



## Agenda Report for Decision

Meeting Date: 9 June 2022

<b>Item Name</b>	Code Amendment Initiation Advice to the Minister for Planning – Golden Grove Neighbourhood and Commercial Code Amendment
<b>Presenters</b>	Jason Bailey and Nadia Gencarelli
<b>Purpose of Report</b>	Decision
<b>Item Number</b>	4.1
<b>Strategic Plan Reference</b>	5. Discharging Statutory Obligations
<b>Work Plan Reference</b>	5.2 Advise the Minister on Code Amendments
<b>Confidentiality</b>	Not Confidential (Release Delayed), with the exception of <b>Appendix F of Attachment 3</b> – Confidential (Retail Analysis). To be released following final decision by the Minister on initiation of the Code Amendment. Anticipated by the end of May 2022
<b>Related Decisions</b>	<ul style="list-style-type: none"><li>• 11 November 2021 – Item 3.2 – Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment</li><li>• 11 November 2021 – Item 3.3 – Proposal to Initiate the Golden Grove Commercial/Retail Code Amendment</li></ul>

### 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 exception of **Appendix F of Attachment 3** which is classified as Confidential (Retail Analysis), with the meeting papers for the item to be released following the final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment.
2. Advise the Minister that it:
  - 2.1 Recommends the approval of the Proposal to Initiate a Golden Grove Neighbourhood and Commercial Code Amendment under section 73(2)(b)(vii) 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) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister full execution of all necessary agreements or deeds 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, to the satisfaction of all relevant infrastructure providers.

- (b) The Designated Entity must obtain the approval of the Commission to undertake consultation.
- (c) 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.
- (d) Following approval to initiate, YAS Property & Development must withdraw the previously initiated Golden Grove Commercial/Retail Code Amendment.

2.2 Recommends that YAS Property & Development and Falkenburg Road Pty Ltd 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 Energy and Mining
  - Department for Environment and Water
  - Department for Infrastructure and Transport
  - Environment Protection Authority
  - South Australian Country Fire Service
  - Affordable Housing Unit of the SA Housing Authority
  - 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. Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters with conditions (**Attachment 2**).
5. Approve the advice to the Minister as provided (**Attachment 3**).
6. Authorise the Chair to finalise any minor amendments to the advice and attachments.

## Background

Section 73(2)(b)(vii) of the Act provides that a proposal to amend the Code may be initiated by a person who has an interest in the relevant land 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 pursuant to section 73(6)(f) of the Act.

The purpose of this report is to provide the Commission with draft advice for the Minister in relation to the Proposal to Initiate submitted by YAS Property & Development and Falkenburg Road Pty Ltd (**Attachment 1**).

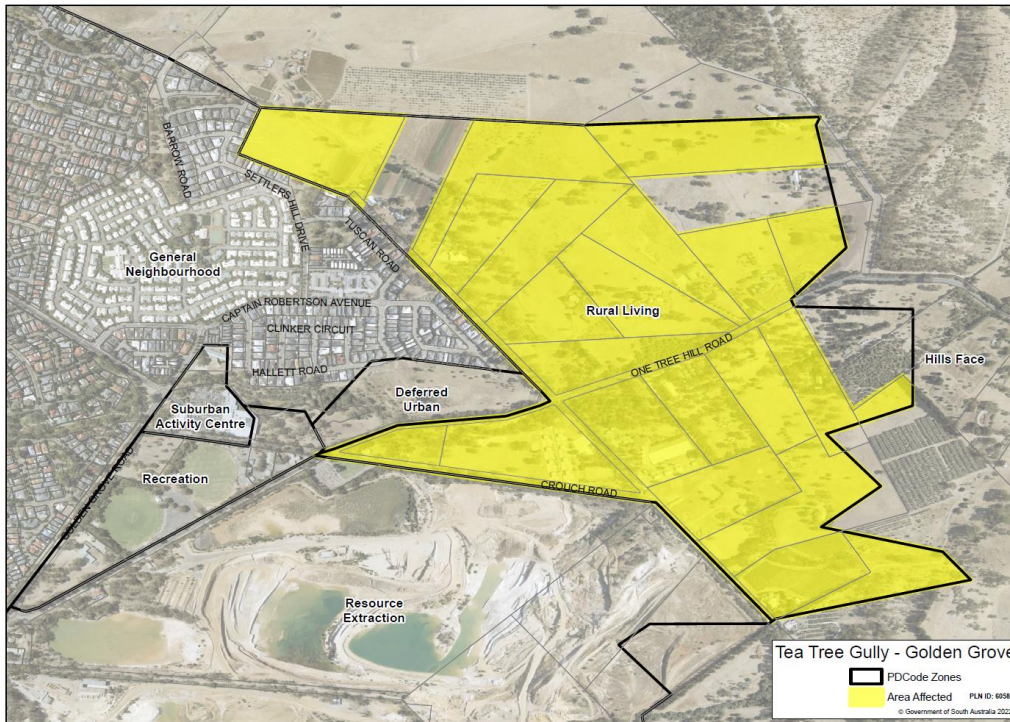
Procedural matters regarding the Commission's role are provided in **Attachments 4 and 5**.

## Discussion

### Scope of the Amendment

The Proposal seeks to rezone land to facilitate a master planned development at Golden Grove comprising between 900 and 1,200 new low to medium density dwellings together with a commercial/retail precinct. The Proposal seeks to rezone the land from the Rural Living Zone to the Master Planned Neighbourhood Zone and Suburban Activity Centre Zone.

