

Agenda Report for Decision

Meeting Date: 11 November 2021

Item Name	Code Amendment Initiation Advice to the Minister for Planning and Local Government – Golden Grove (Rural Living Zone to Neighbourhood-type Zone)
Presenters	Brett Steiner and Nadia Gencarelli
Purpose of Report	Decision
Item Number	3.2
Confidentiality	Not Confidential (Release Delayed) – to be released following final decision by the Minister on initiation of the Code Amendment. Anticipated by the end of November 2021
Related Decisions	N/A

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of the item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning and Local Government (the Minister) on initiation of the Code Amendment.
2. Advise the Minister that it:
 - 2.1 Recommends the approval of the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) under section 73(2)(b)(iv) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following conditions applied under section 73(5)(b) of the Act:
 - (a) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for consultation.
 - (b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
 - (c) The scope of the proposed Code Amendment does not include changes to the extent of the Hills Face Zone or Environment and Food Production Area Overlay
 - (d) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area as proposed by the Code Amendment, and the associated Golden Grove Commercial/Retail Code Amendment, to the satisfaction of all relevant infrastructure providers.

- 2.2 Recommends that the City of Tea Tree Gully (the Council) be the Designated Entity responsible for undertaking the Code Amendment process.
3. Specify that the Designated Entity consults with the following nominated individuals and entities, pursuant to section 73(6)(e) of the Act:
 - Department for Infrastructure and Transport
 - Department for Environment and Water
 - utility providers, including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers
 - State Members of Parliament for the electorates in which the proposed Code Amendment applies.
 4. Specify the following further investigations or information requirements under section 73(6)(f) of the Act in addition to those outlined in the Proposal to Initiate:
 - (a) Exploration of potential flood hazard impacts on the affected area and consideration of flood hazard mitigation strategies.
 - (b) Investigate the application of the Affordable housing Overlay, Urban Tree Canopy Overlay and Stormwater Management Overlay.
 - (c) Investigate the impacts of the associated Golden Grove Commercial/Retail Code Amendment on the provision of infrastructure in the area, particularly in relation to upgrade needs and funding mechanisms.
 5. Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letter with conditions (**Attachment 2**).
 6. Approve the advice to the Minister as provided (**Attachment 3**).
 7. Authorise the Chair to finalise any minor amendments to the advice and attachments.

Background

Section 73(2)(b)(iv) of the Act provides that a proposal to amend the Code may be initiated by a council with the approval of the Minister, acting on the advice of the Commission, in relation to the following matters:

- Strategic assessment against the *State Planning Policies* and *The 30-Year Plan for Greater Adelaide*.
- Any person or body that must be consulted by the Designated Entity, pursuant to section 73(6)(e) of the Act.
- Any investigations to be carried out or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The purpose of this report is therefore to provide the Commission with advice to be provided to the Minister in relation to the Proposal to Initiate submitted by Council (**Attachment 1**).

Procedural matters regarding the Commission's role is provided in **Attachments 4** and **5**.

Discussion

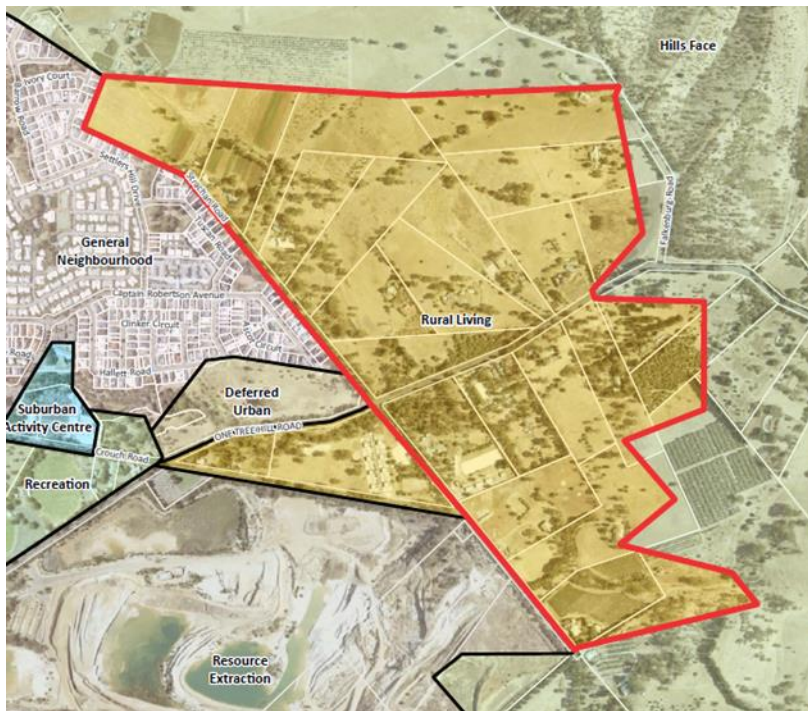
Scope of the Amendment

The Code Amendment proposes to rezone approximately 109 hectares of land within the current Rural Living Zone to a zone that will facilitate low density residential development. The Proposal to Initiate seeks to rezone the land to the Master Planned Neighbourhood Zone (or potentially another neighbourhood-type zone), or pending investigations relating to interface matters with the adjacent Resource Extraction Zone, a combination of Master Planned Neighbourhood Zone and Deferred Urban Zone.

The affected area and current zoning are shown in the figure below.

The Code Amendment is proposed to be progressed in tandem with a separate Commercial/Retail Code Amendment to support the growth in retail and commercial demand from adjacent properties at Crouch Road, Golden Grove. The Proposal to Initiate the Commercial/Retail Code Amendment has been submitted to the Minister by a private proponent, YAS Property & Development, who is also the private funder of this Code Amendment. Advice on that Code Amendment is provided under separate cover.

Detailed discussion is provided in the advice to the Minister in **Attachment 3**.



Planning and Design Code Zoning

The affected area is located within the Rural Living Zone.

The following Overlays apply to the land:

- Defence Aviation Area (All structures over 15 metres)
- Hazards (Flooding)
- Hazards (Bushfire - Medium Risk)
- Hazards (Flooding - Evidence Required)
- Prescribed Water Resources Area
- Regulated and Significant Tree
- Water Resources.

Land surrounding the affected area is within General Neighbourhood Zone, Deferred Urban Zone, Resource Extraction Zone and Hills Face Zone.

Note: affected area is marked in red; yellow shading shows extent of both residential and commercial Code Amendments.

Advice to the Minister

The advice to the Minister sets out the statutory and procedural elements that must be considered as part of the initiation of a Code Amendment (**Attachment 3**).

The advice recommends that the Minister approve the initiation of the Code Amendment for the following reasons and subject to conditions as set out below.

Strategic Considerations

The Proposal seeks to provide suitably zoned land for residential development that will increase land supply in a region that is well serviced by infrastructure, and where there is a limited available supply of strategic development sites. It forms a logical extension to an existing urban area and provides an opportunity to undertake a coordinated approach to planning and infrastructure delivery.

Further strategic considerations and discussion are provided in **Attachment 3**.

Procedural considerations

The Proposal to Initiate meets all procedural requirements, as detailed in the attached advice to the Minister (**Attachment 3**).

Conditions proposed and items specified

A number of conditions have been recommended to be specified by the Minister, pursuant to sections 73(5)(b) of the Act. In addition, it has been recommended that the Commission specify persons or bodies to be consulted with by the Designated Entity under section 73(6)(e) of the Act, as outlined in the advice to the Minister (**Attachment 3**).

Attachments:

1. Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment (#17876252).
2. Draft letter to the City of Tea Tree Gully (#17942448).
3. State Planning Commission advice to the Minister (#17876339).
4. Procedural Matters for the State Planning Commission (#17170230).
5. Process Flowchart – Code Amendments Initiated by Proponents (#17876361).

Prepared by: Damien Gencarelli

Endorsed by: Brett Steiner

Date: 29 October 2021

**PROPOSAL TO INITIATE AN AMENDMENT TO THE
PLANNING & DESIGN CODE**

**Golden Grove (Rural Living Zone to
Neighbourhood-type Zone) Code Amendment**

By the City of Tea Tree Gully (*the Proponent*)



_____ (Signature Required)

City of Tea Tree Gully (the Proponent)

Date: 12 October 2021

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.

MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date: 18 October 2021

- 1. INTRODUCTION.....3
 - 1.1. Designated Entity for Undertaking the Code Amendment3
 - 1.2. Rationale for the Code Amendment4
- 2. SCOPE OF THE CODE AMENDMENT5
 - 2.1. Affected Area5
 - 2.2. Scope of Proposed Code Amendment.....6
- 3. STRATEGIC PLANNING OUTCOMES7
 - 3.1. Alignment with State Planning Policies7
 - 3.2. Alignment with Regional Plans.....17
 - 3.3. Alignment with Other Relevant Documents22
- 4. INVESTIGATIONS AND ENGAGEMENT25
 - 4.1. Investigations Already Undertaken25
 - 4.2. Further Investigations Proposed.....36
 - 4.3. Engagement Already Undertaken.....39
 - 4.4. Further Engagement Proposed40
- 5. CODE AMENDMENT PROCESS41
 - 5.1. Engagement Plan.....41
 - 5.2. Engagement Report.....42
 - 5.3. Code Amendment Timetable42

1. INTRODUCTION

The City of Tea Tree Gully (the Proponent) is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land within the Rural Living Zone at Golden Grove (the Affected Area).

The purpose of this Proposal to Initiate is to seek approval of the Minister for Planning and Local Government (the Minister) to initiate the Code Amendment under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act).

While the Proponent seeks to initiate the Code Amendment, the process will be funded by private entities with an interest in the majority of landholdings in the Affected Area (YAS P&D – private funder) in accordance with a funding agreement with Council. Council will however, as the Proponent, maintain full control over the Code Amendment process and decision making responsibilities in accordance with the Act.

This Proposal to Initiate details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment, should this Proposal to Initiate be approved by the Minister.

The Proponent acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(4)(a) of the Act, the Proponent will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1 The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements of the Act.
- 1.1.2 The Proponent declares that it has or intends to enter into an agreement with a third party (private funder) to assist with the investigations and for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act.
- 1.1.3 The Proponent's contact people responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment are:

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Manager City Strategy
City of Tea Tree Gully
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8397 7292

Cherie Gill
Senior Strategy Planner
City of Tea Tree Gully
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8397 7352

The Proponent intends to undertake the Code Amendment by:

- a) Working collaboratively with consultants engaged by the private funder to undertake the investigations required for the Code Amendment; AND
- b) Utilising professional expertise of employees of the Proponent and private funder's consultants including:

- Ingrid Wilkshire, City of Tea Tree Gully, Bachelor of Arts (Planning) (PIA Registered Planner)
- Cherie Gill, City of Tea Tree Gully, Master of Urban and Regional Planning (PIA Registered Planner)
- Grazio Maiorano, URPS, Bachelor of Arts (Planning) & Grad D Urban and Regional Planning (PIA Registered Planner - Fellow)
- Michael Osborn, Future Urban, Grad D Urban and Regional Planning (PIA Registered Planner)

1.2. Rationale for the Code Amendment

The Code Amendment seeks to rezone land to the eastern fringe of Greater Adelaide to support a conventional residential outcome. The land is currently zoned Rural Living and located immediately adjacent the built-up area of Golden Grove. This land represents one of the last remaining areas within the City of Tea Tree Gully capable of supporting population growth, with the majority of other consolidation opportunities throughout the City comprising small-scale urban infill.

The land is situated in close proximity to the existing built-up area, and the locality is well serviced by established essential infrastructure. The Code Amendment would result in the consolidation of the built-up area of Golden Grove and assist in the delivery of an orderly expansion of metropolitan Adelaide.

