Morphettville / Glengowrie Horse Related Activities Code Amendment

What We Heard Report

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CITY OF MARION

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1 Purpose

This report summarises the Engagement Activities undertaken for the Morphettville / Glengowrie Horse Related Activities Code Amendment, summarises the submissions received and the level of support, or otherwise, to the proposed changes, as well as the key themes arising from the feedback received.

2 Introduction

The purpose of this Code Amendment is to seek to an amendment to the Code for an area of land located adjacent the Morphettville Racecourse on the southern side of Bray Street in Morphettville and the western side of Morphett Road in Glengowrie. The area of the Code Amendment is currently covered by the Suburban Neighbourhood Zone and portion of the General Neighbourhood Zone.

The extent of the Suburban Neighbourhood Zone was formerly the Residential Racecourse Zone (before the implementation of the Planning and Design Code) which formalised the opportunity for the stabling of horses and residential use on the same property in response to its proximity to the racecourse. The policy sought detached dwellings at low densities in association with a range of horse related activities (such as stables), with minimum allotment sizes of 560m^2 and minimum 15m frontages. The policy intent to accommodate horse related activities has not translated into the Planning and Design Code with the Suburban Neighbourhood Zone, however the minimum allotment size and frontage have, meaning there is very little development opportunity to support the potential relocation of the stables to more appropriate locations for current landowners.

The proposed amendment seeks to consolidate a consistent suite of policies within the Suburban Neighbourhood Zone which provides a balanced approach for additional development opportunities, whilst achieving better design outcomes than what is being achieved in the surrounding General Neighbourhood Zone in terms of encouraging street facing infill development.

3 Engagement Approach

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

Council prepared an engagement plan (the Engagement Plan) to apply the principles of the Community Engagement Charter. The purpose of this engagement was to inform and consult relevant landowners and stakeholders on the proposed changes to the zoning and minimum site areas and frontage widths of the Affected Areas to ensure the proposed changes are legible, considered and are reflective of the feedback (where appropriate) in the Code Amendment process.

The primary audience for the engagement of this Code Amendment are the affected landowners and occupiers of properties within the affected area and adjacent landowners. However, Council also engaged with key stakeholders associated with the Morphettville Racecourse and thoroughbred racing in South Australia.

As a result of a poor submission return rate following the close period, particularly from land owners and stable owners/ operators, Council undertook further engagement directly with landowners of stable properties, either via email or by phone, to ensure that they were aware of the Code

Amendment, and to ascertain their level of support, or otherwise, for the proposed policy changes so Council can be better informed in progressing the Code Amendment.

3.1 Engagement Activities

Mailout to Landowners

A letter and accompanying flyer outlining the rationale and key changes proposed by the Code Amendment was posted to each of the landowners across the affected area. This equated to 181 letters being mailed (including to occupiers of those not owners not residing at the property). The letter and accompanying flyer described the reason for the Code Amendment, the specific properties it related to, what policy changes are proposed, where to get further information (including a date and time of a potential online engagement session (registration required) and how to make a submission.

Letters were also sent to the South Australian Jockey Club, as owner/ operator of the Morphettville Racecourse, and to Racing SA as the peak body for thoroughbred racing in SA.

The mailout resulted in several follow up phone calls and 1 face to face meeting (with Racing SA) to explain in more detail the rationale for the proposed amendment and how the proposal affects their property and implications of the potential policy changes.

Making Marion Consultation Page and Video

A Making Marion page (Council's consultation platform) was prepared which outlined the changes, the rationale for the changes, identified the affected area, and provided downloads for information sheet, the complete Code Amendment Report, as well as the Engagement Plan, along with mapping showing development potential before and after the proposed changes, as well as the extent of stables properties and the Interface Management Overlay. Additional FAQs were also included on the page, along with a survey which sought to understand the level of support for the policy issues identified in the Code Amendment.

An indexed video was also included on the page which enabled participants to gain an understanding of the proposal without needing to read any documents.