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



### 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 (Bushfire - Medium Risk)
- Hazards (Bushfire – Urban Interface {commercial retail area})
- Hazards (Flooding)
- Hazards (Flooding - Evidence Required)
- Heritage Adjacency
- Local Heritage Place
- Prescribed Water Resources Area
- Prescribed Wells Area
- Regulated and Significant Tree
- Water Resources.

Land surrounding the affected area is within the General Neighbourhood Zone, Deferred Urban Zone, Rural Living Zone, Resource Extraction Zone, Recreation Zone, Suburban Activity Centre Zone and Hills Face Zone.

The Proposal effectively comprises the amalgamation of the following two existing, separate Code Amendments over the affected area:

- The Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully.
- The Golden Grove Commercial/Retail Code Amendment by YAS Property & Development.

Initiation of these two Code Amendments was approved in January 2022 by the former Minister for Planning and Local Government.

Detailed discussion on the new Golden Grove Neighbourhood and Commercial Code Amendment proposed by the Proposal is provided in the draft advice to the Minister in **Attachment 3**.

### Advice to the Minister

The draft 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 in a location that is accessible to transport connections, existing residential neighbourhoods and services, together with commercial/retail activities to support current and anticipated demand from the ongoing development of Golden Grove.

Land ownership is fragmented, however, and while the Proponent has demonstrated an interest in the affected area, the Proposal is weakened by the omission of four allotments resulting in a potentially disconnected and disorderly rezoning. The existing Proposal by the City of Tea Tree Gully (the Council) likely provides a more comprehensive and strategic approach to the rezoning of this land. Council did not oppose the first iteration of the Proposal in which three allotments were not included – the second iteration of the Proposal, which is the subject of this report and the draft advice for the Minister attached, is that from which four allotments are not included. For reasons set out in the attached draft advice for the Minister, it is considered reasonable for the Commission to give regard to the views expressed by Council in relation to the first iteration of the proposal when considering and preparing advice for the Minister on the second iteration of the Proposal. This, and the view that the omitted allotments are not fundamental to realisation of a logical extension of the existing urban area, lead to the view that the Proposal ultimately warrants support.

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, including a requirement to obtain the approval of the Commission to undertake consultation, are recommended to be specified by the Minister should a decision to approve initiation be made, pursuant to section 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**).

The recommendation that a requirement to obtain the approval of the Commission to undertake consultation be imposed is to:

- Ensure there is sufficient confidence that the draft Code Amendment has necessary safeguards to facilitate an integrated development outcome prior to consultation commencing.
- Enable the Commission to verify that any Subzone proposed for application to the area affected is sufficiently aligned with that likely to be proposed for inclusion in the Code by the Hackham Code Amendment, so as to maintain the integrity of the Code.

This reasoning and the components of the Proposal that drive its consideration is elaborated in the draft advice to the Minister (**Attachment 3**).

Should the Minister agree to approve the making of the consolidated Code Amendment, the Proponent and Council have both indicated in writing that they will withdraw the currently initiated Code Amendments. As such, a further condition is proposed to ensure this occurs, as follows:

- YAS Property & Development to withdraw the previously initiated Golden Grove Commercial/Retail Code Amendment.

**Attachments:**

1. Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment (#18690768).
2. Draft approval letters to:
  - a. The Proponent (#18559278)
  - b. The City of Tea Tree Gully (#18559376).
3. State Planning Commission advice to the Minister (#18561571).
4. Procedural Matters for the State Planning Commission (#17170230).
5. Process Flowchart – Code Amendments Initiated by Proponents (#18558222).

Prepared by: Catherine Hollingsworth

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Endorsed by: Jason Bailey

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Date: 20 May 2022


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# Proposal to Initiate an Amendment to the Planning & Design Code

Golden Grove Neighbourhood and  
Commercial Code Amendment

By Person with Interest in the Land (the Proponent)



  
\_\_\_\_\_ (Signature Required)  
*YAS Property & Development (the Proponent)*

  
\_\_\_\_\_ (Signature Required)  
*Falkenburg Road Pty Ltd (the Proponent)*

Date: 27 April 2022

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:

# Proposal to Initiate a Code Amendment

28 April 2022

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**Attachment A: Map of Affected Area**

**Attachment B: Timetable for Code Amendment by Proponent**

**Attachment C: Letters from the Minister for Planning and Local Government**

# 1. Introduction

The Proponent (YAS Property & Development – YAS P&D and Falkenburg Road Pty Ltd) is proposing 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).

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 (YAS P&D and Falkenburg Road Pty Ltd) acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2 The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:  
  
Grazio Maiorano RPIA (Fellow),  
Director,  
URPS  
[gmaiorano@urps.com.au](mailto:gmaiorano@urps.com.au)  
(08) 8333 7999
- 1.1.3 The Proponent intends to undertake the Code Amendment by:
  - (a) engaging URPS to provide the professional services required to undertake the Code Amendment.

The Proponent acknowledges that the Minister may, under section 73(4)(b) of the Act, determine that the Chief Executive of the Department will be the Designated Entity responsible for undertaking the Code Amendment. In this case, the Proponent acknowledges and agrees that they will be required to pay the reasonable costs of the Chief Executive in undertaking the Code Amendment.

## 1.2 Background

On 10 January 2022, the Hon Hosh Teague MP, Minister for Planning and Local Government approved the initiation of two separate Code Amendments for Golden Grove:

- The Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully
- Golden Grove Commercial/Retail Code Amendment by YAS Property and Development.