Land within the Rural Living Zone is currently used for low density residential purposes with a small number of allotments used for ancillary primary production or animal keeping activities.

The advancement of a Code Amendment that allows low density residential activity will:

- Provide an opportunity to start addressing the challenges and opportunities identified in Council's Strategic Plan 2025 through the consolidated and staged development of the area, namely, the provision of new, mixed housing stock designed in a manner that addresses future needs and contributes to increased population density and diversity.
- Leverage a new, previously unidentified opportunity to deliver urban consolidation in the north-east of Adelaide. The intended outcomes of this Code Amendment will achieve targeted infill development within the existing Planned Urban Lands and attract new residents to the City.
- Contribute to the consolidation of the urban footprint of metropolitan Adelaide in a manner that does not compromise strategic primary production areas or areas of strong visual or environmental significance.
- Recognise the importance of protecting neighbouring land uses, namely extractive industries, from unreasonable intrusion and take a pro-active approach to early and ongoing engagement.

The proposal will primarily affect the existing Rural Living Zone, however, consideration will be given to investigating the merits of adjusting the zone boundary between the Affected Area and the Hills Face Zone to correct minor zone anomalies.

The Minister for Planning is currently reviewing the boundary of the EFPA and if the EFPA boundaries are modified in this locality it is proposed that the scope of this Code Amendment include investigations to consider whether minor Hills Face Zone boundary anomalies resulting from the EFPA Review can be rectified as part of this Code Amendment. The progression of these minor amendments will be dependent on the outcomes of the EFPA Review.

The Code Amendment will complete investigations and consultations to facilitate the rezoning of land currently zoned Rural Living to a suitable neighbourhood-type zone, or a combination of a neighbourhood-type Zone and Deferred Urban, depending on the outcomes of investigations relating to the quarry interface.

It is anticipated that the Code Amendment will deliver some 1,500 residential allotments and is proposed to be progressed in step with a separate Commercial/Retail Code Amendment affecting to support the growth in retail and commercial demand from the additional adjacent properties at 53 and 99 Crouch Road Golden Grove. It is understood that the Proposal to Initiate the Commercial/Retail Code Amendment has been submitted to the Minister by a private proponent, who is also the private funder of this Code Amendment.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being the land located within the Rural Living Zone at Golden Grove. This is described as that land bounded by the Hills Face Zone to the north and east, Strachan Road, Crouch Road and One Tree Hill Road to the west, and the Hills Face and Resource Extraction Zones to the south. Excluded from the Affected Area are the properties at 53 and 99 Crouch Road, Golden Grove, which are subject to a separate Commercial/Retail Code Amendment.

It is noted that several allotments in the Affected Area are dissected by the boundary between the Rural Living and Hills Face zones, and separately the Environment and Food Production Area Overlay. This Code Amendment is primarily focused on the areas located within the Rural Living Zone.

Notwithstanding, it is noted that the State Planning Commission is currently reviewing the EFPA boundaries. The EFPA was introduced via the Act to:

- Protect our valuable food producing and rural areas as well as conserving our prized natural landscapes, and tourism and environmental resources
- Support our sustainable growth and encourage the building of new homes in our existing urban footprint where supporting infrastructure already exists
- Provide more certainty to food and wine producers as well as developers on the direction of future development in metropolitan Adelaide.

If the EFPA boundaries are modified in this locality it is proposed that the scope of this Code Amendment include investigations to consider whether minor Hills Face Zone boundary anomalies resulting from the EFPA Review can be rectified as part of this Code Amendment.

A map showing the Affected Area is included as Attachment A.

2.2. Scope of Proposed Code Amendment

<p>Current Policy</p>	<p><u>Zone:</u></p> <ul style="list-style-type: none"> • Rural Living (Primary) • Hills Face Zone (Secondary consideration – limited to minor zone boundary anomalies) <p><u>Overlays</u></p> <ul style="list-style-type: none"> • Hazards (Bushfire – Medium Risk) • Hazards (Flooding) • Hazards (Flooding – Evidence Required) • Defence Aviation Area • Regulated and Significant Tree • Prescribed Water Resources Area • Prescribed Wells Area • Water Resources <p><u>Technical and Numeric Variations</u></p> <ul style="list-style-type: none"> • Minimum site area – 4ha
<p>Amendment Outline</p>	<p>The amendment seeks to rezone the Rural Living Zone at Golden Grove to facilitate development of a neighbourhood (residential) type outcome (excluding properties at 53 and 99 Crouch Road, Golden Grove)</p>
<p>Intended Policy</p>	<ul style="list-style-type: none"> • The developer has indicated a preference for the area to be rezoned to Master Planned Neighbourhood Zone <u>or</u> a combination of Master Planned Neighbourhood Zone (north of One Tree Hill Road) and Deferred Urban (south of One Tree Hill Road). Council has proposed that as part of the investigations, the whole suite of new Neighbourhood-type zone modules in the Planning and Design Code be considered in determining the most suitable new zone/s. The developer concurs with this approach. • Consider the applicability of the current Overlays and whether any additional Overlays are required.

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State’s overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP 1 Integrated Planning: To apply the principles of integrated planning to shape cities and regions in a way that enhances our liveability, economic prosperity and sustainable future.</p>	
<p>1.1 An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period.</p>	<p>The proposed Code Amendment seeks to deliver a further opportunity for the rationalisation of the residential growth within Greater Adelaide. The land is located within the Inner North region as identified in the Commission’s <i>Land Supply Report for Greater Adelaide</i> (Report). This Report provides an overview of the projected future population and associated demand for residential growth. Based on the modelled high scenario, the Inner North is expected to require some 14,000 new dwellings between 2020 and 2030. The Code Amendment provides an opportunity to address this demand.</p> <p>This is supported by data made available by Remplan which identifies the continued growth in the number of persons calling the City of Tea Tree Gully home over the period 2011 – 2016 by 2,238 persons¹. While it is recognised that this is a reasonably slow growth rate, it is important</p>

¹ Remplan, 2021, *City of Tea Tree Gully – Population Summary*.

	<p>to note the characteristics of the city. The Rural Living zoned land in Tea Tree Gully is one of the last remaining opportunities in the City for large scale urban consolidation to support population growth. The balance of opportunities are confined largely to infill development in existing neighbourhood-type zones that are already developed for housing and are generally typified by small scale land division.</p> <p>The proposal has the potential to yield some 1500 allotments to accommodate future residential land uses for approximately 3,900 residents and will deliver a unique offering in the eastern foothills of metropolitan Adelaide.</p> <p>Notwithstanding the current zoning of the land, the Affected Area is situated adjacent an established urban residential area that is well serviced by existing essential infrastructure.</p> <p>It is noted that a separate retail/commercial type Code Amendment is proposed. This Code Amendment seeks to rezone land to support service offerings in close proximity of the Affected Area.</p>
<p>1.2 Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.</p> <p>1.3 Plan growth in areas of the state that is connected to and integrated with, existing and proposed public transport routes, infrastructure, services and employment lands.</p> <p>1.4 Protect areas of rural, landscape character, environmental importance,</p>	<p>The proposed Code Amendment proposes the logical and orderly delivery of residential growth within the metropolitan Adelaide region over a period of 10-15 years, providing for the consolidation of built form. The land is located on the fringe of the established urban area and is well connected to existing infrastructure such as major collector roads or is capable of being connected to infrastructure via extension.</p> <p>The Affected Area is located in proximity of identified Adelaide Metro public transport routes on Golden Grove Road. Investigations undertaken to inform this Code Amendment will include both consideration of future public transport needs and engagement with the</p>

<p>mining or food production significance from the expansion of urban areas, towns and settlements.</p> <p>1.6 Plan for strategic infrastructure that helps to shape the pattern of settlement in a way that enhances quality of life and supports long-term sustainability.</p>	<p>Department of Infrastructure and Transport (DIT) and Adelaide Metro.</p> <p>The Code Amendment proposes to rezone land in proximity of the declared Golden Grove Extractive Industries Zone (GGEIZ). The GGEIZ is identified by the Department of Energy and Mining (DEM) as a Strategic Mineral Resource Area and as such requires protection. Preliminary engagement has been undertaken with DEM to understand the long-term needs of extractive industry operators. The Code Amendment and policy response will be acutely aware of the need to protect this resource and not impede upon the continued operation of extractive industries.</p> <p>Separately, the Code Amendment proposes to make provision for the consideration of minor Hills Face Zone boundary anomalies. This would only occur if the separate EFPA boundary review being undertaken by the Commission identifies amendments to the corresponding General Registry Office (GRO) Plan in this locality. The amendments that would take place are minor in nature and would rectify long-standing anomalies. The proposed Code Amendment includes detailed infrastructure investigations which will identify the infrastructure required to support the long-term development of the Affected Area. The delivery of infrastructure will be supported by appropriate infrastructure provision mechanisms (e.g. infrastructure agreements).</p>
<p>1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</p>	<p>The Affected Area consists of large rural living allotments. The Code Amendment proposes to deliver a range of new low-density residential outcomes on the fringe of the existing built-up urban area. The current zoning does not support the redevelopment of the area in this manner.</p>

<p>SPP 2 Design Quality: To elevate the design quality of South Australia’s built environment and public realm.</p>	
<p>2.10 Facilitate development that positively contributes to the public realm by providing active interfaces with street and public open spaces.</p>	<p>The Code Amendment seeks to provide a zoning environment that will ensure a cohesive public realm is achieved utilising best practice public realm principles.</p>
<p>2.14 Provide public open space that accommodates a range of passive, active and formal sporting opportunities at the state, regional and/or local level</p>	<p>The future development of the Affected Area will deliver public open space in a manner that provides both local amenity and a stormwater management function.</p>
<p>SPP 4 Biodiversity: To maintain and improve our state’s biodiversity and its life supporting functions.</p>	
<p>4.1 Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.</p>	<p>The Affected Area includes large rural living allotments that have been disturbed or altered with little remnant native vegetation remaining. A preliminary analysis of vegetation and habitat has been undertaken which confirms that the overwhelming majority of land is exotic vegetation with only small pockets of high habitat value.</p> <p>The Code Amendment will take account of the characteristics of the Affected Area and the recommendations contained in the Flora and Fauna Due Diligence Report prepared by EBS Ecology.</p>
<p>SPP 5 Climate Change: Provide for development that is climate ready so that our economy, communities and environment will be resilient to climate change impacts.</p>	
<p>5.2 The good design of public places to increase climate change resilience and future liveability.</p>	<p>The Code Amendment proposes to deliver a zoning environment which supports the development of a higher density residential outcome. The design of future public places such as parks and open spaces will take into account the characteristics of the locality and will seek to enhance liveability and deliver a resilient urban form.</p>

5.5 Avoid development in hazard-prone areas or, where unavoidable, ensure risks to people and property are mitigated to an acceptable or tolerable level through cost-effective measures.

The Affected Area is located within the:

- Hazards (Bushfire – Medium Risk) Overlay
- Hazards (Flooding) Overlay
- Hazards (Flooding – Evidence Required) Overlay.

These Overlays provide clear guidance on matters related to natural hazards. Detailed investigations will be undertaken to understand the likely impact of these Overlays and ensure appropriate measures are taken to mitigate against risk.