The page received 708 visits during the consultation period, with 71 downloads and 23 surveys completed. The video was viewed 205 times.

Letterbox Drop to Surrounding Properties

A letterbox drop was undertaken to properties surrounding the affected area, equating to approximately 200 additional letters. The Letterbox drop included a letter and flyer which explained the proposed policy change and the reasons why it is proposed, the affected property extent, where to get further information and how to make a submission.

WMailout to Agencies, MPs and Councils

Letters were sent to the member for Morphett and member for Boothby being the local state and federal Members of Parliament, as well as to relevant state agencies and utility operators likely to have an interest in the Code amendment, being:

- Department for Infrastructure and Transport

- Department Recreation, Sport and Racing
- Planning and Land Use Services, Department for Trade and Investment
- Environment Protection Authority
- SA Power Networks
- SA Water
- APA Group

Letters were also set to the City of West Torrens and City of Holdfast Bay, being the closest affected Councils, as well as the LGA.

Signage Banners

A number of banners were placed on the road verges within the affected area promoting the consultation of the Code Amendment and directing people to the Making Marion page via QR code.



Social Media

Consultation on the Code Amendment was promoted on Council's social media accounts with access to over 13 000 followers. Posts occurred to announce the consultation of the Code Amendment, as well as reminders for each of the Drop-in sessions, and a reminder that consultation was closing 2 weeks prior). There were noticeable spikes in visitation to the Making Marion page following each of the posts.

Drop-in Sessions

The following drop-in sessions were held across the consultation period:

- Tuesday 12 December 2023, 2pm – 3pm and 6pm – 7pm
- Wednesday 17 January 2024, 2pm – 3pm and 6pm – 7pm

All drop-in sessions were held at the Morphettville Park Sports and Community Club in Morphettville, being a venue close to the affected area and therefore convenient for the affected community to get to. Given the proximity of consultation to Christmas, sessions were held both before and after Christmas to account for different availability of people, as well as afternoon and evening sessions to maximise accessibility.

Staff were available to answer questions of those who attended, as well as speak to a series of information posters on display which documented;

- the current and proposed zoning
- current and proposed development potential
- the location of exiting stables and
- the extent of the proposed Interface Management Overlay.

A copy of the full suite of policies for the proposed Zone, along with copies of the Code Amendment Report were available for attendees to review and take, along with hard copy survey sheets for those not comfortable / wanting to utilise the online survey tool.

A total of 13 people attended the drop-in sessions overall.

Follow-up calls and Emails

The lack of response and submissions received at the close of consultation prompted additional follow up phone calls and emails directly to landowners of properties containing stables that ~~C~~council had either email or telephone contact details for. This involved 4 phone calls and 9 emails.

As a result, an additional 7 submissions were received from this additional engagement.

3.2 Mandatory Requirements

The following mandatory engagement requirements have been met:

- Notice and consultation with Council/s (via letter to the City of Holdfast Bay and the City of West Torrens being two nearest Council boundaries)
- Notice and consultation with the Local Government Association (via letter/email)
- Notice and consultation with Owners and Occupiers of Land which is Specifically Impacted (letter and enclosed flyer).

4 Engagement Outcomes

4.1 Summary and distribution

Overall, there were 37 submissions received by Council from landowners, the general public or interested stakeholders, along with a further 5 submissions from agencies, Council or utilities.

The agency submissions either confirmed support, or noting of the technical implications for the Code Amendment on their current infrastructure and future infrastructure planning, whilst the ?City of West Torrens confirmed their preference for grade separating the tram line across Morphett Road in the longer term (noting that this is beyond the scope of this Code amendment and relates more closely to the works and development planned as part of the Morphettville Racecourse Master Plan development.

Of the 37 public and stakeholder submissions 19 indicated they were supportive of the Code Amendment, 15 indicated that they were not supportive, and 3 indicated that they were neutral.