It is now proposed that these two Code Amendments be merged into one Code Amendment and led by the YAS P&D and Falkenburg Road Pty Ltd) for the reasons set out below.

Firstly, it has been identified that, the progression of two separate Code Amendments by two separate entities is likely to create confusion in the community during the public consultation / submissions process. A combined rezoning approach will simplify the message and result in a less complicated procedural assessment of the rezoning project overall.

Infrastructure updates are linked to different scenarios associated with the residential and retail rezoning. It will be simpler to have these two infrastructure investigations linked to one project. This position reinforces the previous Ministerial approval requirement that states, "The Code Amendment will not be considered for approval until such time that the associated Golden Grove Neighbourhood and Commercial Code Amendment has been approved."

Further, the original Initiation Proposal approval refers to a condition that doesn't permit the creation of new subzones. However, the investigations undertaken to-date have shown that a new subzone may be the most appropriate mechanism to ensure an optimal design response for development on sloping land. As such, it is necessary to seek an amendment to the conditions and explore if such a subzone is appropriate. YAS P&D and Falkenburg Road Pty Ltd have an interest over the affected area, other than four rural living allotments, which have been excluded from the proposal.

On 22 March, the City of Tea Tree Gully resolved:

*.....2. That Council requests the Chief Executive Officer to write to the Minister for Planning requesting that the Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment be withdrawn if the Proposal to Initiate a developer-led Golden Grove Neighbourhood and Commercial Code Amendment is approved by the Minister.*

*3. That Council staff continue to work with the developer on progressing investigations, drafting a combined Code Amendment and determining infrastructure requirements which will be presented to Council for consideration prior to engagement with the community.*

Given the above, it is proposed that the Golden Grove Commercial/Retail Code Amendment by YAS Property and Development and the Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment be withdrawn subject to the approval of this new proposal.

In progressing the Code Amendment, the Council will remain an important entity in the process as YAS P&D commits to continue discussions with Tea Tree Gully Council with the objective to agree to infrastructure deeds / Land Management Agreements (LMA) before the Code Amendment is finalised and lodged for determination by the Minister.

### 1.3 Rationale for the Code Amendment

The Code Amendment will support a premium quality, master-planned and sustainable development at Golden Grove which will include between 900-1,200 new dwellings, a commercial/retail precinct, quality open space and new cycling and pedestrian connections for the broader community to enjoy.

The proposal is nestled between the Adelaide's Hills Face to the east, which provides a landscaped backdrop to the development and the existing Golden Grove neighborhood to the west. The Hills Face will be preserved as an important element of Adelaide's visual character.

The retail and commercial precinct will provide a visual and physical buffer to the quarry activities while providing a range of services for the community to enjoy. The development will ensure there is suitable infrastructure and services to support a growing community at Golden Grove.

The residential precinct will be low to medium density with a range of new housing options, including affordable housing for new homebuyers and those wishing to down-size. The majority of the development will be larger allotments that are similar to the existing residential part of Golden Grove.

The demand derived from the residential component of the project will support the ongoing improvement and viability of local retail and commercial development and support improvements to local infrastructure. Significant construction and local employment will be created throughout the project.

The land envisaged for residential development is currently within a Rural Living Zone and is used for low density residential purposes with a small number of allotments also comprising ancillary primary production or animal keeping activities. Given the lands' proximity to the built-up area of Golden Grove, the locality is well serviced by established essential infrastructure. 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 throughout the City comprising small-scale urban infill. This Code Amendment seeks to rezone this land to a suitable neighbourhood-type zone and retail/commercial zone, depending on the outcomes of investigations including quarry interface issues.

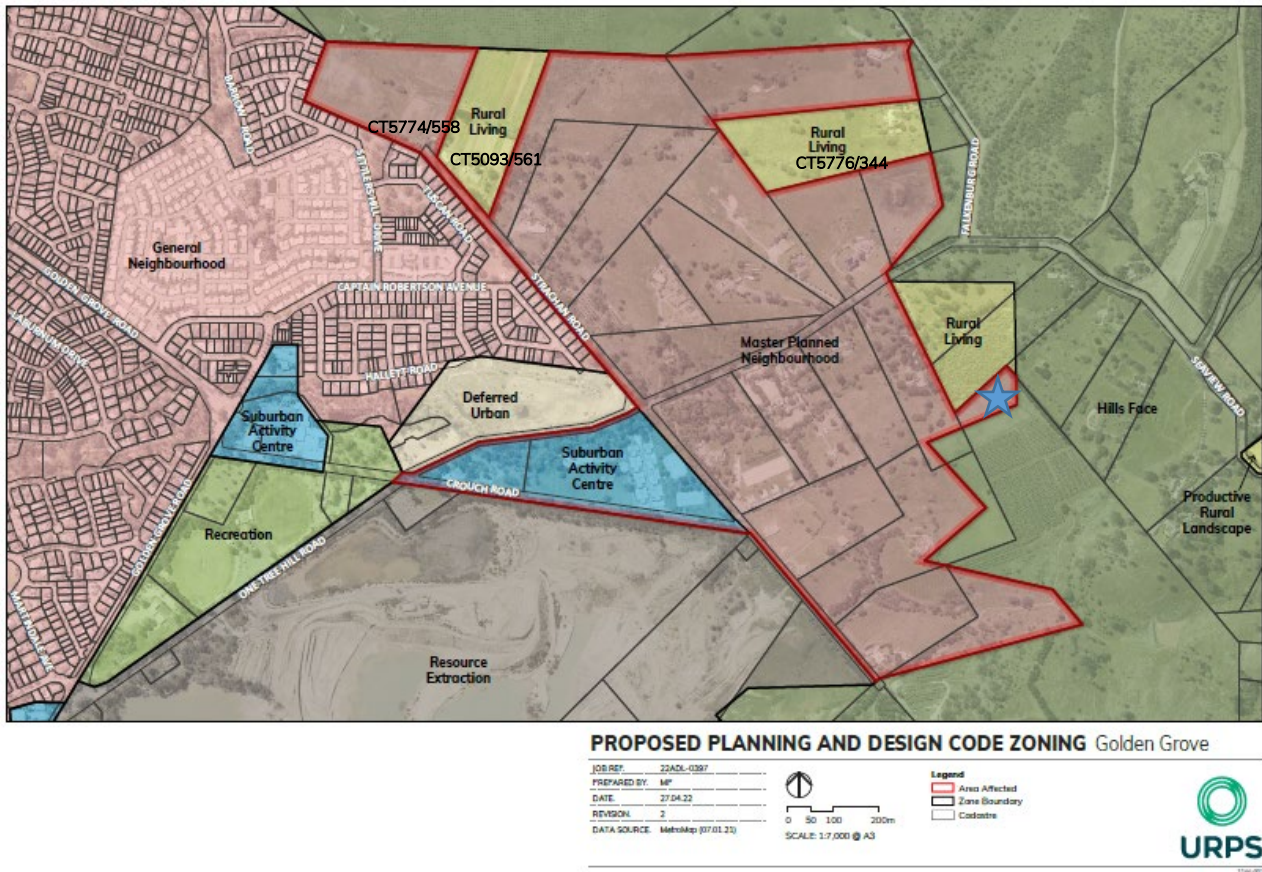
The advancement of this Code Amendment will:

- 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 prioritise additional infill development within the existing Planned Urban Lands and attract new residents to the City.
- Contribute to the consolidation of the urban footprint of 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 takes a pro-active approach to early and ongoing engagement.
- Ensure coordinated development outcomes with supporting infrastructure agreements to address the needs of a growing community.

## 2. Scope of the Code Amendment

### 2.1 Affected Area

The Affected Area is illustrated in the map below and is also contained in **Attachment A**. The Affected Area is within the Rural Living Zone at Golden Grove.



#### Residential Precinct

The residential component of the proposal seeks to amend 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/Resource Extraction Zone to the South.

Several allotments in the Affected Area are dissected by the Rural Living Zone and Hills Face Zone boundary and separately the Environment and Food Production Area Overlay. This Code Amendment is limited to the land within the Rural Living Zone. The area located within the Hills Face Zone is unaffected by this proposal.

Of note, there are four rural living allotments that have been excluded from the proposal:

- CT5093/561 – 14 Strachan Road, Golden Grove (North-western allotment)
- CT5776/344 – 33 Falkenburg Road, Golden Grove (eastern allotment)
- CT 5943/949 - 202 One Tree Hill Road (eastern allotment)

- CT 5943/951- 244 One Tree Hill Road (eastern allotment).

While the result of the exclusion of CT5774/558 (16 Strachan Road, Golden Grove) is not contiguous with the rezoned area, it is a logical extension of the existing Golden Grove neighbourhood and will be connected to the existing urban area in terms of infrastructure and services. The land identified by the star in the Area Affected map, has been included to be investigated for recreation, stormwater management and other suitable opportunities to support the broader development of the site. The two properties the north of this allotment are likely to be rezoned through a future rezoning process. Discussions are ongoing about how this might proceed in the longer term. However, the landowners are supportive of the rezoning process and have sent letters of support (refer to attached letters of support).

*Commercial Precinct*

The proposed commercial precinct is located to the north of the Resource Extraction Zone and includes 53 and 99 Crouch Road, Golden Grove (CT:5203/699 and CT:5482/787 respectively). The land abuts the proposed new residential precinct to the east and Deferred Urban land to the north.

## 2.2 Scope of Proposed Code Amendment

### Site 1 - 53 & 99 Crouch Road, Golden Grove (Retail and Commercial Precinct)

Current Policy	<p><u>Zone</u></p> <ul style="list-style-type: none"> <li>• Rural Living</li> </ul> <p><u>Overlays</u></p> <ul style="list-style-type: none"> <li>• Hazards (Bushfire – Urban Interface)</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding – Evidence Required)</li> <li>• Heritage Adjacency</li> <li>• Local Heritage Place</li> <li>• Defence Aviation Area</li> <li>• Regulated and Significant Tree</li> <li>• Prescribed Wells Area</li> <li>• Water Resources</li> </ul> <p><u>TNV's</u></p> <ul style="list-style-type: none"> <li>• Minimum Site Area (4ha)</li> </ul>
Amendment Outline	The objective of the Code Amendment is to rezone the land for commercial/retail activities to support the current and future population.
Intended Policy	<p><u>Zone</u></p> <ul style="list-style-type: none"> <li>• Suburban Activity Centre Zone.</li> </ul>

	<p><u>Overlays</u></p> <p>Investigate whether any changes are required to the application of the following Overlays:</p> <ul style="list-style-type: none"> <li>• Hazard (Flooding)</li> <li>• Hazards (Flooding – Evidence Required)</li> <li>• Hazards (Bushfire – Urban Interface)</li> <li>• Water Resources Overlay</li> </ul> <p><u>TNVs</u></p> <ul style="list-style-type: none"> <li>• Building Heights (low rise development is envisaged).</li> </ul> <p>The potential role of a Concept Plan will be investigated.</p>
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### Site 2 – Neighbourhood Precinct

