

Ref: 10ADL-0006

17 December 2020

Michael Lennon
Chair
State Planning Commission
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Dear Michael,

Revised Planning and Design Code – Submission on behalf of Windamere Park – Legoe Road, Buckland Park

URPS acts on behalf of Mr and Mrs de Lyster of Windamere Park.

Background

As the Commission is aware, Windamere Park is an accredited disability services provider with Disability SA and has provided a training and educational environment for people with an intellectual disability since 1991. It now services well over 400 attendees per week and is on the preferred provider panel for the NDIS. Additional information regarding the services offered by Windamere Park can be found at <https://www.windamerepark.com.au/>. These services are summarised as:

- Daily development programs
- Pre-vocational and vocational training
- Community access
- Educational camping experiences
- Limited and small scale Supported Independent Living (SIL) accommodation / overnight accommodation.

Windamere Park has been actively pursuing policy amendments in support of the above. In doing so Windamere Park, based on the advice of the former Minister for Planning, commissioned and delivered reports to the (then) Department of Planning, Transport and Infrastructure to facilitate the preparation of a Ministerial Development Plan Amendment.

Windamere Park is keen to assist in addressing the national crises regarding the lack of specialist disability accommodation (SDA). We understand from the National Disability Insurance Agency that there is a national shortage of approximately 9,500 SDA homes.

Revised Planning and Design Code

The Windamere Park and associated olive grove land uses occur across three parcels at Buckland Park as shown in Figure 1 below:

Figure 1: Collective Windamere Park land holdings



The Revised Planning and Design Code (Code) proposes the following policy setting for the collective parcels:

Proposed Code	
Zone	Rural Horticulture Open space (partial)
Subzone	Windamere Park
Overlays	Limited Land Division Defence Aviation Area Hazards (Acid Sulfate Soils) Hazards (Flooding) Hazards (Bushfire – General) Limited Dwelling (partial) Native Vegetation Regulated Trees Prescribed Wells Area Water Resources

Windamere Park Subzone

Windamere Park wishes to acknowledge the insertion of the dedicated Subzone as a step in the right direction.

Desired Code Amendments

In order to support the Subzone and for the Subzone to function effectively, Windamere Park requests the following amendments:

- Expansion of the Subzone across all Windamere Park land;
- Amendment to DTS/DPF to insert relevant allied ancillary land uses;
- Removal of the Limited Land Division Overlay over all parcels, and insertion of additional policy within Windamere Park Subzone to facilitate the division of land where it is to accommodate 15 SDA houses / NDIS funded dwellings.

Extend the Windamere Park Subzone

The landowners prefer that all of the Windamere Park land is contained within the Windamere Park Subzone. This will provide greater flexibility to determine where the 15 SDA homes and other allied disability ancillary support services could be provided. For instance, recent investigations have determined that it will be more economically feasible to supply electricity to the southern parcel (not currently located within the Subzone).

Allied Land Uses

Activities occurring on the land are diverse and centred around the provision of services for persons living with a disability. In order to further support the primary intent of the land, Windamere Park seeks the insertion of additional 'Envisaged Uses' within DTS/DPF 1.1 such as:

- Allied health services and facilities that are ancillary and supportive of the existing disability support services (e.g. pool for the provision of rehabilitation type services)

Limited Land Division Overlay

Further, whilst the Subzone works to allow additional, specialised land uses to occur within the Rural Horticulture Zone, Windamere Park and the City of Playford hold the view that, that the Limited Land Division Overlay will obstruct the opportunity presented by the Subzone to have 15 SDA homes constructed.

That is, each SDA home is required to be placed on their own title to allow investors (e.g. parents of children who can be accommodated in the SDA house) to seek finance. Lending institutions will not lend to parties if they cannot secure the loan against the title. This is a significant hurdle to the financing and construction of the proposed SDA homes. The continued imposition of the Limited Land Division Overlay will restrict the development of these important housing choices for those persons that need them most and is of critical concern to Windamere Park. This is a fundamental issue that must be resolved.

The de Lysters will be pleased to accept any reasonable restriction that limits the dwellings and associated land division to NDIS funded accommodation.

The Commission's attention is drawn to the outcomes of the Ordinary Meeting of the City of Playford held 15 December 2020. At this meeting, the Council resolved to support a proposal from Windamere Park which would facilitate the provision of 15 SDA houses on their individual titles (refer to below extract from Council's Minutes). We understand that Council will communicate this resolution in their Code submission.

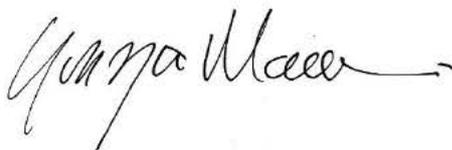
COUNCIL RESOLUTION	4367
Moved: Cr Rentoulis	Seconded: Cr Tame
1. That Council endorses the submission (Attachment 1) on the consultation of the Revised Planning and Design Code with the following addition to the recommended action / change regarding Windamere Park Sub-Zone:	
a. That up to 15 Specialist Disability Accommodation (SDA) / NDIS housing allotments should be allowed to be established by the controls, provided that the future use of these allotments is limited to this form of accommodation by Land Management Agreements or equivalent agreements.	
2. That the CEO is authorised to make such minor alterations and additions considered necessary without affecting the general intent of Attachment 1.	
<u>CARRIED</u>	

Future Aspirations

The above approach represents achievement of a short-term goal and addressing a critical shortage of SDA homes. In the long term, and subject to future Commission's determination, Windamere Park sees great opportunity in providing an integrated living environment. That is, there is the potential to establish an appropriate zoning environment that would allow for the families of those persons residing in the SDA housing to also live within the local community. This aspiration is stand-alone from our current proposal and should not influence the Commission in making the above amendments. We acknowledge that any future uses will need to be considered by the Commission on their merits via a separate Code amendment process.

I would be pleased to meet with the Commission or alternatively representatives of the Attorney General's Department to discuss and advance the above amendments.

Yours sincerely



Grazio Maiorano

Director,