DRAFT CODE

In general terms, the policy transition to the Code is supported in the context of the general provisions and zone provisions which are 'like for like' in most cases.

The following sections we respectively request are the subject of further investigation and amendments to the draft Code before implementation.

### Development Potential v Environment and Food Production Area (EFPA)

Both applications were lodged prior to 1 April 2019 therefore prior to the operation of the EFPA.

The area of the subject land is partly in the Rural Living Zone which is currently and proposed to continue to be affected by the EFPA Overlay in the Draft Code.

The land divisions and overall design has not been constrained by the EFPA. The division results in 2 additional allotments in the Rural Living Zone plus a 1.2 ha reserve dedicated to Council for stormwater detention and will be assessed against the non-complying procedures, noting some of the land is in the Medium and High Flood Hazard Risk areas and associated civil works will form part of the development to provide building envelopes above the flood hazard levels). Where these flood risk areas apply, the land and or building envelopes will be created to ensure there is developable land above the flood plain level for the individual allotments created.

Overall, the proposed development is a complementary extension of more recent urban and rural living development approved in this locality. The proposed divisions create allotments that will manage flood hazard in the same way as evident in the locality.

Our observation is that this particular area of the Rural Living Zone adjacent the Two Wells township does not support substantial areas / number of allotments primarily used for economic primary production, and many of these will inevitably be partly affected and/or redeveloped to implement Council's stormwater strategy for the benefit of the urban area.

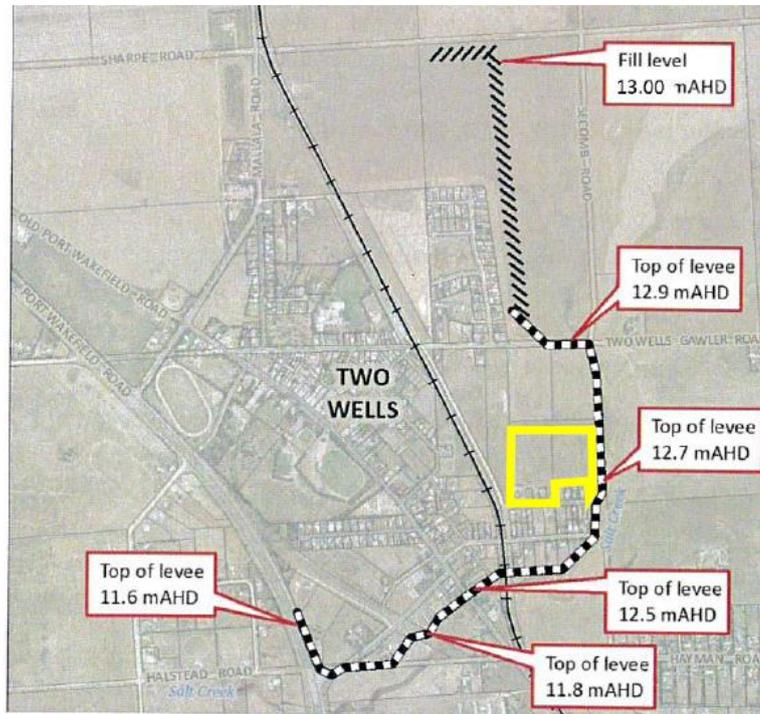
In this context, the subject land within the Rural Living Zone should not have been included in the EFPA.

The transition to the Code provides the opportunity to remove the subject land or all of the Rural Living Zone affected by the EFPA which is within the area subject to Council's stormwater management plan (refer yellow outline in **Attachment C**) as provided to the applicant by council (extract next page).

Such areas will require further division and infrastructure to implement council's stormwater strategy that does not relate to the purpose of the EFPA. The divisions are considered a logical delineation of the interface of the Two Wells Township (refer mark up **Attachment C**) much like the existing Precinct 3 which has a 5000sqm minim allotment size, in contrast to the balance of the Rural Zone. The application of the Precinct 3 provisions relevant under the Code in the area defined by the yellow outline in **Attachment C**:

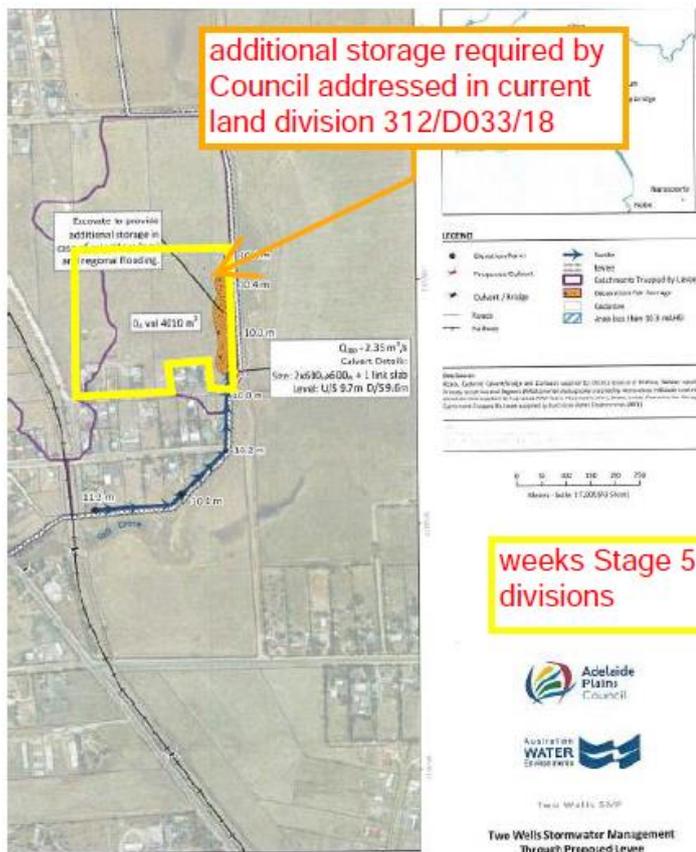
- will appropriately define a rural living area which is different from the broader Rural Living Zone to the east,
- provides a uniform eastern edge of the Two Wells township boundary
- result in more efficient utilisation and potential upgrading of the existing infrastructure required to implement the Council's stormwater management plan, noting that upon completion of the applicant's proposed infrastructure planning and investment in flood protection/management works

forming part of the proposed divisions, there may be long term potential to extend the residential Zone to the west up to Secomb Road (URPS understands other areas to the north-east of the township are also being investigated for urban development).



Weeks Stage 5  
subject land -  
area affected

FIGURE 5-1 : TWO WELLS SOUTHERN LEVEE ALIGNMENT AND APPROXIMATE ELEVATIONS TO PROVIDE 1 IN 100 ARI LEVEL OF FLOOD PROTECTION (INCORPORATING ALLOWANCE FOR CONJUNCTIVE PROBABILITY OF FLOODING)



Weeks Stage 5  
divisions

Adelaide Plains Council  
Adelaide Water Services  
Two Wells S5IP  
Two Wells Stormwater Management Through Proposed Levee

### *Opportunities and Constraints – Concept Plan Map Mal/7*

**Concept Plan Map Mal/7** in the Council Development Plan consolidated 13 December 2018 generally illustrates the concept for the development in and around the Two Wells township to the north-east, but does not include other relevant related strategies identified by Council that have in turn affected the land division proposals now under consideration.

**Attachment D** identifies the Stage 5 land in the context of the existing **Concept Plan Map Mal/7**.

In our view, the failure to update and include a revised **Concept Plan Map Mal/7** in the Code:

- has the risk of unreasonably and negatively influencing the assessment of the current land divisions (which include minor additional allotments in the flood plain) because the Code will have inadequate recognition of the strategy for stormwater management that has been developed since the introduction of the Concept Plan and which has informed the two land divisions
- could negatively impact on the council's ability to implement its broader strategy for stormwater management around Two Wells
- put at risk the investment in related Stage 4 and proposed Stage 5 works that directly relate to off-site civil works aimed at providing new road connections designed to minimise flood impact, additional CWMS works in Stage 4 that accommodates the development potential proposed in Stage 5, and provide council with the land it requires as per Figure 5-1 above .

URPS understands the Adelaide Plains Council supports the ability to incorporate concept plans into the Code where they add value. Weeks Developments Pty Ltd strongly supports the use of Concept Plans in the Code and an amended **Concept Plan Map Mal/7** to include the subject land is recommended as part of the transition to the Code.

### *Opportunities and Constraints – Flood mapping and hazard*

The desire to incorporate quality and up to date flood mapping is supported. It is recommended that land that has been designed to manage flood risk (ie provide building envelopes above the flood plain hazard level relative to the particular site/division) be:

- excluded from the flood mapping and/or
- identified in a particular way to distinguish it from other parts of the flood plain that do not include allotments / stages of division that incorporate/have been developed or will be designed to provide building envelopes to accommodate future development above the relevant hazard level

I would be happy to arrange a meeting to discuss the above if desired.