Current Policy	<p><u>Zone:</u></p> <ul style="list-style-type: none"> <li>• Rural Living</li> </ul> <p><u>Overlays</u></p> <ul style="list-style-type: none"> <li>• Hazards (Bushfire – Medium Risk)</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding – Evidence Required)</li> <li>• Defence Aviation Area</li> <li>• Regulated and Significant Tree</li> <li>• Prescribed Water Resources Area</li> <li>• Prescribed Wells Area</li> <li>• Water Resources</li> </ul> <p><u>Technical and Numeric Variations</u></p> <ul style="list-style-type: none"> <li>• Minimum site area – 4ha</li> </ul>
Amendment Outline	<p>The amendment seeks to rezone the entire Rural Living Zone to facilitate development of a neighbourhood (residential) type outcome.</p>
Intended Policy	<p>The Code Amendment seeks the following amendments:</p> <p><u>Zone</u></p> <ul style="list-style-type: none"> <li>• Master Planned Neighbourhood Zone</li> </ul> <p><u>Overlays</u></p>



	<p>Review the application of the following Overlays:</p> <ul style="list-style-type: none"><li>• Hazards (Bushfire – Medium Risk)</li><li>• Hazards (Flooding)</li><li>• Hazards (Flooding – Evidence Required)</li><li>• Water Resources Overlay</li></ul> <p>The Affordable Housing Overlay will be applied to the area affected by the proposed Master Planned Neighbourhood Zone.</p> <p>The introduction of a Concept Plan will be investigated.</p> <p>The potential to include additional policies to address sloping land through a subzone will investigated in consultation with Planning and Land Use Services.</p>
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### 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><b>SPP 1 – Integrated Planning</b></p> <p>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, with associated employment growth. 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 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 persons<sup>1</sup>. Whilst recognised that this is a reasonably slow growth rate, it is important to note the characteristics of the city. The Rural Living zoned land in Tea Tree Gully is the last remaining opportunity for urban consolidation to support population growth. The balance of opportunities are confined largely to infill</p>

<sup>1</sup> Remplan, 2021, *City of Tea Tree Gully – Population Summary*.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	<p>development in existing neighbourhood-type zones which are typified by small scale land division.</p> <p>The proposal has the potential to yield some 900-1200 allotments to accommodate future residential land uses and will deliver a unique offering in the eastern foothills of Metropolitan Adelaide. 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>The current supply of retail and commercially zoned land in the wider locality is limited, with little to no available land. The proposed retail and commercial precinct will provide additional employment opportunities and service offerings in close proximity to this new residential 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, 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>The proposed Code Amendment proposes the logical and orderly delivery of residential and retail/commercial 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 to Adelaide Metro public transport routes on Golden Grove Road. Investigations undertaken to inform this Code Amendment will include both consideration of future public transport need and engagement with DIT and Adelaide Metro.</p> <p>The Code Amendment proposes to rezone land in proximity of the declared Golden Grove Extractive Industries Zone (GGEIZ).</p> <p>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>The proposed Code Amendment includes detailed infrastructure investigations which will identify the</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	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).
1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.	<p>The Code Amendment will be prepared with the knowledge that the site is located to the immediate north of the Resource Extraction Zone (P&amp;D Code) and the Golden Grove Extractive Industries Zone (DEM).</p> <p>It is noted however that the nature of the Code Amendment is not at odds with the existing use of neighbouring properties.</p>
1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.	The Affected Area consists of large rural living allotments. The Code Amendment proposes to deliver a range of new low-density residential outcomes and associated services 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><b>SPP 2 Design Quality:</b></p> <p>To elevate the design quality of South Australia’s built environment and public realm.</p>	
2.10 Facilitate development that positively contributes to the public realm by providing active interfaces with street and public open spaces.	The Code Amendment seeks to provide a zoning environment that will ensure a cohesive public realm is achieved utilising best practice public realm principles.
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	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><b>SPP 4 – Biodiversity</b></p> <p>To maintain and improve our state’s biodiversity and its life supporting functions.</p>	
4.1 Minimise impacts of development on areas with recognised natural character and values, such as	It is acknowledged that the Affected Area comprises natural features in the form of a creek line and areas of native vegetation. The majority of vegetation is disturbed or

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.</p>	<p>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>

### SPP 5 – Climate Change

To maintain and improve our state’s biodiversity and its life supporting functions

<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>
<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.</p>	<p>Refer to Natural Hazards below.</p>
<p>5.7 Protect and enhance areas that provide biodiversity and ecological services and maximise opportunities for carbon storage.</p>	<p>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.</p>

### SPP 6 Housing Supply and Diversity:

To promote the development of well-serviced and sustainable housing and land choices where and when required.

<p>6.1 A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and</p>	<p>The neighbourhood component of 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.</p>
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State Planning Policy (SPP)	Code Amendment Alignment with SPPs
lifestyle needs of our current and future communities.	Development outcomes sought will be well-designed and take into account the Affected Area's characteristics, 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. The associated retail and commercial precinct will support the residential development with further 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.

7.1 Recognise and protect Indigenous cultural heritage sites and areas of significance.	<p>The Code Amendment is not anticipated to impact on areas of Indigenous cultural heritage significance.</p> <p>Notwithstanding this, the Kaurna 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>
7.3 Recognise and protect places and areas of acknowledged heritage value for future generations.	53 Crouch Road, Golden Grove is recognised as a Local Heritage Place (House – Former Golden Grove School) and is included in the Local Heritage Place Overlay. The Code Amendment does not propose alterations to this place or Overlay.