Approximately 36% of submissions were made from those with stables on their land, with these making up approximately 31% of all allotments within the affected area.

Of those in support, all but 6 were from within the affected area, with those outside quite scattered across neighbouring suburbs.

Of those against the Code Amendment, all but 2 were from the broader area, including two from within the City of Holdfast Bay. This is perhaps reflective, and responsive to the banners in place and social media posts, as most submissions not in support did not receive a notification letter.

The distribution of submissions across the affected area, and outside, is identified in the Map below.

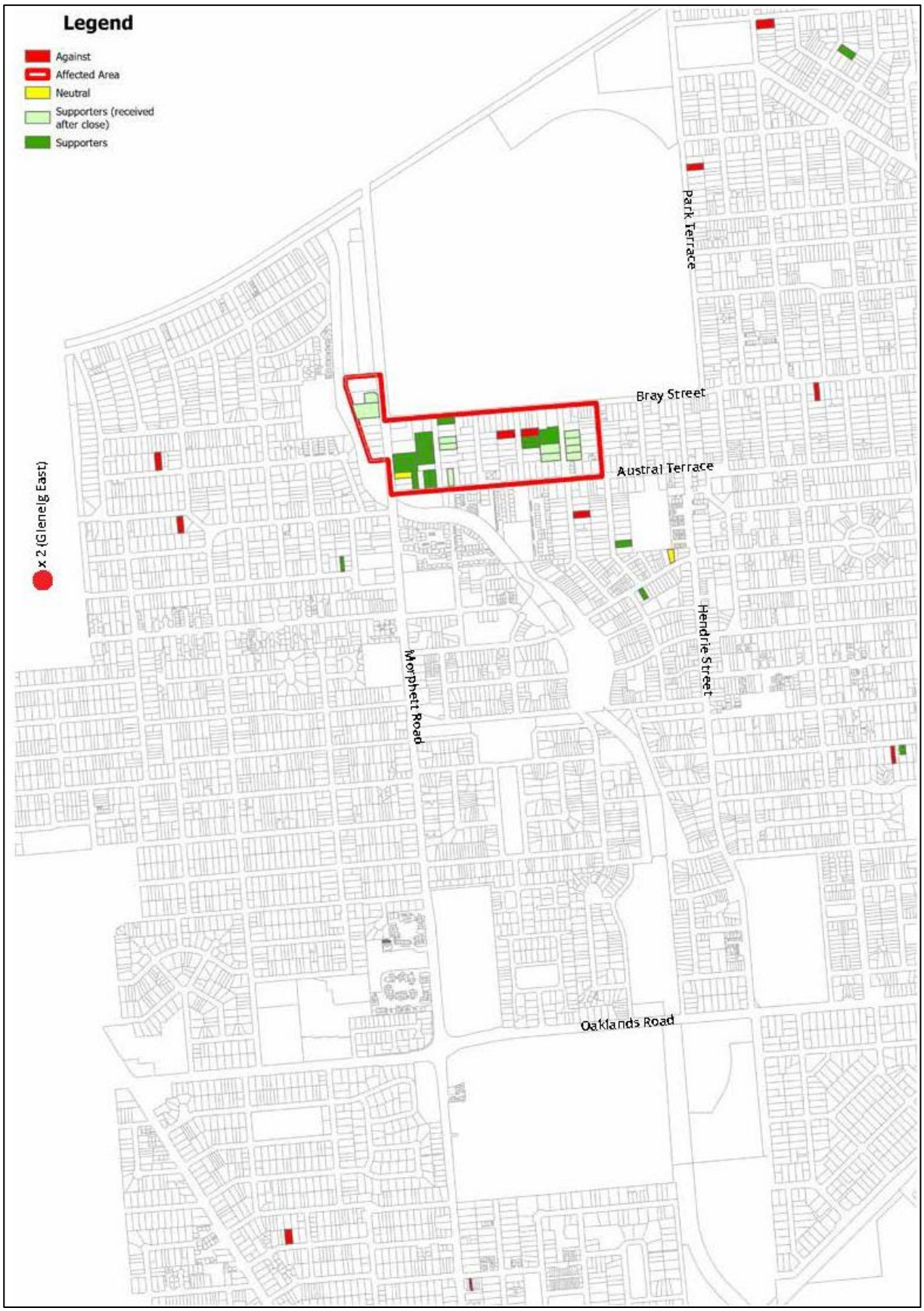


Figure 1: Location of those who made submissions for the Code Amendment.

