

28 February 2020

REF No.: 00882-006

The Chair  
State Planning Commission

**Attention:** Mr Michael Lennon

By Email: [DPTI.PlanningReformSubmissions@sa.gov.au](mailto:DPTI.PlanningReformSubmissions@sa.gov.au)

Dear Mr Lennon,

**Re: Submission - Draft Planning & Design Code (Phase 3 Urban Areas)**

We write on behalf of our client, Hallett Cove Joint Venture, that owns a large, undeveloped Greenfield land parcel within Hallett Cove / Lonsdale. This parcel is identified in **Figure 1** below.



**Figure 1 – Pieces 4101 and 4102 Sigma Road Bay (Source: SAPP)**

The site spans two (2) Council areas with portions of the site presently located within the **Open Space Zone** of the Marion Council Development Plan (consolidated 15 December 2019) and within the **Urban Employment Zone** of the Onkaparinga Council Development Plan (consolidated 20 December 2018).

The site is subject to a Ministerial Development Plan Amendment (DPA) (*'the Lonsdale Residential DPA'*), which proposes to re-zone the site to **Residential Zone (Lonsdale Policy Area 9** within the City of Marion and **Lonsdale Policy Area 69** within the City of Onkaparinga).

The consultation document for the DPA provides a high-level summary of the reasons for the proposed policy amendment:

*The Lonsdale area has been long established with industrial activities, including manufacturing, services and trades, auto wrecking, waste management, mineral extraction and, significantly, the former Port Stanvac Oil Refinery site. The closure of the Port Stanvac Refinery in 2009 has since provided new development opportunities, including the Adelaide Desalination Plant (Desalination Plant) and the opening of access to coastal areas for the community.*

*Land immediately north of the former refinery site and the subject of this DPA was previously zoned to provide a buffer from the impacts of the refinery activities to the residential development further to the north at Hallett Cove. Approximately 12 hectares of the adjacent land is owned by the ADC, who previously developed the residential land further to the north at Hallett Cove.*

*However, with the closure of the refinery and the development of the Desalination Plant, these impacts and environmental risks have been significantly reduced and an opportunity now exists to review the future development potential of land contained within this buffer area for other land uses.*

*This review of planning policies provides an opportunity to investigate rezoning of this land for residential purposes to expand on residential development to the north, capitalising on the coastal location and access to public transport and employment opportunities. More specifically, the DPA will review the suitability of this land to support low to medium density residential development together with open space, considering the characteristics of the site, the surrounding land uses, proximity to the coast, infrastructure provision, linkages with existing open space areas and demand for residential development.*

Under the Planning and Design Code (*'the Code'*), the proposed zone framework largely follows the existing zone arrangement with the site proposed to be located within the **Open Space Zone** and **Employment Zone**. On this basis, the Code will not align with the policy intent of the proposed DPA. The site is not located within a specific sub-zone.

The site is captured within the following Overlays:

- Native Vegetation Overlay (applicable to land within the Open Space Zone);
- Prescribed Wells Area Overlay;
- Regulated Trees Overlay; and
- Sloping Land Overlay (small portion affecting Piece 4101).

The *Planning and Design Code Consultation Map Viewer* indicates there are no listed Technical and Numeric Variations applicable to the site (presumably consistent with its proposed zoning as Open Space and Employment Zones).

**Proposed Amendments to the Planning and Design Code:**

- Conclusion and completion of the current Ministerial Development Plan Amendment ('the Lonsdale Residential DPA') is likely to occur after the current consultation period of the Code but prior to implementation of the Code. This should be noted, and the final form of the Code should reflect the final outcome of the Lonsdale Residential DPA.
- Given the relatively flat topography of this site; its proximity to existing residential development, transport linkages and open space, and investigations undertaken to date within the Lonsdale Residential DPA, we expect that the zoning of these sites should be amended to either the 'Greenfield Suburban Neighbourhood Zone' (or 'General Neighbourhood Zone') which would facilitate the orderly and coordinated development of this large greenfield site for residential purposes.
- In addition, the Deemed to Satisfy (DTS) pathways for residential development, listed within the Greenfield Suburban Neighbourhood Zone and General Neighbourhood Zone, should be reviewed and amended to ensure they are not diluted by the imposition of onerous Overlay restrictions, (e.g. Sloping Land) which would unreasonably restrict simple and expected classes of development from following the DTS assessment pathway.
- Further, there are no current Technical and Numeric Variations proposed and none should be applied that would dilute the policy intent of the proposed residential zoning of this site.

We thank the State Planning Commission for the opportunity to make this submission. We would welcome the opportunity to meet with the Commission to discuss and further explain our position in relation to the matters identified above.

Yours Sincerely



**Chris Carrey**  
Planning Consultant