### SPP 9 – Employment Lands

To provide sufficient land supply for employment generating uses that support economic growth and productivity.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>9.2 Enable opportunities for employment and encourage development of underutilised lands connected to, and integrated with, housing, infrastructure, transport and essential services.</p>	<p>The retail and commercial component of the Code Amendment is proposed in response to the continued development of Golden Grove and the anticipated increase in demand for commercial and retail offerings arising from the residential component of the Code Amendment.</p>
<p>9.4 Adaptable policies that allow commercial and industrial-focused employment lands to support local economies and evolve in response to changing business and community needs.</p>	<p>The retail and commercial component of the Code Amendment is supported by detailed retail assessment to determine the location's suitability to support higher order retail and commercial activities. This report is discussed further below in Section 4. It is intended that the proposal will address shortfalls in supply to meet the needs of the current and future population.</p>
<p>9.8 Allow for competition within the retail sector by providing an appropriate supply of land for all retail formats in areas that are easily accessible to communities</p>	<p>The Code Amendment seeks to rezone 7.56 hectares of Rural Living zoned land for employment purposes. A high-level review of zones in the wider locality confirms that there is a shortage of available activity centre/employment land in the wider locality, and this Code Amendment seeks to address this.</p> <p>The rezoning proposed via this Code Amendment is not intended to lead to direct competition with the activities occurring in nearby activity centres. Rather, the rezoning intends to facilitate a policy setting that provides for complimentary retail/commercial type activities which support the wider population, both current and future.</p>
<p><b>SPP 10 Mineral and Energy Resources:</b></p> <p>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 Golden Grove Mineral 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</p>



State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	existing Resource Extraction Zone and Affected Area will form an integral part of the investigations.
<p><b>SPP 11 Strategic Transport Infrastructure:</b></p> <p>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 they live, work, visit and recreate).</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 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><b>SPP 12 Energy:</b></p> <p>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</p>	<p>The Affected Area is subject to a 50m wide easement for the transmission of major 275KV overhead power lines.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>easements) is planned and implemented to maintain the safe and efficient delivery and function of the infrastructure.</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 determine the most appropriate solution for this infrastructure.</p>
<p><b>SPP 14 Water Security and Quality:</b> To ensure South Australia’s water supply is able to support the needs of current and future generations.</p>	
<p>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.</p>	<p>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.</p>
<p>14.6 Support development that does not adversely impact on water quality.</p>	<p>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.</p> <p>The Code provides appropriate controls to ensure that the future development of the land protects water quality.</p>
<p><b>SPP 15 – Natural Hazards</b> To build the resilience of communities, development and infrastructure from the adverse impacts of natural hazards.</p>	
<p>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</p>	<p>The Affected Area is located within the:</p> <ul style="list-style-type: none"> <li>• Hazards (Bushfire – Medium Risk) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Hazards (Flooding – Evidence Required) Overlay.</li> </ul> <p>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. These investigations will be undertaken once initial engagement has been</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	<p>undertaken in line with advice from the CFS. Preliminary comments from the CFS have been received as follows:</p> <ul style="list-style-type: none"> <li>• Bushfire mapping and policy is currently under review as part of the Statewide Bushfire Hazards Overlay Code Amendment.</li> <li>• Consideration needs to be given to Australian Standard AS3959.</li> <li>• Future development of the land needs to make provision for multiple access points to the road network.</li> <li>• 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.</li> <li>• 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.</li> <li>• Mapping of native vegetation areas should be undertaken to assist the CFS to establish the residual bushfire risk post rezoning and development.</li> </ul>

**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>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> <ol style="list-style-type: none"> <li>supporting a compatible land use mix through appropriate zoning controls</li> <li>appropriate separation distances between industrial sites that are incompatible with sensitive land uses</li> <li>controlling or minimising emissions at the source, or</li> </ol>	<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 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"> <li>• Preliminary Environmental Noise Assessment</li> <li>• Preliminary Air Quality Study</li> </ul> <p>The investigations undertaken to date have not identified significant conflict. However, investigations will be</p>
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State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>where emissions or impacts are unavoidable, at the receiver.</p>	<p>expanded to consider the impact on land immediately abutting 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 extractive industry 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 prepared for land to the north of One Tree Hill Road. Further investigations will include the remaining land in the Affected Area.</p>