Notwithstanding, initial engagement has been undertaken with the Country Fire Service (CFS) to understand potential impacts and to gather input to the investigations required to support the Code Amendment. Preliminary comments from the CFS are as follows:

- Bushfire mapping and policy is currently under review as part of the Statewide Bushfire Hazards Overlay Code Amendment.
- Consideration needs to be given to Australian Standard AS3959.
- Future development of the land needs to make provision for multiple access points to the road network.
- Consideration needs to be given to vegetation management techniques along One Tree Hill Road to ensure that access and egress from the development area is not compromised in the event of a bushfire event.
- Liaison with SA Water should be undertaken to ensure that adequate pressure/reticulation can be provided to the area to allow connection to the SA Water network.

Mapping of native vegetation areas should be undertaken to assist the CFS to

	establish the residual bushfire risk post rezoning and development.
5.7 Protect and enhance areas that provide biodiversity and ecological services and maximise opportunities for carbon storage.	The Affected Area can be described as an altered landscape. Investigations will be undertaken by EBS Ecology as part of the Code Amendment to understand the ecological significance of the area.
SPP 6 Housing Supply and Diversity: To promote the development of well-serviced and sustainable housing and land choices where and when required.	
6.1 A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.	The Code Amendment proposes to deliver a zoning environment which supports residential growth in the northern part of the City of Tea Tree Gully which otherwise, has little to no residential growth potential on greenfield sites. Development outcomes sought will be well-designed and take into account the characteristics of the Affected Area, including topography and natural features.
6.2 The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support liveable and walkable neighbourhoods.	The Code Amendment will deliver the rezoning of approximately 109ha of land to support residential growth over 10-15 years. The Affected Area is located on the urban fringe and has the potential to connect to nearby existing infrastructure and services.
6.3 Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities.	The proximity of the Affected Area to metropolitan Adelaide and existing services offers a unique opportunity to provide a diverse range of housing which is not readily found in other locations in the northern residential market. Given the topography and environmental characteristics of the Affected Area, there is opportunity to integrate natural features into the future design.
SPP 7 Cultural Heritage: To protect and conserve heritage places and areas for the benefit of our present and future generations.	

<p>7.1 Recognise and protect Indigenous cultural heritage sites and areas of significance.</p>	<p>The Code Amendment is not anticipated to impact on areas of Indigenous cultural heritage significance.</p> <p>Notwithstanding this, the Kurna Yerta Aboriginal Corporation Registered Native Title Body Corporate will be consulted as part of the investigations along with a review of information available from the Department of Premier and Cabinet – Aboriginal Affairs and Reconciliation.</p>
<p>SPP 10 Mineral and Energy Resources: To protect key resources that contribute to our state’s economy and provide valued employment opportunities.</p>	
<p>10.1 Define and protect mineral resources operations, associated infrastructure and undeveloped mineral resources from encroachment by incompatible land uses.</p>	<p>It is acknowledged that the land is located in proximity of the Resource Extraction Zone and that future use of the Affected Area must not compromise the future mining operations. Engagement has already commenced with the Department of Energy and Mining (DEM) and the Environment Protection Authority (EPA) and will continue to occur throughout the Code Amendment process. Direct consultation will also be undertaken with the private mine operators.</p> <p>Separately, detailed consideration of the potential impacts that may arise from the interface shared between the existing Resource Extraction Zone and Affected Area will form an integral part of the investigations.</p>
<p>SPP 11 Strategic Transport Infrastructure: To integrate land use policies with existing and future transport infrastructure, services and functions to preserve and enhance safe, efficient and reliable connectivity for people and business.</p>	
<p>11.1 Facilitate an efficient, reliable and safe transport network that connects business to markets and people to places (i.e. where</p>	<p>The proposed Code Amendment will result in a new local road network which connects to the wider network in a safe and convenient manner.</p> <p>The Affected Area is located adjacent the established residential suburb of Golden</p>

<p>they live, work, visit and recreate).</p>	<p>Grove and in close proximity to retail shops on Golden Grove Road as well as open space in Golden Grove and will ensure that convenient and safe access is retained to these areas.</p>
<p>11.2 Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.</p>	<p>The locality is serviced by the existing Adelaide Metro bus network. There may be opportunity to expand this network to service the Affected Area. Adelaide Metro will be consulted as part of the Code Amendment.</p>
<p>11.3 Equitable contributions towards the funding and provision of transport infrastructure and services to support land and property development.</p>	<p>The Code Amendment includes a range of infrastructure investigations. It is anticipated that there may be a need to upgrade infrastructure outside the Affected Area to achieve the development outcomes. The equitable funding of any infrastructure outside the Affected Area is critical and will be considered throughout the rezoning process.</p>
<p>11.4 Minimise negative transport-related impacts on communities and the environment.</p>	<p>The Affected Area is well serviced by One Tree Hill Road Preliminary investigations considered the impact of noise from traffic utilising One Tree Hill Road on the northern portion of the affected area and no issues were noted. A traffic and transport report will be prepared to understand the likely traffic/transport implications of the proposal.</p>
<p>SPP 12 Energy: To support the ongoing provision of sustainable, reliable and affordable energy options that meet the needs of the community, business and industry.</p>	
<p>12.4 Development in the vicinity of major energy infrastructure locations and corridors (including easements) is planned and implemented to maintain the safe and efficient delivery and function of the infrastructure.</p>	<p>The Affected Area is subject to a 50m wide easement for the transmission of major 275KV overhead power lines.</p> <p>The Code Amendment will not impact upon this infrastructure and appropriate provision will be made within future development design. Notwithstanding, the proponents will work with ElectraNet and SAPN to</p>

	determine the most appropriate solution for this infrastructure.
SPP 14 Water Security and Quality: To ensure South Australia's water supply is able to support the needs of current and future generations.	
14.5 Development should incorporate water sensitive urban design principles that contribute to the management of risks to water quality and other risks (including flooding) to help protect people, property and the environment and enhance urban amenity and liveability.	The future development of the Affected Area will take into account the characteristics of the land and ensure that water sensitive urban design principles are incorporated into designs.
14.6 Support development that does not adversely impact on water quality.	The Affected Area is subject to the Prescribed Water Resources Area Overlay and Prescribed Wells Area Overlay and Water Resources Overlay in the Planning and Design Code. The Code provides appropriate controls to ensure that the future development of the land protects water quality.
SPP 15 Natural Hazards: To build the resilience of communities, development and infrastructure from the adverse impacts of natural hazards.	
15.1 Identify and minimise the risk to people, property and the environment from exposure to natural hazards including extreme heat events; bushfire; terrestrial and coastal flooding; soil erosion; drought; dune drift; acid sulfate soils; including taking into account the impacts of climate change.	The Affected Area is located within the: <ul style="list-style-type: none"> • Hazards (Bushfire – Medium Risk) Overlay • Hazards (Flooding) Overlay • Hazards (Flooding – Evidence Required) Overlay. These Overlays provide clear guidance on matters related to natural hazards. Notwithstanding, detailed investigations will be undertaken to understand the likely impact of these Overlays and ensure appropriate measures are taken to mitigate against risk. Initial engagement has been undertaken in line with advice from the CFS. Preliminary comments from the CFS are as follows:

	<ul style="list-style-type: none"> • Bushfire mapping and policy is currently under review as part of the Statewide Bushfire Hazards Overlay Code Amendment. • Consideration needs to be given to Australian Standard AS3959. • Future development of the land needs to make provision for multiple access points to the road network. • Consideration needs to be given to vegetation management techniques along One Tree Hill road to ensure that access and egress from the development area is not compromised in the event of a bushfire event. • Liaison with SA Water should be undertaken to ensure that adequate pressure/reticulation can be provided to the area to allow connection to the SA Water network. • Mapping of native vegetation areas should be undertaken to assist the CFS to establish the residual bushfire risk post rezoning and development.
<p>SPP 16 Emissions and Hazardous Activities: To protect communities and the environment from risks associated with emissions, hazardous activities and site contamination, whilst industrial development remains viable.</p>	
<p>16.1 Protect communities and the environment from risks associated with industrial emissions and hazards (including radiation) while ensuring that industrial and infrastructure development remains strong through:</p> <ul style="list-style-type: none"> a) supporting a compatible land use mix through appropriate zoning controls b) appropriate separation distances between industrial 	<p>It is acknowledged that the Affected Area is located adjacent to and in proximity of the Golden Grove Resource Extraction Zone. The activities occurring on these sites are of significance to the State.</p> <p>It is understood that activities occurring at the interface are focused on extractive industries, with processing activities occurring quite some distance from the shared boundary.</p> <p>Nonetheless, preliminary investigations of environmental noise and air quality have been undertaken to understand the impact</p>

<p>sites that are incompatible with sensitive land uses</p> <p>c) controlling or minimising emissions at the source, or where emissions or impacts are unavoidable, at the receiver.</p>	<p>of the extraction and processing activities on the Affected Area north of One Tree Hill Road. These include:</p> <ul style="list-style-type: none"> • Preliminary Environmental Noise Assessment • Preliminary Air Quality Study <p>The investigations undertaken to date have not identified significant conflict, however investigations will be expanded to consider the impact on land south of One Tree Hill Road in the Affected Area i.e. land adjacent the Resource Extraction Zone.</p> <p>Appropriate measures would be incorporated into the Code Amendment and future development of the land to take into account any required separation distances to both provide certainty of operation to resource extraction activities and protection to future residents.</p>
<p>16.2 Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.</p>	<p>Site contamination is not anticipated to be an impediment to the future development of the land as indicated by preliminary research. A preliminary site investigation has been undertaken on land to the north of One Tree Hill Road. Further investigations will include the remaining land in the Affected Area.</p> <p>Site contamination is not anticipated to be an impediment to the future development of the land.</p>

3.2. Alignment with Regional Plans

As with the State Planning Policies, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

The 30-Year Plan for Greater Adelaide – 2017 Update volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
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Transit corridors, growth areas and activity centres	
<p>P1 Deliver a more compact urban form by locating the majority of Greater Adelaide’s urban growth within existing built-up areas by increasing density at strategic locations close to public transport.</p>	<p>The Affected Area is located within the Planned Urban Lands to 2045 as contained in the 30-Year Plan.</p>
<p>P4 Ensure that the bulk of new residential development in Greater Adelaide is low to medium rise with high rise limited to the CBD, parts of the Park Lands frame, significant urban boulevards, and other strategic locations where the interface with lower rise areas can be managed.</p> <p>P11 Ensure new urban fringe growth occurs only within designated urban areas and township boundaries and outside the Environment and Food Production Areas, as shown on Map 3.</p> <p>P12 Ensure, where possible, that new growth areas on the metropolitan Adelaide fringe and in townships are connected to, and make efficient use of, existing infrastructure, thereby discouraging “leapfrog” urban development.</p>	<p>The Code Amendment seeks to provide an area for low-medium density residential development which can be connected/ accessible to adjacent existing infrastructure. The Affected Area is contiguous with the existing built-up area and represents a logical expansion of the urban area and associated infrastructure.</p> <p>The Environmental Food Production Area has an interface with allotments which are located in the Affected Area. Investigations will need to be undertaken to consider this interface to ensure the orderly development of the proposed residential development area.</p>
Design Quality	
<p>P26 Develop and promote a distinctive and innovative range of building typologies for residential housing which responds to metropolitan Adelaide’s changing housing needs, reflects its character and climate, and provides a diversity of price points.</p> <p>P29 Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and provides active</p>	<p>The proposed Code Amendment is expected to introduce an appropriate zone which will facilitate low-density residential development.</p> <p>The General Development Policies contained in the Code, including those under the heading <i>Design in Urban Areas</i>, provide sufficient guidance to ensure design quality is achieved.</p>

