

21 February 2020

State Planning Commission
Attention: Michael Lennon
Level 5
50 Flinders Street
ADELAIDE SA 5000

By Email - DPTI.PlanningReformSubmissions@sa.gov.au

Dear Michael

SUBMISSION – PLANNING & DESIGN CODE (PHASE 3)

LOT 2 RANFURLEY AVENUE, SELICKS BEACH

POPLAR GROVE WHOLESAL NURSURY

1.0 INTRODUCTION

Ben Green & Associates has been engaged by Mr Jason Scroop to submit this report as part of the public consultation period of Phase 3 of the Planning & Design Code.

We have been asked to review and provide a submission of the Planning & Design Code (the Code) as it related to our client's land holding identified as Allotment 2 Ranfurley Avenue, Sellicks Beach.

The subject land contains the Poplar Grove Wholesale Nursery and due to the growing urban footprint around the subject land, our client wishes to alter the proposed zoning to the Deferred Urban Zone to enable to medium to long term development of the site.

2.0 SUBJECT LAND AND LOCALITY

The subject land is described as Allotment 2 Ranfurley Avenue, Sellicks Beach and has Certificate of Title Book Volume 5506 and Folio 548.

The subject land is irregular in shape and retains an area of approximately 32,750 square metres. The 'L shaped' allotment is located on the eastern end of Ranfurley Avenue and directly abuts the southern portion of the residential areas of Sellicks Beach.

The subject land contains the Poplar Grove Nursery with extensive areas containing both covered, uncovered and tunnelled growing areas that produces approximately 500,000 150mm plants for the retail plant market – seen in Bunnings, Mitre 10, Stratco and other leading garden centres throughout South Australia. Extensive areas of solar panels are found throughout the site to generate suitable power to operate the rural activities with water storage found along the southern boundary.



Subject Land – Lot 2 Ranfury Ave, Sellicks Beach



Source – SAPPA

The subject land contains a slope rising from the northern section of the allotment to the southern boundary. This slope is evident as it leads towards Main South Road and the Sellicks Hill escarpment to the south-east.

The subject locality comprises a mix of residential allotments containing single and two storey detached dwellings and various rural activities in the form of floriculture, horticulture, grazing and cropping.

The land to the immediate west of the subject land is part of the residential areas of Sellicks Beach with small residential sized allotments containing detached dwellings. To the north of the subject land are three allotments containing horticultural pursuits (olives) and grazing. To the south contains land used for horticulture (olives), cropping and grazing. Similar, land to the east is used for grazing of livestock.

Further to the north of the subject land, to the north of Gulf View Road, two large allotments are retained as 'Deferred Urban Zones' to accommodate the medium to long-term urban growth of Sellicks Beach.

Locality Plan



Source – SAPPA

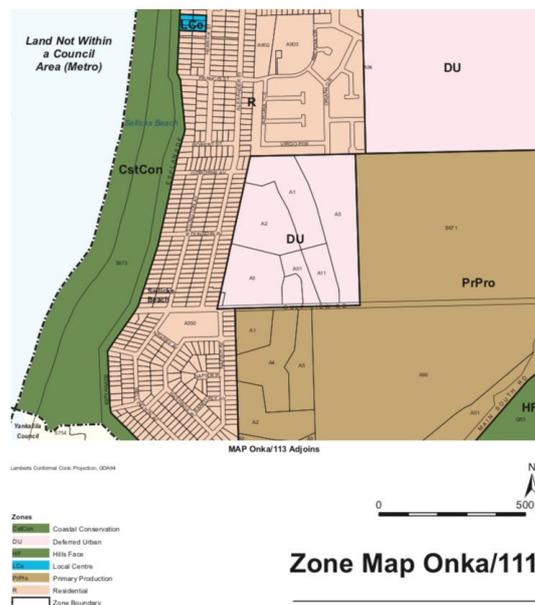


3.0 PLANNING ASSESSMENT

3.1 Development Plan Zoning

The subject land is located within the Primary Production Zone as depicted on Map Onka/111 of the Onkaparinga Council Development Plan consolidated 20 December 2018.

The land to the north, east and south of the subject land are also situated within the Primary Production Zone with the land to the west located in the Residential Zone. The land directly north of Gulf View Road is located in the Deferred Urban Zone and earmarked for urban development in medium to long term.