4.2 Key Themes

Key themes arising from the submissions are summarised below.

Supportive of amendment

- Those in support of the amendment often did not express any additional commentary , although several indicated that the amendment was long overdue, supported the need for more housing or supported the desire to remove the conflict with horse movements.
- All but one stable owner / operator who made a submission was supportive of the Amendment.

Council was eager to understand landowner's intentions for future sale or development of stables, and included this question in the survey.

Of those who supported the amendment:

- all but 3 indicated a desire to sell or relocate their stables into the future
- all but one indicated that this would **not** be immediate, but in the medium to longer term (typically greater than 5 years time).

This feedback accords with the anecdotal feedback received through discussions with landowners and stable operators (phone calls, site meetings, drop-in discussions), where the need for a viable alternative location was key to supporting the relocation of those stable operators wanting to continue operations long into the future. Several operators were considering retirement and transitioning away from the industry, and saw the ability to sell and relocate as important in achieving this transition.

The following key themes arose from those who expressed concern about the proposed amendment.

Density

- The density desired was too high and in particular the narrow frontage widths sought were of concern (several raised the 7m minimum frontage for row dwellings in reference to this concern).

These concerns were perhaps informed by recent infill developments in Morphettville further east, where parts of the neighbourhood fall within the Housing Diversity Neighbourhood Zone. Development here is occurring at slightly increased densities to those proposed within this amendment (and applicable to the General Neighbourhood Zone). The rate and extent of change within these locations, (a master planned renewal precinct), may also be part of the reason for the concerns raised, as there is a distinct change in character of the streets.

There was perhaps a misunderstanding that a significant part of the affected Area, being within the General Neighbourhood Zone, can already be developed at the densities identified, including the 7m row dwelling frontage width). In light of this, the densities proposed are still considered to be appropriate, particularly in light of the strategic location of the affected area.

Traffic and Parking

- Additional dwellings will lead to additional traffic volumes in this location and these streets are already congested.
- Infill development will lead to increased on-street parking, and this will impringe on movement and safety and inconvenience residents.

The concerns are common in response to areas that have undergone infill development, particularly where extensively undertaken such as for parts of Morphettville.

Analysis of the theoretical development potential of the affected area identified scope for an additional 105 dwellings. These additional dwellings, and the resultant traffic demands is not likely to change the function or service of the local street network, with both Bray Street and Austral Terrace having a higher order Collector function, and the capacity for additional traffic volumes.

Concerns about the loss of on-street parking, both as a result of increased crossovers, and parking on-street from occupants of dwellings, is a legitimate concern arising from outcomes of infill development in other locations. The ability to alter the parking ratios required for dwellings is outside of the scope of the amendment, and the Code provides for the retention of on-street parking for new developments.

Day-to-day parking demand in this location is driven by stable operator workers (including parking of horse floats), as well as visitors to the BUPA Aged Care facility in Austral Terrace adjacent to the Affected Area.

Notwithstanding this, Council does not have any ongoing issues with a lack of parking in these locations. Provision for additional parking will occur with the planned removal of some of the parking restriction on the southern side of Austral Terrace, which will also aid in reducing traffic speeds and act as a deterrent for through traffic in this location.

All streets in the affected area are of a suitable width to safely accommodate parking on both sides, and facilitate the movement of vehicles, waste trucks and emergency vehicles.