<p>interfaces with streets and public open spaces.</p>	
<p>Housing Mix, affordability and competitiveness</p>	
<p>P36 Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</p> <p>P42 Provide for the integration of affordable housing with other housing to help build social capital.</p>	<p>The developers have indicated that they are seeking to rezone the Affected Area to Master Planned Neighbourhood Zone. They consider this zone to be sufficiently flexible to enable them to deliver allotments which respond to market preference and choice in this location. The full suite of Neighbourhood-type zones will be considered in consultation with the Attorney General's Department (ie. Planning and Land Use Services team) as part of investigations to identify the most appropriate zone.</p> <p>An increase in the supply of residential zoned land is likely to increase competition in the northern/eastern residential land markets and therefore assist in controlling pricing pressures. Affordable housing outcomes are therefore more likely to be attainable across the City.</p>
<p>Health, Wellbeing and Inclusion</p>	
<p>P47 Plan future suburbs and regenerate and renew existing ones to be healthy neighbourhoods that include:</p> <ul style="list-style-type: none"> • diverse housing options that support affordability • access to local shops, community services and facilities • access to fresh food and a range of food services • safe cycling and pedestrian-friendly streets that are tree-lined for comfort and amenity • diverse areas of quality public open space (including local parks, community gardens and playgrounds) • sporting and recreation facilities 	<p>A master planned, staged development outcome is proposed for this location. This will assist in the creation of a healthy neighbourhood through the establishment of greenways, open space, walking and cycling linkages, water sensitive urban landscaping and tree planting within the public realm.</p>

<ul style="list-style-type: none"> walkable connections to public transport and community infrastructure. <p>P49 Encourage more trees (including productive trees) and water sensitive urban landscaping in the private and public realm, reinforcing neighbourhood character and creating cooler, shady and walkable neighbourhoods and access to nature.</p>	
<p>Infrastructure</p>	
<p>P86 Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community and green infrastructure, including:</p> <ul style="list-style-type: none"> walking and cycling paths and facilities local stormwater and flood management including water sensitive urban design public open space sports facilities street trees community facilities, such as childcare centres, schools, community hubs and libraries <p>P86 Design and locate community infrastructure to ensure safe, inclusive and convenient access for communities and individuals of all demographic groups and levels of ability.</p>	<p>The Code Amendment will include a review of both service and social infrastructure provision in order to identify existing capacity and the potential need to augment services.</p> <p>Relevant infrastructure agreements (as required) can be entered into should the need for augmentation be identified.</p>
<p>Biodiversity</p>	
<p>P93 Ensure that greenways are landscaped with local indigenous species where possible to contribute to urban biodiversity outcomes.</p>	<p>Ecological and engineering investigations will inform potential development opportunities and constraints. Disturbance of areas with potential biodiversity value will be minimised and these areas will be integrated into open space. Furthermore the Code already includes policies which encourage</p>

	appropriate outcomes in respect to any land identified to be of biodiversity value.
P99 Ensure quality open space is within walking distance of all neighbourhoods to:	
<ul style="list-style-type: none"> • link, integrate and protect biodiversity assets and natural habitats • provide linkages to encourage walking and cycling to local activities • incorporate the principles of Crime Prevention Through Environmental Design for safety and amenity 	<p>The Code Amendment investigations will include a review of social infrastructure demands (including open space, education, and recreation). It is intended that these investigations will identify any needs required to support the projected population and inform the ultimate development outcome.</p> <p>The Code already includes policies which provide guidance in respect to the provision of open space at the subsequent development application stage.</p>
Climate Change	
P105 Deliver a more compact urban form to:	
<ul style="list-style-type: none"> • protect valuable primary production land • reinforce the Hills Face Zone, character preservation districts and Environment and Food Production Areas • conserve areas of nature protection areas • safeguard the Mount Lofty Ranges Watershed • reduce vehicle travel and associated greenhouse gas emissions. 	The Code Amendment seeks to achieve a compact urban form with the Affected Area being located within the boundary of a designated urban area.
Water	
P115 Incorporate water-sensitive urban design in new developments to manage water quality, water quantity and water use efficiency and to support public stormwater systems.	<p>The Code already includes policies which are instructive in respect to water quality, use and management.</p> <p>Engineering investigations will ensure that the proposed urban development will not be contrary to the relevant water policies.</p>

Emergency Management and Hazard Avoidance	
<p>P118 Minimise risk to people, property and the environment from exposure to hazards (including bushfire, terrestrial and coastal flooding, erosion, dune drift and acid sulphate soils) by designating and planning for development in accordance with a risk hierarchy of:</p> <ul style="list-style-type: none"> • avoidance • adaptation • protection 	<p>It is acknowledged that the Affected Area is subject to the following Overlays in the Planning and Design Code:</p> <ul style="list-style-type: none"> • Hazards (Bushfire – Medium Risk) Overlay • Hazards (Flooding) Overlay • Hazards (Flooding – Evidence Required) Overlay. <p>These Overlays provide clear guidance on matters related to natural hazards. Notwithstanding this, detailed investigations will be undertaken to understand the likely impact of these Overlays and ensure appropriate measures are taken to mitigate against risk.</p> <p>Preliminary engagement has taken place with the CFS. It is noted that bushfire mapping and policy is currently under review as part of the Statewide Bushfire Hazards Overlay Code Amendment.</p> <p>It is intended that as investigations progress additional engagement will occur with the CFS to ensure that hazard matters are adequately addressed.</p>

3.3. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Documents	Code Amendment Alignment with Other Relevant Documents
Strategic Plan 2025 Objectives (City of Tea Tree Gully)	

Environmentally valuable places and sites that are flourishing and well cared for	Investigations will identify environmentally sensitive locations potentially affected by the proposed Code Amendment.
A community that is protected from public and environmental health risks	Impact and limitations from proximity of the mining operations adjacent the Affected Area will be considered as part of the Investigations stage.
The carbon footprint of our city is reduced through the collective efforts of community and Council, including businesses	The proposed rezoning will increase our carbon footprint through construction and development of a large area. We should be striving to minimise urban sprawl, and compact urban development at the urban fringe in suitable locations is one way to achieve this.
We are resilient to climate change and equipped to manage the impact of extreme weather events	The design of new housing areas needs to incorporate the best strategies to address climate change.
Our tree canopy is increasing	New subdivisions will include planting of trees in streets, private properties and public open spaces
Modbury Precinct is revitalised as the city's key activity centre	Investigations will consider the impact of building 1,500 new homes at Golden Grove on the housing market in Modbury Precinct.
A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors and utilize technology to improve the livability of our city	Construction of new housing will generate jobs in the construction and housing sectors. An additional 3,900 residents will increase demand for local goods and services.
Support the efficient use of land for valuable mineral extraction and energy resources	Impact and limitations from proximity of the mining operations adjacent the Affected Area will be considered as part of the Investigations stage.
Housing is well designed and affordable and responds to the changing needs of existing and future residents	Investigations will need to consider the housing needs of existing and future residents and this will influence the zoning of the Affected Area.
Infrastructure and community facilities are fit for purpose, constructed using sustainable practices and well maintained	Infrastructure requirements will be considered as part of Investigations.

Leadership and advocacy is focused on the long term interests of the community	Council has a role in leading and advocating for the current and future community, this includes considering how proposals such as large scale housing developments align with the Council's long term strategic objectives.
Planning considers current and future community needs	As above.
Decision making is informed, based on evidence and is consistent	Any Investigations will need to be thorough, rigorous and communicated to the Council to assist with decision-making.
Major strategic decisions are made after considering the views of the community	The Code Amendment process includes engagement with the community.
Policies and Plans (City of Tea Tree Gully)	
Land Division Infrastructure and Open Space Management Policy	This policy guides decision making around public open space, roads and associated infrastructure proposed to be vested in Council as part of a land division. The policy seeks to ensure that sufficient areas of open space are provided for residents of new housing estates, and provides the standard of open space, road and infrastructure that Council will accept. A master planned estate in the area proposed to be rezoned would involve these considerations.
Open Space Policy	– This policy describes the principles and framework that guides the provision, development and management of open spaces. The Policy seeks to provide inclusive and diverse open spaces that are distributed equitably across the City that enhances the city's character, provide opportunities for active and passive recreation, social interaction and community engagement, and protect and enhance the natural environment and biodiversity. A master planned estate provides the opportunity to consider a range of open space categories that offer both social and environmental benefit.
Public Lighting Policy	This policy aims to establish the principles for the provision of public lighting, provide guidance on the standard of lighting and establish service levels for lighting assets. Appropriate lighting that meets the requirements of SA Power Networks will need to be provided as part of the proposed development for the safe movement of vehicles and pedestrians.

Recycled Water Policy	Through this policy, Council promotes and supports the safe and responsible use of recycled water to reduce the pressures on limited drinking water resources for the purpose of maintaining public amenity and making the City a vibrant and liveable place for its community. Opportunities to connect to Council's recycled water supply can be explored if the rezoning occurs and there are more areas of open space to be irrigated.
Tree Management Policy	The objective of this policy is to maintain the tree and shrub vegetation under Council's care and control, in a manner that enhances the amenity and environmental benefits of the vegetation throughout the City while at the same time considering the public safety and development interests of the community and the current and future impacts on people and communities. This means that trees on Council roads and reserves in the affected area will need to be considered under this policy if affected by a future land division.
Waste Management Policy	This policy assists in the provision of an environmentally and financially sustainable and efficient kerbside waste and recycling collection service for the community and assist with the minimisation of waste material from the City of Tea Tree Gully. Consideration will need to be given to the increase in household waste to be collected by Council's service.
Assets Management Plans	These Plans include detailed information about each of Council's assets, and define which services will be provided, how they will be provided and what funding is required to cost-effectively deliver them over a 10-year period. The three most relevant plans are: Stormwater, Open Space and Transport. The new housing development will result in an increase in these assets that will need to be factored into the long term planning, along with all assets across the City.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

A series of preliminary, high-level investigations were undertaken by private proponents prior to approaching Council to initiate a Code Amendment. These reports were focused on specific development areas and assisted proponents to inform internal decision-making processes to confirm that the Affected Area has the

potential to be developed for the intended purpose. These reports are provided as supporting information to this Proposal to Initiate document.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<p>Preliminary Traffic Report (part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>March 2020</p>	<p>WGA was engaged to prepare a preliminary traffic report for land located in the Rural Living Zone north of One Tree Hill Road. The purpose of the report was to:</p> <ul style="list-style-type: none"> • Provide analysis of the existing and proposed future traffic impacts arising from the future development of the land for residential purposes. • Determine the traffic generation volumes and potential impacts. • Provide initial advice on the possible road upgrades required external to the Affected Area as a result of the future development. 	<ul style="list-style-type: none"> • One Tree Hill Road is in a poor condition with the following concerns: <ul style="list-style-type: none"> ○ Lack of sealed shoulders ○ stormwater erosion on shoulders and swales ○ poor alignment and sight lines at Crouch Rd intersection ○ high level of roadside hazards and minimal safety barriers ○ on-street parking close to travel lanes at Harpers Field • The existing roundabout at Golden Grove Road/One Tree Hill Road is not anticipated to cater for the additional traffic generated by development of the land and additional approach lanes are recommended • Existing major roads (e.g. Golden Grove Road) are capable of accommodating additional traffic