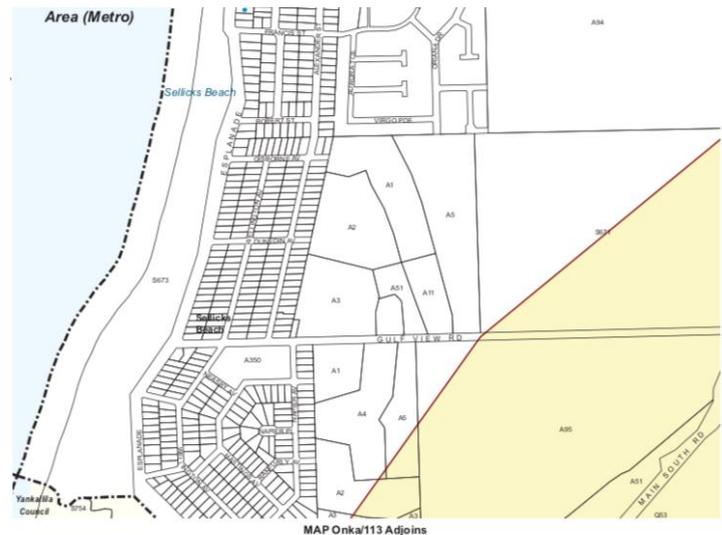
The Residential Zone to the west of the subject land also contains the Sellicks Beach Policy Area 45. This Policy Area contains a suite of policies to guide residential development with the emphasis on low intensity development, characterised by large allotment sizes, deep setbacks and large separation between dwellings.

The Policy Area also states that this area does not have access to mains sewer and development is not to be undertaken where it creates unreasonable demands on the existing infrastructure. Land division is not encouraged, primarily due to the lack of access to mains sewer. Should SA Water or Council provide the necessary infrastructure for access to mains sewer, it is considered that development potential within this policy area would be increased and more readily supported.

3.2 Character Preservation District Area – McLaren Vale

The Character Preservation (McLaren Vale) Act 2012 became operation in January 2013 and provides that the 'special character of the district is recognised, protected and enhanced'. This Act prohibits the creation of additional residential allotments in the rural areas of this district to halt urban sprawl to the south of Adelaide's built up area. This seeks to provide for continued viable farming and primary production activities.

As demonstrated in the diagrams below, the boundary or commencement of the McLaren Vale Character Preservation District traverses through the subject land with the south-eastern section contained within this district. This prohibits this portion of the subject land being considered for residential development within the short to medium term, although does provide options for the section closer to Ranfurly Avenue (where not included in the preservation district).



Heritage points are indicative only.
For further information on State and Local Heritage Places and Contributory Items please refer to the relevant tables within this document.



Overlay Map Onka/111 HERITAGE AND CHARACTER PRESERVATION DISTRICT

- Local heritage place
- Character Preservation District



Source – SAPPA

It is noted that the Department of Planning, Transport and Infrastructure undertook a review of both the Barossa Valley and McLaren Vale Preservation Districts in 2018 with four key recommendations concluded. Of particular interest, Recommendation #2 states:

“The State Planning Commission should investigate the merit of amendments to the character preservation districts in the context of Greater Adelaide’s growth”

Although the State Planning Commission has yet to commence this review, it is understood that it is likely to commence following the implementation of the State’s Planning and Design Code in September 2020.



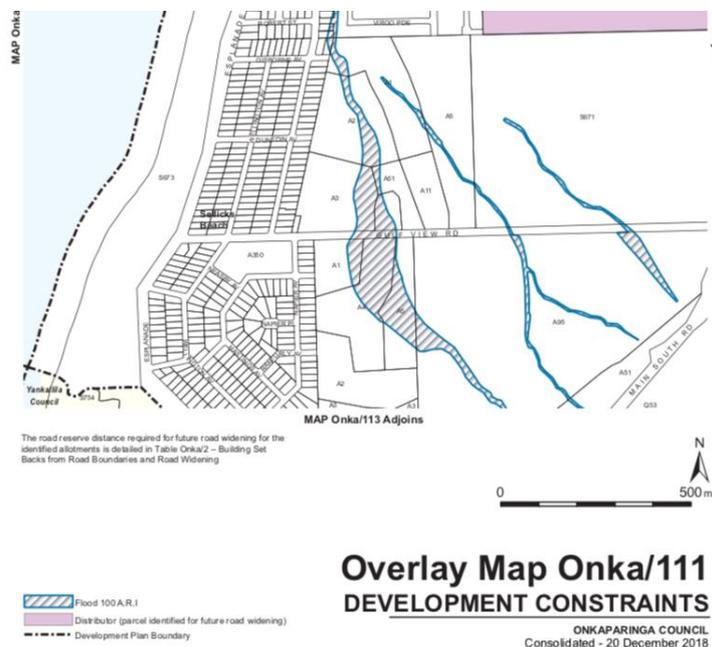
Our clients will be submitting a separate submission detailing the merits of seeking amendments to the current Character Preservation District boundaries to both the subject land and the adjoining allotments that similarly have the preservation boundary dissecting their land.