### 3.2 Alignment with Regional Plans

As with the SPPs, 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 (30-Year Plan) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p><b>Transit corridors, growth areas and activity centres</b></p>	
<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 Code Amendment seeks to deliver residential and employment growth within the existing built-up areas of Adelaide. The land is located within the Future Urban Growth Areas and on land within the Planned Urban Lands to 2045 as contained in the 30-Year Plan.</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<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/is 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>
<b>Design Quality</b>	
<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 interfaces with streets and public open spaces.</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>
<b>Heritage</b>	
<p>P33 Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully.</p>	<p>It is acknowledged that 53 Crouch Road, Golden Grove comprises a Local Heritage Place (House – Former Golden Grove School) and is included in the Local Heritage Place Overlay. The Code Amendment does not propose alterations to this place or Overlay.</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<b>Housing Mix, affordability and competitiveness</b>	
<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 Code Amendment seeks to rezone the residential precinct of the Affected Area to Master Planned Neighbourhood Zone. This zone is considered to be sufficiently flexible to enable delivery of allotments which respond to market preference and choice in this location. The full suite of neighbourhood zones will be considered in consultation with AGD PLUS as part of investigations to identify the most appropriate zone.</p> <p>An increase in the supply of residential zoned land will 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.</p>
<b>Health, Wellbeing and Inclusion</b>	
<p>P47 Plan future suburbs and regenerate and renew existing ones to be healthy neighbourhoods that include:</p> <ul style="list-style-type: none"> <li>• diverse housing options that support affordability</li> <li>• access to local shops, community services and facilities</li> <li>• access to fresh food and a range of food services</li> <li>• safe cycling and pedestrian-friendly streets that are tree-lined for comfort and amenity</li> <li>• diverse areas of quality public open space (including local parks, community gardens and playgrounds)</li> <li>• sporting and recreation facilities</li> </ul>	<p>A master planned, staged development outcome is proposed for the Affected Area. 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>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<ul style="list-style-type: none"> <li>walkable connections to public transport and community infrastructure.</li> </ul> <p><b>P49</b> 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>	
<b>Infrastructure</b>	
<p><b>P86</b> 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"> <li>walking and cycling paths and facilities</li> <li>local stormwater and flood management including water sensitive urban design</li> <li>public open space</li> <li>sports facilities</li> <li>street trees</li> <li>community facilities, such as childcare centres, schools, community hubs and libraries</li> </ul> <p><b>P86</b> 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>



Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<b>Biodiversity</b>	
<p><b>P93</b> 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. The Code includes policies which will encourage appropriate outcomes in respect to any land identified to be of biodiversity value.</p>
<b>Open space, sport and recreation</b>	
<p><b>P99</b> Ensure quality open space is within walking distance of all neighbourhoods to:</p> <ul style="list-style-type: none"> <li>• link, integrate and protect biodiversity assets and natural habitats</li> <li>• provide linkages to encourage walking and cycling to local activities</li> <li>• incorporate the principles of Crime Prevention Through Environmental Design for safety and amenity</li> </ul>	<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 includes policies which provide guidance in respect to the provision of open space at the subsequent development application stage.</p>
<b>Climate Change</b>	
<p><b>P105</b> Deliver a more compact urban form to:</p> <ul style="list-style-type: none"> <li>• protect valuable primary production land</li> <li>• reinforce the Hills Face Zone, character preservation districts and Environment and Food Production Areas</li> <li>• conserve areas of nature protection areas</li> </ul>	<p>The Code Amendment seeks to achieve a compact urban form with the Affected Area being located within the boundary of a designated urban area.</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<ul style="list-style-type: none"> <li>• safeguard the Mount Lofty Ranges Watershed</li> <li>• reduce vehicle travel and associated greenhouse gas emissions.</li> </ul>	
<b>Water</b>	
<p><b>P115</b> 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>	<p>The Code 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>
<b>Emergency Management and Hazard Avoidance</b>	
<p><b>P118</b> 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"> <li>• avoidance</li> <li>• adaptation</li> <li>• protection</li> </ul>	<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"> <li>• Hazards (Bushfire – Medium Risk) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Hazards (Flooding – Evidence Required) Overlay.</li> </ul> <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. 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 between the proponent and 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 Document	Code Amendment Alignment with Other Relevant Document
<p>City of Tea Tree Gully – Strategic Plan 2025</p>	<p><b>Commercial/retail</b></p> <p>The Code Amendment will assist in delivering on a range of key Objectives contained in the Strategic Plan, including:</p> <p>Economy</p> <ul style="list-style-type: none"> <li>• 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 utilise technology to improve the liveability of our City.</li> <li>• Support the efficient use of land for valuable mineral extraction and energy resources</li> </ul> <p>Leadership</p> <ul style="list-style-type: none"> <li>• Leadership and advocacy is focused on the long term interests of the community</li> <li>• Planning considers current and future community needs.</li> </ul> <p>Community Wellbeing</p> <ul style="list-style-type: none"> <li>• Creating a sense of belonging, inclusion and connection with places, spaces and the community</li> </ul> <p>Environment</p> <ul style="list-style-type: none"> <li>• Creating environmentally valuable places and sites that are flourishing and well cared for and reducing the carbon footprint</li> </ul> <p>Places</p> <ul style="list-style-type: none"> <li>• Well-designed housing, sustainable practices, neighbourhoods are easy to move around, and are safe</li> </ul> <p>The Code Amendment investigations will seek to ensure that the land is suitable for residential and retail/commercial purposes, with the resulting zone to be selected which supports an urban form and density consistent with the Council policies.</p>

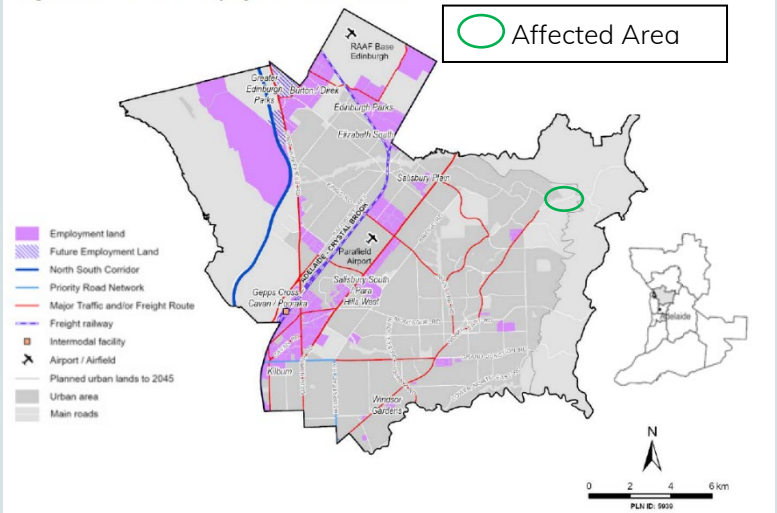
Other Relevant Document

Code Amendment Alignment with Other Relevant Document

Land Supply Report for Greater Adelaide: Employment Land Supply – Inner North

The Affected Area is located within the area defined as Inner North as identified in the recently released Land Supply Report for Greater Adelaide – Employment Land Supply (see below).