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>generated without upgrade</p> <ul style="list-style-type: none"> • No additional upgrade works are required at the Golden Grove Road/The Grove Way/Yatala Vale Road intersection. • Council and DPTI raised issues for consideration: • Transfer ownership of Strachan Road to development • Importance of pedestrian/cycle links • Second access to road network is necessary <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p>
<p>Preliminary Infrastructure Services Report (part Affected Area i.e. north of One Tree Hill Rd only) March 2020</p>	<p>WGA was engaged to prepare a preliminary infrastructure services report which considered the viability of the future development of land located in the Rural Living Zone north of One Tree Hill Road. The purpose of the report was to:</p>	<ul style="list-style-type: none"> • There are a range of utility services within the immediate locality which are capable of extension and augmentation to service future development. <p>It is recognised that the scope of these investigations focused on land north of One</p>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
	<ul style="list-style-type: none"> • Investigate and determine the availability of current infrastructure servicing the Affected Area and its capacity. Infrastructure included; wastewater, potable water, communications, gas and electrical • Determine the anticipated requirements for infrastructure augmentation or upgrade works that may be required to bring land to market. 	<p>Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p> <p>Accordingly, preliminary layout plans relating to sewer, potable water, roads and earthworks are no longer relevant and have been omitted from the report.</p>
<p>Stormwater Management Strategy (part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>March 2020</p>	<p>WGA was engaged to prepare a stormwater management strategy for land located in the Rural Living Zone north of One Tree Hill Road. The purpose of the report was to:</p> <ul style="list-style-type: none"> • To develop a strategy for the management of stormwater in a manner that meets the requirements of the City of Tea Tree Gully and the EPA as they relate to runoff volume and flow management, stormwater quality techniques to manage environmental aspects of receiving environments. • The strategy was based on: 	<ul style="list-style-type: none"> • Stormwater is capable of being managed in a manner that achieves the requirements of Council and the EPA utilising techniques such as; flow restrictions, detention basins and wetland ponds • The site comprises steep slopes and as such measures need to be taken to ensure that erosion and post development water velocities are managed. <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is</p>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
	<ul style="list-style-type: none"> • Flow management from the 1% AEP post development and restricting this to pre-development rates for the 20% AEP. • An overview of the internal stormwater drainage design • A general overview of the WSUD opportunities within the development area • Stormwater management techniques required to meet performance objectives. 	<p>required to consider the wider impacts of the proposed Code Amendment.</p> <p>Accordingly, preliminary layout plans are no longer relevant and have been omitted from the report.</p>
<p>Flora and Fauna Due Diligence Report</p> <p>March 2020</p>	<p>EBS Ecology was engaged to prepare a high-level Flora and Fauna Due Diligence Report. This report:</p> <ul style="list-style-type: none"> • Summarised the applicable legislative requirements. • Provides a desktop review of the ecological databases to assess the potential risk of project works on ecological matters. • Provides a preliminary bushfire risk assessment. 	<ul style="list-style-type: none"> • The desktop review identified 14 species of flora with a State conservation rating and 13 species of nationally rated flora in the study area. Notwithstanding, the project area is highly disturbed with little remnant native vegetation, with 6 threatened flora species deemed possible to occur within the project area. • Of the 27 species of threatened fauna with a State and National rating as possibly occurring within 5km of the project area, 8

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>were deemed possible to occur.</p> <ul style="list-style-type: none"> • Only 2 species of migratory birds have been identified as possibly occurring within the project area. • Whilst one Threatened Ecological Community was identified as possible, field work confirmed that this community does not occur in the project area. • The dominant vegetation species occurring is exotic vegetation. • Bushfire fuel loads are generally low-moderate in areas used for grazing and horticulture. Higher fuel loads exist elsewhere. <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p>
Preliminary Environmental	Sonus was engaged to undertake a preliminary environmental noise	<ul style="list-style-type: none"> • The proposed future division of the subject land will not constrain the operation of the

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<p>Noise Assessment (part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>March 2020</p>	<p>assessment. The purpose of this report was to:</p> <ul style="list-style-type: none"> • Consider the impact of the sand mine and One Tree Hill Road as a potential noise sources on future residential activities. • Investigate the potential for future residential development to constrain the operation of the sand mine as well as acoustic amenity on the land. 	<p>sand mine more than the constraints posed by existing dwellings in closer proximity.</p> <ul style="list-style-type: none"> • The operation of mobile plant at the surface in proximity of dwellings has the potential to create noise. This would be temporary; however allowance should be made for acoustic façade treatments on future dwellings in particular locations. • One Tree Hill Road's current and anticipated future category does not result in a need to undertake a dedicated noise assessment. • There are a number of guidelines to manage noise including the Planning and Design Code, <i>Environmental Protection (Noise) Policy 2007</i> and <i>Minister's Specification SA78B</i>. <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the</p>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>proposed Code Amendment.</p> <p>Accordingly, preliminary layout plans are no longer relevant and have been omitted from the report.</p>
<p>Preliminary Air Quality Study (part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>May 2020</p>	<p>Arup was engaged to undertake a due diligence air quality study. The purpose of this report was to:</p> <ul style="list-style-type: none"> • Analyse local meteorological conditions and air quality results from EPA installed temporary air quality monitoring stations to understand the likelihood of air emission impact. • Understand the potential for the nearby extractive industries to generate air quality (e.g. dust) and odour emissions that may impact on the subject area. 	<ul style="list-style-type: none"> • Based on the SA EPA air quality monitoring data, air quality standards are currently being met and are expected to continue be met at the project site. Based on the prevailing wind direction, dust impact from the quarry is not expected to be significant. • The proposed development site lies outside of the SA EPA evaluation distances for the ceramic works and crushing, grinding and milling works occurring at the quarry sites. Therefore, the risk of air quality and odour impacts from these processing facilities is low. • Local air quality is unlikely to be significantly impacted by emissions from road vehicles.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p> <p>Accordingly, preliminary layout plans are no longer relevant and have been omitted from the report.</p>
<p>Preliminary Site Investigation - Environmental Due Diligence (part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>February 2020</p>	<p>JBS&G was engaged to undertake preliminary site investigations to determine the potential for the affected area to be contaminated. The purpose of this work was to:</p> <ul style="list-style-type: none"> • Undertake a field study to inspect the subject land to determine the current land uses and assess the likelihood of contaminating activities occurring. • Review historical aerial photography to understand previous use of land in the affected area and understand whether previous uses may have constituted contaminating activities. 	<ul style="list-style-type: none"> • The likelihood of the existence of significant site contamination is low. • Notwithstanding, there are a range of activities occurring which are identified as part of the field investigations. These include: <ul style="list-style-type: none"> ○ Agricultural land uses (potential use of herbicides and pesticides) ○ Importation of fill materials ○ Automotive wrecking activities ○ Minor mechanical repair work ○ Onsite above ground storage tanks (diesel) and potential storage

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>of bulk unknown chemical.</p> <ul style="list-style-type: none"> • JBS&C have recommended the following: <ul style="list-style-type: none"> ○ Broad scale soil assessment targeting known Potentially Contaminating Activities ○ Decommissioning of on-site groundwater wells ○ Soil assessment to assist with waste classification of soil material to be disposed off-site ○ A site contamination audit may be required for development approval. <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p>
Aboriginal and Historical Heritage Report	EBS Heritage was engaged to undertake a desktop Aboriginal and historical	<ul style="list-style-type: none"> • Investigations confirm that there are no Commonwealth heritage places in the Affected Area.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<p>(part Affected Area i.e. north of One Tree Hill Rd only)</p> <p>February 2020</p>	<p>cultural heritage assessment. This report:</p> <ul style="list-style-type: none"> • Summarised the applicable legislative requirements. • Reviews the results of the Register of Aboriginal Sites and Objects and other registers. • Investigates past occupation and land use. • Identifies any know heritage sites or potential for unknown heritage and makes an assessment of the potential for works to impact upon any heritage. 	<ul style="list-style-type: none"> • Recognition that the Affected Area is within the Kurna Peoples Native Title determination and therefore the principal legislation applicable is the <i>Aboriginal Heritage Act 1988</i>. The likelihood of the works posing a risk to unidentified sites and objects is low. • Recommends communications with Kurna Yerta Aboriginal Corporation Registered Native Title Body Corporate • Appropriate measures should be implemented as part of future development of the land to ensure the procedures are in place to manage the potential discovery of sites/items during works. <p>It is recognised that the scope of these investigations focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the proposed Code Amendment.</p>

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines the additional investigations that will be undertaken to support the Code Amendment.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Social Infrastructure	<p>A desktop review of the community services and facilities within proximity of the Affected Area will be undertaken. The purpose of this review is to identify any significant shortfalls in the provision of these services which will be exacerbated by this Code Amendment and whether augmentation may be required.</p> <p>The Code Amendment investigations will include a review of social infrastructure demands (including open space, education, and recreation). It is intended that these investigations will identify any needs required to support the projected population and inform the ultimate development outcome.</p> <p>Local schools will be consulted to understand their capacity to absorb the projected increase in population.</p>
Cultural Heritage	<p>Identify all State Heritage Areas, State Heritage Places, Local heritage places and Representative Items affected by the proposed Code Amendment.</p> <p>Undertake a review of available information (e.g. Aboriginal Affairs and Reconciliation Division) to determine whether any registered sites exist in the Affected Area. In any event, ongoing development of land will need to meet the requirements of the Aboriginal Act 1998 (including non-registered sites/objects that may be discovered).</p> <p>Engagement with Kurna Yerta Aboriginal Corporation Registered Native Title Body Corporate to understand their interest.</p>
Noise Assessment	<p>Investigate the potential impacts of environmental noise on the Affected Area arising from its presence in proximity of the sand quarry. Investigations will consider:</p> <ul style="list-style-type: none"> • The impact of the sand mine and road networks as a potential noise source on future residential activities.

	<ul style="list-style-type: none"> The potential for future residential development to constrain the operation of the sand mine as well as acoustic amenity on the land.
Site Contamination Assessment	Undertake site contamination investigations, prepared by an environmental consultant (with experience in site contamination) in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999, and determine whether the land proposed for rezoning is contaminated and suitable for the intended use.
Tree Assessment	Undertake a Significant Tree/Regulated Tree survey and investigate and identify options for retaining the maximum number of Significant/Regulated trees, for example, allocating them in reserves including road reserves.
Flora and Fauna Assessment	<p>Undertake a flora and fauna assessment of the Affected Area to:</p> <ul style="list-style-type: none"> Assess the coverage of remnant vegetation and biodiversity; and Identify any national and state listed flora and fauna species; as well as other flora and fauna species of conservation value.
Bushfire Assessment	<p>Review the existing and proposed bushfire risk classification for the affected area having regard to topography, vegetation cover, nature of the proposed use and its developed state. Where necessary develop an appropriate policy framework to support the reclassification.</p> <p>This assessment will be guided by both preliminary and ongoing engagement with the CFS.</p>
Air Quality Assessment	An air quality assessment will be undertaken to consider the potential impact of activities from nearby resource extraction operations to generate air quality impacts (e.g. dust) and odour emissions on the Affected Area and treatment measures that may be required.
Traffic and Transport Investigations	<p>A traffic and transport investigations report will be prepared to understand the likely traffic/transport implications of the proposal. At a high-level, information considered will include:</p> <ul style="list-style-type: none"> Providing an analysis of the existing and proposed future traffic impacts arising from the future