It is hopeful that the Commission will recognise the merits of portion of the subject land being considered for inclusion in the Deferred Urban Zone and ultimately assist in the realignment of the preservation boundary.

3.3 Flood Risk

The subject land is not identified as subject to any known flood risks. The City of Onkaparinga Development Plan contains a number of development constraint maps; with Map Onka/111 demonstrating the land to the north and east of the subject land is subject to flood risk.

Any future development on these allotments will require detailed analysis on mechanisms to mitigate flood risk.



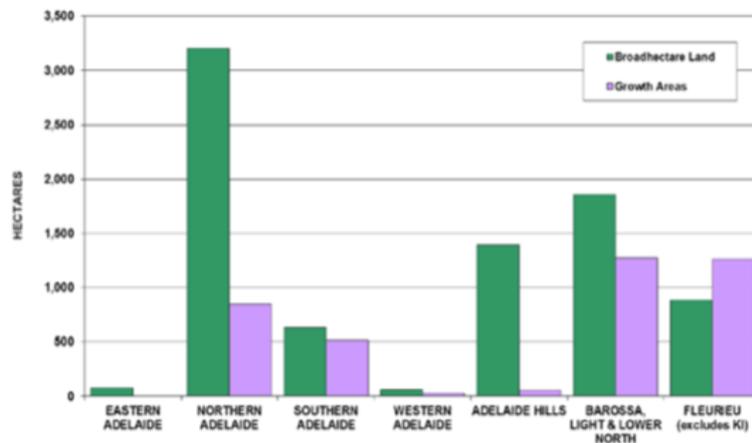
3.4 Strategic Planning

The Department of Planning, Transport and Infrastructure undertakes an annual review of broad hectare land supply that provides information about the amount, ownership and distribution of broad hectare land in residential zones of the Greater Adelaide region – known as the '*Residential Broadhectare Land Supply Report*'. This annual report underpins strategic growth planning and the staging of future rezonings across the State.

In recent years there has been a number of rezonings in the northern parts of Greater Adelaide, which has resulted in a significant increase in the available broad hectare land in the north. As evident in the graph below – there is a notable shortfall in the availability of broad hectare land in the southern parts of Greater Adelaide for residential development when compared with other regions.



Figure 1: Residential Broadhectare and Growth Area Land in the Greater Adelaide Region by SAGR



Source – www.saplanningportal.sa.gov.au

It is understood that the Department of Planning, Transport and Infrastructure is currently preparing a discussion paper (or similar) on the future metropolitan growth options for Greater Adelaide and is considering the City of Onkaparinga as a 'pilot Council' to investigate future growth areas in the southern parts of Greater Adelaide.

It is also understood that this review will be prepared prior to the State Planning Commission undertaking its review of the character preservation districts – note Recommendation #2 (as described in section 3.2 of this report) that investigating the merits of amending the character preservation districts in the *context of Greater Adelaide's growth*.

A recent discussion with the City of Onkaparinga planning staff has discovered that Council intends to undertake its own review of its existing Deferred Urban Zones and Primary Production Zones in Sellicks Beach to determine further urban growth areas and assist in influencing the future strategic directions of the State Government. It is understood that Council seeks to commence this process in mid 2020.

It is understood that the subject land is within the scope of the Strategic Planning exercise, along with the adjoining allotments to the north and south. It is understood that this cluster of allotments is being considered as a logical extension of the existing Sellicks Beach residential area.

This assists in supporting the suggested amendments to the Code to include the subject land and adjoining allotments within the Deferred Urban Zone.

4.0 PROPOSED AMENDMENTS TO THE PLANNING & DESIGN CODE

Public consultation of the Code commenced on 1 October 2019 and set to conclude on 28 February 2020.

The subject land, currently contained within the Primary Production Zone, is proposed to be replaced by a Rural Zone. The envisaged land uses will be similar to that currently contained with the Onkaparinga Development Plan, however will not contain the extensive list of 'non-complying' developments.