Please do not hesitate to contact the undersigned in relation to any matters related to this submission.

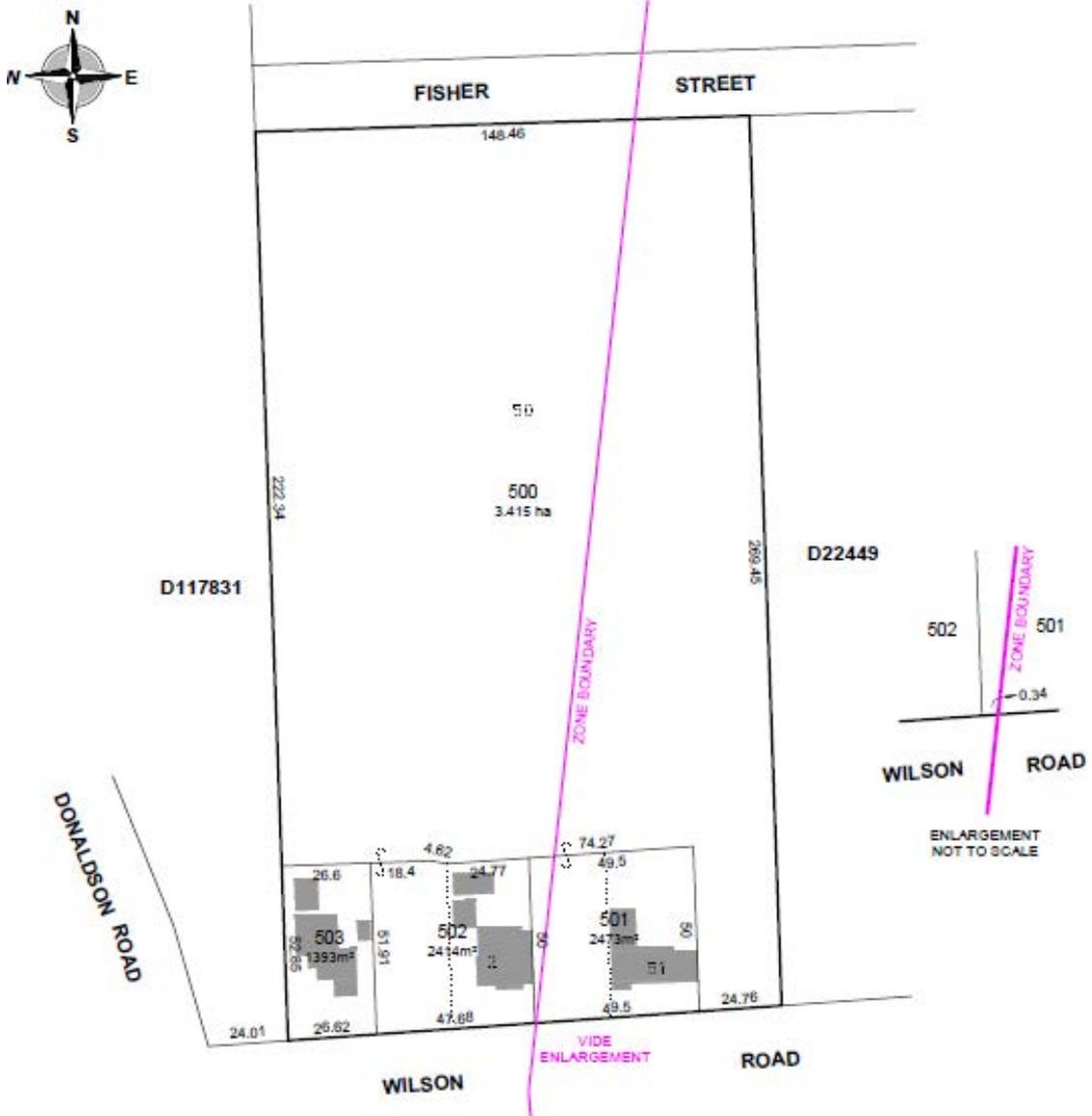
Yours sincerely



Julie Lewis RPIA  
**Senior Associate**

Cc Mr Robert Veitch, General Manager, Development and Community 

Enc





**ATTACHMENT C – Weeks Developments Pty Ltd Stage 5 land divisions and EFPA Overlay recommended amendments / exclusions**