	<p>development of the land for residential purposes including impact on access and parking for Harpers Field.</p> <ul style="list-style-type: none"> • Determine the anticipated changes to traffic generation volumes and potential impacts. • Provide initial advice on the possible road upgrades required external to the Affected Area as a result of the future development including One Tree Hill Road, Golden Grove Road and Hancock Road/Golden Grove Road roundabout Consideration of new footpath and bike path/lane networks and connectivity to the existing network • Street light upgrades • Integration of the Public Transport network • Consider provision of secondary road access to the Affected Area for emergency situations
<p>Infrastructure services Investigations</p>	<p>Existing utility infrastructure will be reviewed to:</p> <ul style="list-style-type: none"> • Investigate and determine the availability of current infrastructure servicing the Affected Area and its capacity. • Determine the anticipated requirements for infrastructure augmentation or upgrade works that may be required to bring land to market. • Consider option to underground overhead transmission lines running through the Affected Area and along One Tree Hill Road to Golden Grove Road.
<p>Stormwater Investigations</p>	<p>A stormwater investigations report will be undertaken to:</p> <ul style="list-style-type: none"> • Investigate the capacity and/or upgrades that may be required to existing stormwater infrastructure to accommodate the development of the land. • Identify strategies and techniques to be employed in the future development of the land to meet the stormwater requirements of Council and the EPA.
<p>Future Rural Living Land Demand</p>	<p>A high-level analysis will be undertaken to explore whether there remains demand for land to support rural living type activities into the future.</p>
<p>Infrastructure Schemes</p>	<p>Prior to the release of the Code Amendment for public consultation, in collaboration with Council and service providers, developers will identify what infrastructure upgrades will be required outside the Affected Area (e.g. road upgrades).</p>

	<p>Prior to the final authorisation of the Code Amendment, parties will identify the costs of external infrastructure upgrades (if they are required), and determine how they should be staged and funded.</p> <p>Council and developers anticipate that parties will adopt the conventional approach of direct negotiations with Council and infrastructure providers that results in legal infrastructure provision and funding deeds.</p> <p>Notwithstanding, in determining the most appropriate pathway for infrastructure provision, consideration will be given to the Basic Infrastructure Scheme as defined by section 162 and 163 of the Act as an alternate.</p>
Residential land supply and demand	<p>Undertake a detailed analysis of residential land supply and demand, including demands and trends concerning land and housing products and understand the impact the rezoning will potentially have on the achievement of housing diversity in the rest of the City of Tea Tree Gully, and in particular the revitalisation of the Modbury Precinct</p> <p>Investigate the potential to provide for 15% of affordable housing – e.g. application of the Affordable Housing Overlay.</p>
Environmental Food Production Area	<p>Pending the outcomes of the Minister’s Review of the EFPA boundary investigations will need to be undertaken to consider the interface between the Affected Area and the EFPA to ensure the orderly development of the proposed residential development area.</p>

4.3. Engagement Already Undertaken

The developers have commenced engagement with the following stakeholders:

- Department of Energy and Mining (DEM)
- Country Fire Service (CFS)
- Planning and Land Use Services (PLUS), Attorney General’s Department

A summary of outcomes or matters raised through engagement already undertaken is as follows:

- Careful consideration needs to be given to the interface between the Affected Area and the Resource Extraction Zone, a zone which is of strategic importance to the State.
- Bushfire hazard mapping and policy is subject to a Statewide Bushfire Hazards Overlay Code Amendment. This Code Amendment will aim to incorporate updates to the Hazards Overlay.

- The potential impact of natural hazards, namely bushfire needs to be considered. Master planning activities should consider how to manage the interface between dwellings and vegetation to ensure adequate buffers are provided.
- The relationship between the *Rural Living to Neighbourhood-type Zone Code Amendment* and the separate *Commercial/Retail Code Amendment*.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Local Community	<i>See Engagement Plan (to be developed prior to community engagement)</i>
Engage with Kurna Yerta Aboriginal Corporation Registered Native Title Body Corporate	<i>Engage during Investigations to understand their level of interest</i>
Local schools	<i>Understand capacity of schools to accommodate additional student numbers</i>
The Stables Shopping Centre	<i>Understand impact of additional traffic on the shopping centre</i>
Environment Protection Authority	<i>Identify the potential impact of resource extraction in proximity of residential land uses.</i>
Department of Energy and Mining	<i>Understand and adequately address the long-term need to protect strategic mineral resources.</i>
Mining Operators	<i>To understand the future intentions of mining operators to inform appropriate policy and future design responses and protect ongoing operation of extractive industries.</i>

Infrastructure service providers i.e. Telstra, SAPN, SA Water, ElectraNet, APA Group	<i>Investigate capacity of the existing infrastructure networks and identify any augmentation or upgrades required.</i>
Land SA	<i>Consider potential future use of the deferred urban site and Identify traffic impact on One Tree Hill Road</i>
PLUS (Attorney General's Department)	<i>Understand how the proposed rezoning will address/ impact supply and demand for housing in north east metropolitan Adelaide</i>
SA Fire and Emergency Commission & CFS	<i>Bushfire zones being amended. Identify special needs regarding access and road network design</i>
Department for Environment and Water (DEW) & Department of Primary Industries and Regions (PIRSA)	<i>WSUD and green infrastructure to mitigate extreme heat events and conserve water Biodiversity impact, options to retain significant and regulated trees Design to minimise disturbance and modification of the natural landform</i>
Adelaide Metro	<i>Options for expansion of public transport network</i>

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument.

The Council will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- The Local Government Association must be notified in writing of the proposed Code Amendment;
- If the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally), the

Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*, to:

- the owners or occupiers of the land; and
- owners or occupiers of each piece of adjacent land;
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Council will prepare an Engagement Report under section 73(7) of the Act.

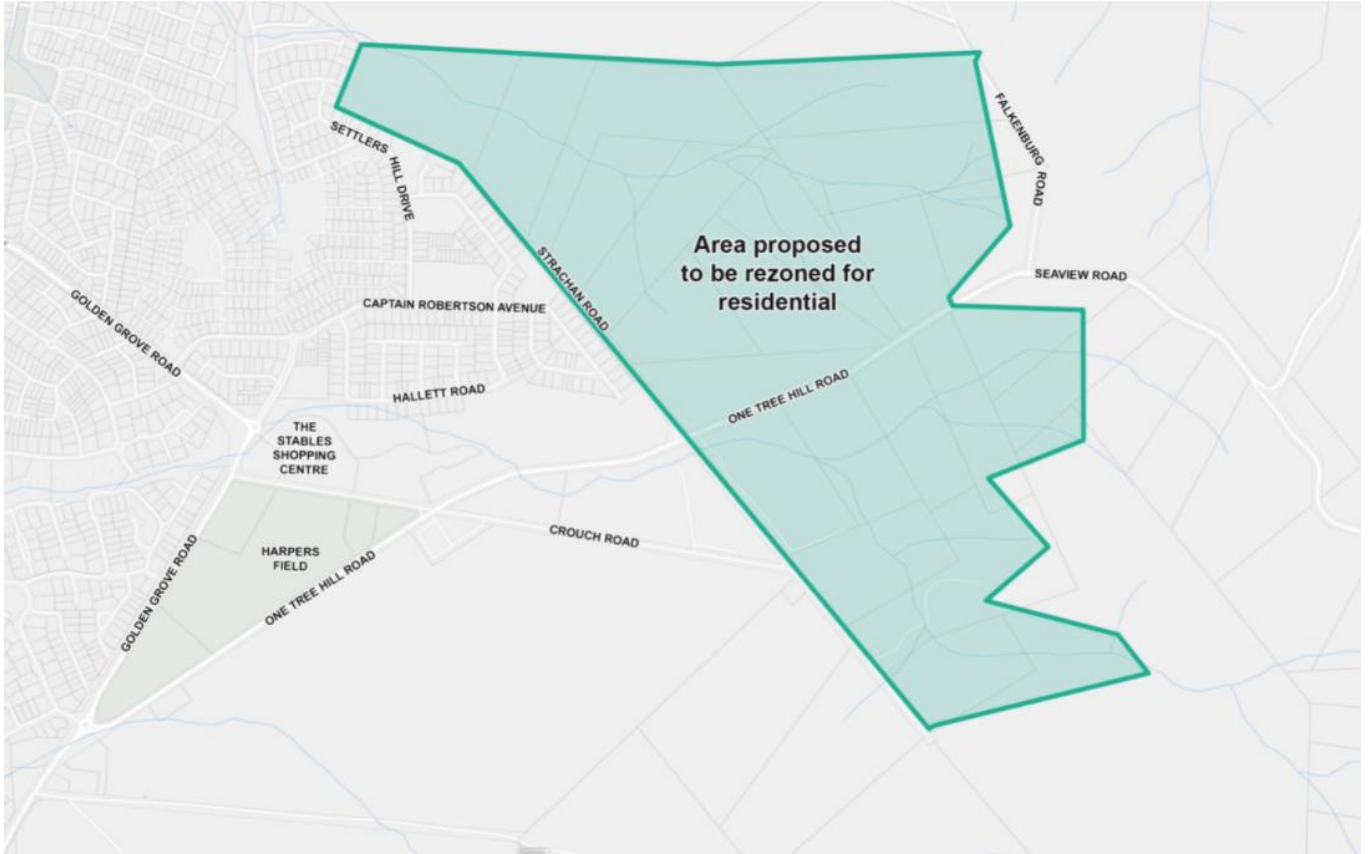
The Council must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Council commits to undertaking the Code Amendment in line with the timeframe outlined Attachment B. If a timeframe is exceeded (or expected to be exceeded) the Council agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

ATTACHMENT A
Map of Affected Area



ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission	Attorney-General's Department (AGD)	2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
Proposal to Initiate agreed to by the Minister	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared The Drafting instructions and draft mapping provided to AGD	Council	15 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Council	Per Engagement Plan
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	Council	Per Engagement Plan
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD	Council	4 Weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks

Step	Responsibility	Timeframe
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA Portal	AGD	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to Environment Resource and Development Committee (ERDC)	AGD	8 weeks

Designated Entity -

Indicative milestones *	Key steps
November 2021	Minister approves the Proposal to Initiate
January 2022	Council considers draft Code Amendment , infrastructure requirements and Engagement Plan
March-April 2022	Community engaged on the draft Code Amendment
June 2022	Council considers Engagement Report and final draft Code Amendment
August 2022	SA Planning Commission considers the final Code Amendment
September 2022	New zone officially published on the PlanSA Portal

*Milestones may be subject to change



2021/16551/01

Mr John Moyle
Chief Executive Officer
City of Tea Tree Gully

By email: john.moyle@cttg.sa.gov.au

Attention: Ingrid Wilkshire and Cherie Gill

Dear Mr Moyle

I write to advise that under section 73(2)(b)(iv) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment.

The initiation approval is on the basis that under section 73(4)(a) of the Act, the City of Tea Tree Gully (the Council) will be the Designated Entity responsible for undertaking the Code Amendment process.

Pursuant to section 73(5) of the Act, the approval is also subject to the following conditions:

- The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for consultation.
- The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional – Planning Level 1 under the Act.
- The scope of the proposed Code Amendment does not include changes to extent of the Hills Face Zone or Environment and Food Production Area Overlay.
- Prior to approval of the Code Amendment, the Designated Entity must demonstrate to my satisfaction, as Minister for Planning and Local Government, that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area as proposed by the Code Amendment, and the associated Golden Grove Commercial/Retail Code Amendment, to the satisfaction of all relevant infrastructure providers.

In addition, the Commission has specified under section 73(6)(e) of the Act that the Designated Entity must consult with the following stakeholders:

- Department for Infrastructure and Transport
- Department for Environment and Water
- utility providers, including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers.
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

Further, the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Exploration of potential flood hazard impacts on the affected area and consideration of flood hazard mitigation strategies.
- Investigate the application of the Affordable housing Overlay, Urban Tree Canopy Overlay and Stormwater Management Overlay.
- Investigate the impacts of the associated Golden Grove Commercial/Retail Code Amendment on the provision of infrastructure in the area, particularly in relation to upgrade needs and funding mechanisms.

In addition, it should be noted that further investigations may be required in response to feedback or advice received through the engagement process.