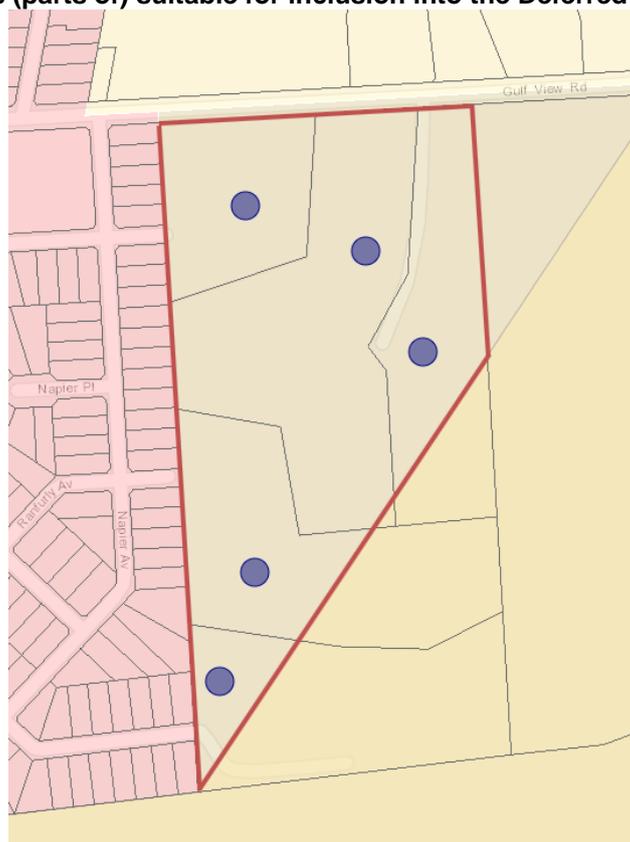
It is noted that the draft Code shows that land division is no longer a restricted form of development (is currently non-complying if less than 16 hectares) other than where the Limited Land Division Overlay applies. Given the subject land adjoins small residential allotments to the west, land division approval could be sought for allotments far less than currently allowed, removing the ability to master plan the appropriate staging of the area.

It is well known that there are wastewater infrastructure constraints in this locality, however the Code does not in any way reference this. It is therefore questioned the rationale for land division to be performance assessed – and warrants consideration for the application of different Zone over the subject land.

The draft Deferred Urban Zone contains a suite of policies that safeguard land for future urban growth with strong land division policies that limits the creation of additional allotments. This Zone is considered a more suitable zone for the subject land that recognises the logical and contiguous expansion of the Sellicks Beach urban areas.

To ensure that the subject land is considered as part of the larger land holdings, it is also considered appropriate that the following adjoining allotments to the north and south of the subject land area are also included into the Deferred Urban Zone:

Allotments (parts of) suitable for inclusion into the Deferred Urban Zone



Each of these allotments, or parts thereof, are contiguous to the existing urban areas of Sellicks Beach. To the west is the existing Residential Zoned areas with area north of Gulf View Road located in the Deferred Urban Zone. The Character Preservation District boundary is the logical extent to which urban development could occur and is expected to be developed in the medium to long term.



The placement of the Deferred Urban Zone signals to the wider community that in due time the area may be considered for urban expansion. It does not grant approval for its development, but rather provides a level of certainty to infrastructure providers (and in particular SA Water) and land owners in the region that the area may be expanded for urban development.

A significant level of analysis and engagement with the local community would occur via a separate Code Amendment. This would provide greater insight into the timing and scope of development. It is expected that this type of amendment would occur once Council has undertaken its strategic analysis of the Sellicks Beach region and established a logical staging plan. This would take into consideration infrastructure requirements and the expected uptake of residential development.

The change from the draft Rural Zone, as depicted in the consultation version, to the Deferred Urban Zone is not considered to be a substantial change that warrants any further public consultation.

The Deferred Urban Zone places greater constraints on development than the Rural Zone. Other than the retention of existing land uses, minimal development opportunities are envisaged, so that urban development can be master planned without the constraints of incompatible land uses. As less development opportunities would be available, it is considered that this would have a positive outcome upon the existing community while the broader master planning process is undertaken.

It is therefore requested that the Commission look favourably at the proposed amendments and enable a greater degree of certainty of the medium to long term development of the Sellicks Beach area.

5.0 CONCLUSION

It is considered that the proposed changes from the draft Rural Zone to the Deferred Urban Zone is an appropriate amendment to the Planning & Design Code.

The Deferred Urban Zone provides the necessary policies to recognise the logical and contiguous expansion of the Sellicks Beach urban area and ensure that inappropriate development does not occur while strategic investigations are being undertaken by both Council and State Government.

We ask that the Department of Planning, Transport and Infrastructure and the State Planning Commission give strong consideration to the changes sought.

Yours faithfully

Ben Green & Associates

Ben Green, CPP MPIA

cc *Mr Jason Scroop*