Loss of open space. Trees and landscape

- Densities will not provide for green spaces and retention of tree canopies.
- Prefer open space to additional housing.

Concerns about increased densities and additional dwellings leading to reduced greening of these locations is noted and is a common concern of infill development more generally. For those sites not currently used for stabling (i.e. the existing General Neighbourhood Zone) there will be a reduced level of pervious surfaces as a result of increased development, and this can occur under the current policy setting. However, where stables are present, the bulk of these sites are covered by buildings or impervious areas, and contain very little, if any vegetation, so there may in fact be a slight increase in vegetated area for these sites.

Importantly, the Urban Tree Overlay will apply to this location, meaning that a requirement to plant at least one tree per site will ensure a future canopy level is able to be established, along with minimum impervious areas of between 20 and 35% (depending on site size). The potential to increase these requirements is limited within this code Amendment's scope, although it should also be noted that the changing of the General Neighbourhood Zone to the Suburban Neighbourhood Zone will reduce the potential site coverage from 60% to 50%, further improving scope for additional landscaping and open spaces between buildings.

Horse Training Role of the Area / Retention of existing Use Rights

- This location has long been an area identified for horse training, and this role should be protected into the future.
- Stable operators should be able to stay in place as long as they want and ot be forced out.
- Impact on stabling infrastructure for state from owners redeveloping their sites.

There was some feeling within the feedback that Council was forcing out the trainers from this location, despite consultation materials making it clear that all operators maintain existing use rights. Notwithstanding the long-term role this location has played in servicing the horse racing industry, the surrounding context has changed, most notably traffic volumes and functions of the road network comprising Morphett Road and Bray Street.

Several submissions identified the risk associated with horse movements, whilst others indicated that this is overstated and is being managed. This reflects the anecdotal feedback received from trainers throughout the engagement processes. However, Council remains concerned that risks associated with movements is not a suitable long-term solution to this location.

It should be noted that the introduction of the Planning and Design Code removed any policy support for the stables and horse training function of this location. All but one operator / landowner indicated a desire to remain in place and continue operations until suitable to them to move on or to another location. Key to this decision was:

- an alternative location that was suitable to their needs being available (many commented that Gifford Hill was not viewed as a desirable alternative at this time due to issues attracting workers to that location).
- the ability to fund the move to another location, which would be assisted by gaining maximum value from their current land holding.

It should be noted that for many of the stable land holdings, there is already some (albeit limited) scope for land division , and therefore, should those land owners decide to move on (for whatever reason), this may already lead to a loss of stables under the current scenario.

Council is cognisant of the needs of the industry, as identified by Racing SA, which is important economically to the State and to the City of Marion and does not seek to create a situation where the industry is disadvantaged.

Fundamentally, the future ability to service the stabling needs of the industry rests with the industry itself and not council. However, an on-course stabling solution is the preferred position of council in the long term. Discussions with Racing SA have identified that scope for investment in other locations are being pursued but require a range of factors to come together. Notwithstanding this, the rezoning of the land will:

- provide clarity to Racing SA and the SAJC, of the desire to transition stabling from the affected area to on-course, or alternative locations that better manage risks and impacts;
- provide land owners with the ability to “move quickly” and commit to relocating, when the solution arises (and this alone can aid in a solution emerging).

5 Next Steps

There was a majority in support of the Code Amendment, noting those who were not in favour were largely from outside of the affected area and in response to concerns about infill development generally. Whilst these concerns are valid, given the extent of area covered by the amendment that currently cannot be developed with infill dwellings, the associated impacts driving the concerns can be suitable addressed and accommodated. On this basis, the intent is to present the Code Amendment to Council for final approval.

Notwithstanding the above, there are some additional investigations and discussions to be sought prior to finalising the Code Amendment, specifically in relation to the intention of the SA Jockey Club for on course facilities into the future, and a better understanding of the extent of stabling that is rented versus those that are directly controlled by landowners, directly in response to the position put forward by Racing SA.