Pursuant to section 44(6) and 73(6)(d) of the Act, consultation in writing must be undertaken with owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Engagement must be undertaken on the Code Amendment in accordance with the Community Engagement Charter. More information on the Community Engagement Charter is available in the Community Engagement Charter toolkit at: https://plan.sa.gov.au/resources/learning_and_toolkits/community_engagement_charter_toolkit/overview.

I will make a determination on whether to approve the proposed amendments at the completion of the Code Amendment process.

For further information, please contact Ms Nadia Gencarelli from Planning and Land Use Services within the Attorney-General's Department on (08) 7109 7036 or via email: Nadia.Gencarelli@sa.gov.au.

Yours sincerely

Hon Josh Teague MP
Minister for Planning and Local Government

/ / 2021

Enc Signed Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment

Cc Ingrid Wilkshire (ingrid.wilkshire@cttg.sa.gov.au), Cherie Gill (cherie.gill@cttg.sa.gov.au)



TO: MINISTER FOR PLANNING AND LOCAL GOVERNMENT

RE: PROPOSAL TO INITIATE A CODE AMENDMENT BY THE CITY OF TEA TREE GULLY

PURPOSE

To recommend that you approve, with conditions, the Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment (the Proposal).

BACKGROUND

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act) provides:

73 – Preparation and amendment

- (2) A proposal to amend a designated instrument may be initiated by—
- (b) with the approval of the Minister, acting on the advice of the Commission—
 - (iv) a Council.

The City of Tea Tree Gully (the Council) has lodged a Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment to amend the Planning and Design Code (the Code) as it relates to the affected area (**Attachment 1**).

The State Planning Commission (the Commission) considered the Proposal to Initiate at its meeting of 11 November 2021 and resolved to support the Code Amendment, subject to conditions.

A summary of the roles and responsibilities for you, as Minister for Planning and Local Government (the Minister), and the Commission in regard to the Code Amendment is provided in **Appendix A**.

A flowchart of the Code Amendment process is provided in **Appendix B**.

DISCUSSION

The following sets out the strategic, policy and procedural considerations in relation to the Proposal to Initiate, including conditions that are recommended should you agree to initiate the Code Amendment.

Proposal

The Proposal seeks to rezone an area of approximately 109 hectares within the Rural Living Zone at Golden Grove to facilitate low density residential development. The

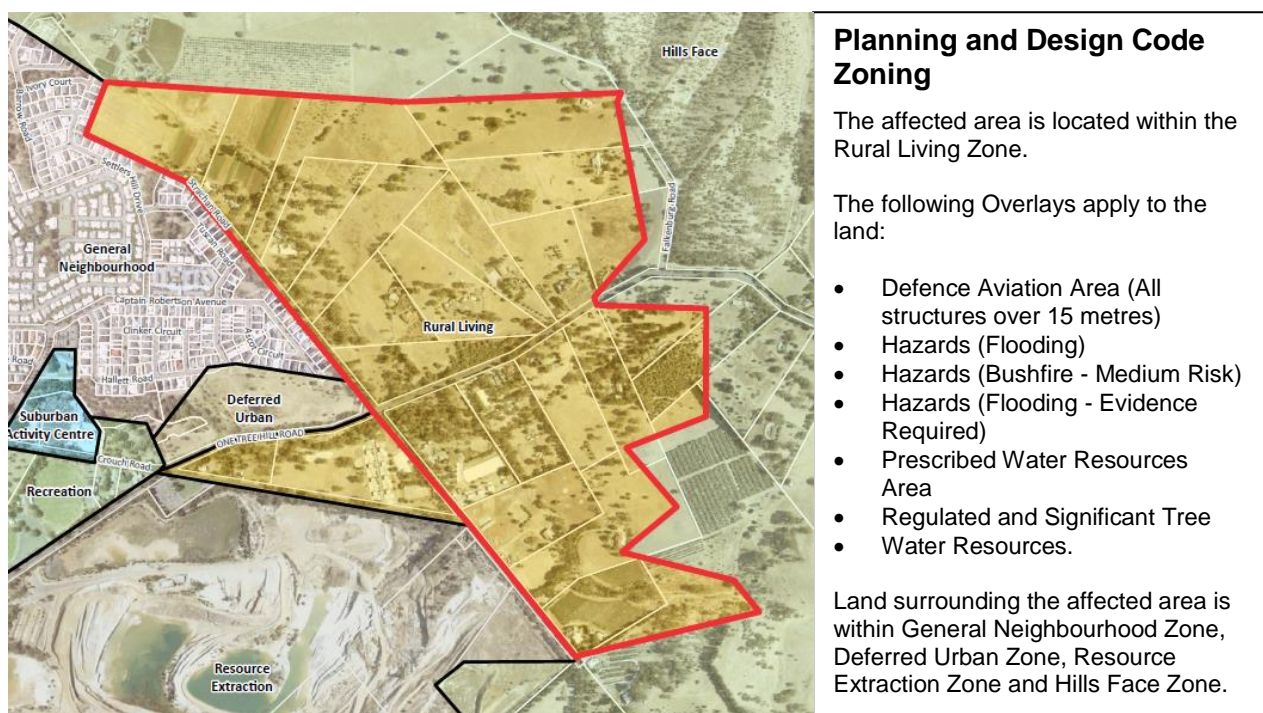
Proposal identifies that the likely preference would be the application of the Master Plan Neighbourhood Zone; however, the suite of neighbourhood-type zones will be considered. A combination of a neighbourhood-type Zone and Deferred Urban Zone (for land south of One Tree Hill Road) will also be considered.

The final proposed zone(s), overlays, and technical and numerical variations (TNVs) will be identified following consideration of the findings of the investigations relating to the interface with the adjacent Resource Extraction Zone.

The Proposal will facilitate the creation of an estimated 1,500 residential allotments in the northern part of Tea Tree Gully, which otherwise has limited large scale residential growth potential, and is proposed to be progressed in tandem with a separate Commercial/Retail Code Amendment to support the growth in retail and commercial demand from adjacent properties at Crouch Road, Golden Grove. The Proposal to Initiate the Commercial/Retail Code Amendment has been submitted to you, as Minister, by a private proponent, YAS Property & Development, who is also the private funder of this Code Amendment. Advice on that Code Amendment is provided under separate cover.

The Proposal also raises the possibility of pursuing changes to the Hills Face Zone for those portions of allotments comprising the affected area which are within the Hills Face Zone, subject to the outcomes of a review of the Environment and Food Production Areas (EFPA) Overlay. A submission to that effect was made on behalf of the landowner (Villawood); however, this amendment to the EFPA and Hills Face Zone at this location was not supported by the Attorney-General’s Department (the Department) or the Commission. This is because the amendments were not considered to be of a minor or trivial nature.

The affected area and current zoning is shown in the figure below.



Note: affected area is marked in red; yellow shading shows extent of both residential and commercial Code Amendments.

Strategic Considerations

The following sets out the strategic considerations relating to this proposal and rationale for the Commission recommending support for the Code Amendment.

More details of the Commission's strategic priorities are provided in **Appendix C**.

An assessment against the State Planning Policies (SPPs) and relevant Regional Plan are provided in **Appendix D**.

Strategic Advice

The proposal seeks to rezone land within the Rural Living Zone immediately adjacent to the built-up area of Golden Grove to the Master Planned Neighbourhood Zone for the purposes of low density residential development.

Given that the proposal seeks to increase land supply in a region that is well serviced by infrastructure, and where there is a limited available supply of strategic residential development, additional residential land in this location is deemed appropriate.

Further specific reasons are provided below:

- The land is a logical extension to an existing urban area that is well serviced by transport and social infrastructure.
- The land is adjacent to, but not inhibited by the EFPA and Hills Face Zone to the north and east, which protects land within Greater Adelaide from urban encroachment.
- The land appears to have connection, or ability to easily connect, to critical infrastructure, including mains water, sewer and electricity.
- The land is located in proximity of Adelaide Metro public transport routes on Golden Grove Road, and the South Australian Government is currently investing \$50 million into the upgrade of Golden Grove Road, improving public and private transport connections to/from the locality.
- A separate Code Amendment is proposed to rezone land to support commercial and retail offerings in close proximity to the affected area.
- The land ownership is fragmented; however, two proponents have demonstrated an interest in the majority of the land affected by the rezoning, which provides an opportunity to undertake a coordinated approach to planning and infrastructure delivery.
- The Inner North region is one of the fastest growing sub-regions in Greater Adelaide. The remaining parts of Lightsvue and Mawson Lakes are nearing completion, leaving the Renewal SA Oakden/Strathmont site as the remaining strategic development site in the region.

Residential Land Supply

The subject land is located within the Inner North region of Greater Adelaide, and whilst not located within the EFPA, the land does sit directly adjacent. Noting this, the recently completed Land Supply Reports (LSR) for Greater Adelaide indicate the following:

- By 2030, the region is predicted to grow by an estimated 26,500 (medium) to 32,800 (high) persons – this translates to an estimated demand of 12,000 (medium) to 14,000 (high) dwellings over the same period.
- The Inner North region is projected to accommodate approximately 20 per cent of projected population growth within the Greater Adelaide Planning Region over the next 10 years.
- Since 2010, 16,700 dwellings were built in the region for a net increase of 12,500 dwellings.
- The region has consistently been a major contributor of strategic infill development sites over this period due to key projects such as Mawson Lakes, and more recently, Lightsview.
- The Inner North Region accounts for over 30 per cent of the total supply of developable parcels within Greater Adelaide.
- The estimated potential 1,500 dwellings from this site would contribute to the strategic residential land supply in this region.

Land use characteristics

The affected area fronts Strachan Road to the west, where it is located immediately adjacent to the General Neighbourhood Zone to the west, the Hills Face Zone to the north and east, and the Resource Extraction Zone to the south.

One Tree Hill Road runs eastward through the middle of the affected area. The affected area is currently used for low density residential purposes, with a small number of allotments used for ancillary primary production purposes or animal keeping activities.

The affected area is situated adjacent to the established urban residential area that is well serviced by existing essential infrastructure, and has the potential to be integrated with nearby existing services. The affected area is in close proximity to retail shops on Golden Grove Road, as well as open space in Golden Grove.

The affected area is located immediately adjacent to the EFPA; however, is not highlighted as being a Primary Production Priority Area (PPPA) within the Greater Adelaide Region.

Although the affected area is adjacent to the existing Resource Extraction Zone, various zoning options could be explored to consider potential interface impacts and to ensure future mining activities are not compromised.

Transport and Access

Whilst the affected area is well serviced by One Tree Hill Road, the proposed Code Amendment will result in a new local road network which connects to the wider network. The affected area is in close proximity to Golden Grove Road which is serviced by the existing Adelaide Metro bus network.

Proposed investigations will also identify opportunities to expand this network service to the affected area. The Code Amendment proposes a master planned, staged development that will assist in the establishment of cycling linkages.

Services and Infrastructure

The affected area is adjacent to an established urban residential area that is well serviced by existing essential infrastructure, with the potential to connect to existing infrastructure and services.

Proposed investigations will identify the capacity of existing service infrastructure networks and analyse the impact of the Code Amendment on existing networks. However, it is considered that upgrade needs and associated funding mechanisms will need to be put in place, and as such, conditions have been recommended to address this matter.

Environmental Constraints and Hazards

The affected area is located within the following hazard related Overlays:

- Hazards (Bushfire – Medium Risk) Overlay
- Hazards (Flooding) Overlay
- Hazards (Flooding – Evidence Required) Overlay.

Proposed investigations will identify the likely impact of these overlays and consider the incorporation of appropriate measures to mitigate hazard risk.

It is noted that initial engagement has been undertaken in accordance with advice provided by the Country Fire Service (CFS), which has highlighted the need for investigations to consider appropriate access, vegetation management, and water supply are incorporated within the Amendment. It should be noted that bushfire mapping may be updated as part of the State-wide Bushfire Hazards Overlay Code Amendment, which could also result in a change of risk rating.

Proposed investigations will also consider the coverage of remnant vegetation and biodiversity, as well as to identify any flora and fauna species of conservation value within the affected area.

Procedural Considerations

The following sets out the key procedural considerations that satisfy the legislative requirements. Pursuant to section 73(5) of the Act, approval for a Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time), or as specified by you, as Minister. As such, a number of conditions are recommended by the Commission as set out below.

Information Requirements

Practice Direction 2 – Preparation of Amendment of Designated Instruments outlines the information requirements for a Proposal to Initiate (**Appendix E**).

The mandatory information requirements have been met and therefore the Proposal is of a suitable form to be considered by you.

Consistent with State Planning Policies and Regional Plan

The Code Amendment must be consistent with the principles of the SPPs and should be consistent with the directions of the relevant Regional Plan, which in this instance is *The 30-Year Plan for Greater Adelaide: 2017 Update* (the Regional Plan). The former Minister for Planning and Local Government, the Hon Vickie Chapman MP, previously sought the Commission's advice in this regard.

This assessment is provided in the appendices. A more detailed analysis is also located in the Proposal to Initiate.

In summary, the Proposal to Initiate is considered to be consistent with the SPPs and Regional Plan.

Designated Entity

As this proposal is by a council, under section 73(4) of the Act, you may decide to enable the Proponent to be the Designated Entity and conduct the Code Amendment processes, or alternatively, you can give the Chief Executive of the Department the responsibility for undertaking the processes.

The Commission has resolved to recommend that proponents should prepare and lead their own Code Amendments for the 12-month period following the implementation of the Phase Three Code. This is to ensure State resources are not diverted from strategic matters of importance as the new planning and development system is implemented.

However, the documentation should be prepared by a suitably qualified person to ensure statutory procedures and good planning outcomes are addressed.

Recommendation(s)

That Council be the Designated Entity responsible for undertaking the Code Amendment process.

A suggested letter to Council is at **Attachment 2**.

The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

Investigations to support the Amendment

The investigations undertaken to date are outlined in the Proposal to Initiate (**Attachment 1**). The Proponent has identified further investigations to support the Code Amendment, including:

- Social Infrastructure Assessment
- Cultural Heritage Assessment
- Noise Assessment
- Site Contamination Assessment
- Tree Assessment
- Flora and Fauna Assessment
- Bushfire Assessment
- Air Quality Assessment
- Traffic and Transport
- Infrastructure Services
- Stormwater
- Future Rural Living Land Demand
- Infrastructure Schemes
- Residential Land Supply and Demand (including affordable housing)
- EFPA Interface.

The Commission is satisfied with the above investigations. However, given that the affected area is subject to the Hazards (Flooding) Overlay and the Hazards (Flooding – Evidence Required) Overlay, pursuant to section 73(6)(f) of the Act, the Commission has resolved to specify that additional investigations into the consideration of flood hazard mitigation be undertaken.

Furthermore, given the land affected has a significant potential for a master planned outcome that represents an expansion of the existing urban residential area at Golden Grove, the Commission recommends that the application of other neighbourhood zone related Overlays is investigated.

It is recognised that the Proponent intends to undertake investigations into both infrastructure upgrade needs and mechanisms to fund any works required, including the potential use of Infrastructure Schemes. However, consideration will also need to be given to the interrelationship between the development outcomes of this Code Amendment and the associated Golden Grove Commercial/Retail Code Amendment, and any implications for infrastructure provision resulting from such.

To that end, it is recommended that a condition be placed on this Code Amendment, and the related retail Code Amendment, to ensure that appropriate agreements are in place prior to approval of either Code Amendment.

Recommendation(s)

That the following further investigations be undertaken by the Designated Entity, in addition to that outlined in the Proposal to Initiate, under section 73(6)(f) of the Act:

- Exploration of potential flood hazard impacts on the affected area and consideration of flood hazard mitigation strategies.
- Investigate the application of the Affordable Housing Overlay, Urban Tree Canopy Overlay and Stormwater Management Overlay.
- Investigate the impacts of the associated Golden Grove Commercial/Retail Code Amendment on the provision of infrastructure in the area, particularly in relation to upgrade needs and funding mechanisms.

That the following further condition be applied to address funding arrangements under section 73(5) of the Act:

- Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment, and the associated Golden Grove Commercial/Retail Code Amendment (to the satisfaction of all relevant infrastructure providers).

Application of the Code

The Proposal seeks to rezone land from the Rural Living Zone to the Master Planned Neighbourhood Zone to support residential development. The Hazards – Bushfire Overlays may also require a change, but this will be informed by feedback from CFS and findings from the State-wide Bushfire Hazards Overlay Code Amendment.

Although the proposal highlights the possibility to amend the boundaries of the Hills Face Zone pending the outcomes of the EFPA review, such an amendment is not supported at this time.

Recommendation(s)

- That a condition be placed on the Proposal to Initiate that limits the scope of the proposed Code Amendment to exclude the creation of new planning rules, and to be limited to the spatial application of zones, subzones, overlays, or TNVs provided for under the published Code (on the date the Amendment is released for consultation).
- That a condition be placed on the Proposal to Initiate that limits the scope of the proposed Code Amendment to exclude changes to the extent of the Hills Face Zone or EFPA Overlay.

Consultation

Council resolved to undertake this developer-funded Code Amendment. In addition, the Proposal has been discussed with the Department for Energy and Mining (DEM), CFS, and Planning and Land Use Services within the Attorney-General's Department (AGD-PLUS), who have raised the following matters:

- Careful consideration needs to be given to the interface between the affected area and the Resource Extraction Zone; a zone which is of strategic importance to the State.
- Bushfire hazard mapping and policy is subject to a State-wide Bushfire Hazards Overlay Code Amendment. This Code Amendment will aim to incorporate updates to the Hazards Overlay.
- The potential impact of natural hazards, namely bushfire, needs to be considered. Master planning activities should consider how to manage the interface between dwellings and vegetation to ensure adequate buffers are provided.
- The relationship between the Rural Living to Neighbourhood-type Zone Code Amendment and the separate Commercial/Retail Code Amendment.

In accordance with the Community Engagement Charter, the Designated Entity is required to prepare an Engagement Plan that will outline how, when and with whom it engages with regarding the proposed Code Amendment. Consultation is scheduled to commence in March/April 2022.

The Commission has determined to specify the following further persons or bodies that the Designated Entity must consult with in relation to the proposed Code Amendment, as permitted under section 73(6)(e) of the Act:

- Department for Infrastructure and Transport
- Department for Environment and Water
- utility providers, including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

In addition, in accordance with sections 44(6) & 73(6)(d) of the Act, the consultation must be undertaken with:

- Owners or occupiers of the land and adjacent land in accordance with the *Planning Development and Infrastructure (General) Regulations 2017*.

Recommendation(s)

Advise the Designated Entity of the required consultation with the entities and bodies specified by the Commission.

RECOMMENDATIONS

1. Note the advice of the Commission provided to you as required under section 73(2)(b) of the Act. NOTED / NOT NOTED

2. Note that the Commission has, under section 73(6)(e) of the Act, specified that the Designated Entity must consult with the following nominated individuals and entities (and advise the Designated Entity accordingly): NOTED / NOT NOTED
 - Department for Infrastructure and Transport
 - Department for Environment and Water
 - Utility providers, including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers
 - State Members of Parliament for the electorates in which the proposed Code Amendment applies.

3. Note that the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations to that outlined in the Proposal to Initiate (and advise the Designated Entity accordingly): NOTED / NOT NOTED
 - Exploration of potential flood hazard impacts on the affected area and consideration of flood hazard mitigation strategies.
 - Investigate the application of the Affordable Housing Overlay, Urban Tree Canopy Overlay and Stormwater Management Overlay.
 - Investigate the impacts of the associated Golden Grove Commercial/Retail Code Amendment on the provision of infrastructure

in the area, particularly in relation to upgrade needs and funding mechanisms.

4. Approve Initiation under section 73(2)(b) of the Act, subject to the following conditions (under section 73(5)) of the Act):

APPROVED / NOT APPROVED

- a) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (on the date the Amendment is released for consultation).
- b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
- c) The scope of the proposed Code Amendment does not include changes to extent of the Hills Face Zone or EFPA Overlay.
- d) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to your satisfaction, as Minister for Planning and Local Government, that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment, and the associated Golden Grove Commercial/Retail Code Amendment (to the satisfaction of all relevant infrastructure providers).

5. Under section 73(4)(a) of the Act, approve the initiation of the Code Amendment on the basis that City of Tea Tree Gully will undertake the Code Amendment processes (as the Designated Entity) required under the Act.

APPROVED / NOT APPROVED

6. Agree to sign the Proposal to Initiate the Code Amendment (**Attachment 1**).

AGREED / NOT AGREED

7. Agree to sign the attached letter to the City of Tea Tree Gully (the Proponent) advising of your approval and conditions (**Attachment 2**).

AGREED / NOT AGREED



Craig Holden
CHAIR, STATE PLANNING COMMISSION
3 / 12 / 2021

JOSH TEAGUE MP
/ / 2021

Attachments:

1. Proposal to Initiate the the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment (#17876252).
2. Suggested letter to the Proponent (#17942448).

Appendices:

- A. Summary of Roles and Responsibilities in Code Amendment Process (#17876355).
- B. Process Flowchart – Code Amendments Initiated by Proponents (#17876361).
- C. State Planning Commission’s Strategic Priorities (#17876368).
- D. Assessment against the State Planning Policies and Regional Plan (#17876370).
- E. Extract from *Practice Direction 2 – Preparation of Amendment of Designated Instruments* (#17876378).

Contact: Jason Bailey
Tel No: 08 7109 7161

Procedural Matters for the State Planning Commission (the Commission)

The Commission's role at Initiation, when the Commission is not the Proponent, is to:

- Provide advice to the Minister for her consideration in making a decision on initiation pursuant to section 73(2)(b) of the Act.
- Specify any person or body the Designated Entity must consult with under section 73(6)(e) of the Act, noting that the designated entity will also need to prepare an engagement plan in accordance with the Community Engagement Charter prior to consultation.
- Specify any investigations to be carried out and/or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The importance of the initiation process is two-fold:

- Firstly, it enables proposals considered to be significantly at odds with the State Planning Policies (SPPs) and relevant Regional Plan to be refused early in the process, minimising risk. This is because the decision to proceed is based on an assessment against these documents.

To that end, the Commission may also advise the Minister on how the proposal fits with its stated priorities, including:

- Technical amendments that enhance the operation of the Code.
- Bushfire policy in response to the Royal Commission and improved bushfire mapping data.
- Support land supply, including infill, master planned neighbourhoods and growth areas consistent with the Growth Management Programme.
- Support economic clusters such as agribusiness and value adding, defence industries, energy and resources, health and medical industries and knowledge and creative industries.
- Provide state-wide strategic benefit such as protection against environmental hazards.
- Secondly, the initiation process is the point at which the scope of the Code Amendment process, investigations and information requirements and the amendments are determined. This provides clarity and certainty for the proponents.

Approval of the Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by the Minister. As such, conditions have been recommended by the Commission, to be made by the Minister.

The Commission has previously determined that (where possible) Code Amendments should be prepared and led by proponents themselves for the first 12 months following implementation of the Phase Three Code.

Code Amendments Initiated by Proponents

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*