Figure 18: Inner North employment land overview



As can be seen, there is very little employment zoned land in the locality. As described in this report, Employment lands are made up of a variety of activities. Whilst yet to settle on a proposed new zone for the retail and commercial precinct of the Affected Area, the contents of this Report will be considered where necessary.

## 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.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<b>Entire Affected Area – both precincts</b>		
Flora and Fauna Due Diligence Report	<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"> <li>Summarised the applicable legislative requirements.</li> <li>Provides a desktop review of the ecological databases to assess the potential risk of project works on ecological matters.</li> <li>Provides a preliminary bushfire risk assessment.</li> </ul>	<ul style="list-style-type: none"> <li>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 only 6 threatened flora species deemed possible to occur within the project area.</li> <li>Of the 27 species of threatened fauna with a State and National rating as possibly occurring within 5km of the project area, only 8 were deemed possible to occur.</li> <li>Only 2 species of migratory birds have been identified as possibly occurring within the project area.</li> <li>Whilst one Threatened Ecological Community was identified as possible, field work confirmed that this community does not occur in the project area.</li> <li>The dominant vegetation species occurring is exotic vegetation.</li> <li>Bushfire fuel loads are generally low-moderate in areas used for</li> </ul>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>grazing and horticulture. Higher fuel loads exist elsewhere.</p> <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 Air Quality Study	<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"> <li>Analyse local meteorological conditions and air quality results from EPA installed temporary air quality monitoring stations to understand the likelihood of air emission impact.</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>Local air quality is unlikely to be significantly impacted by emissions from road vehicles.</li> </ul>
<b>Neighbourhood precinct only</b>		
Preliminary Environmental Noise Assessment	<p>Sonus was engaged to undertake a preliminary environmental noise assessment. The purpose of this report was to:</p> <ul style="list-style-type: none"> <li>Consider the impact of the sand mine and One Tree Hill Road as a potential noise sources on future residential activities.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed future division of the subject land will not constrain the operation of the sand mine more than the constraints posed by existing dwellings in closer proximity.</li> <li>The operation of mobile plant at the surface in proximity of dwellings has the potential to</li> </ul>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
	<p>Investigate the potential for future residential development to constrain the operation of the sand mine as well as acoustic amenity on the land.</p>	<p>create noise. This would be temporary; however allowance should be made for acoustic façade treatments on future dwellings in particular locations.</p> <ul style="list-style-type: none"> <li>• One Tree Hill Road’s current and anticipated future category does not result in a need to undertake a dedicated noise assessment.</li> <li>• There are a number of guidelines to manage noise including the P&amp;D Code, <i>Environmental Protection (Noise) Policy 2007</i> and <i>Minister’s Specification SA78B</i>.</li> <li>• 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.</li> </ul>
<p>Preliminary Traffic Report</p>	<p>WGA was engaged to prepare a traffic report for land located in the Rural Living Zone. The purpose of the report was to:</p> <ul style="list-style-type: none"> <li>• Provide analysis of the existing and proposed future traffic impacts arising from the future development of the land for residential purposes.</li> <li>• Determine the traffic generation volumes and potential impacts.</li> </ul> <p>Provide advice on the road upgrades required external to the Affected Area as a result of the future development.</p>	<ul style="list-style-type: none"> <li>• A number of upgrades have been identified to accommodate the proposed development of the Affected Area.</li> <li>• An Infrastructure Agreement/Deed is being prepared in consultation with Council to ensure Traffic infrastructure is addressed prior to the completion of the rezoning process.</li> </ul>



Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Preliminary Infrastructure Services Report	<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"> <li>Investigate and determine the availability of current infrastructure servicing the Affected Area and its capacity.</li> </ul> <p>Determine the anticipated requirements for infrastructure augmentation or upgrade works that may be required to bring land to market.</p>	<ul style="list-style-type: none"> <li>There are a range of utility services within the immediate locality which are capable to extension and augmentation to service future development.</li> <li>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.</li> </ul>
Preliminary Site Investigation - Environmental Due Diligence	<p>JBS&amp;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"> <li>Undertake a field study to inspect the subject land to determine the current land uses and assess the likelihood of contaminating activities occurring.</li> <li>Review historical aerial photography to understand previous use of land in the affected area and understand whether previous uses may have constituted contaminating activities.</li> </ul>	<ul style="list-style-type: none"> <li>The likelihood of the existence of significant site contamination is low.</li> <li>The new Site Contamination Assessment Framework under the <i>Planning, Development and Infrastructure Act 2016</i> ensures site contamination is suitably addressed.</li> </ul>
Aboriginal and Historical Heritage Report	<p>EBS Heritage was engaged to undertake a desktop Aboriginal and historical cultural heritage assessment. This report:</p>	<ul style="list-style-type: none"> <li>Investigations confirm that there are no Commonwealth heritage places in the Affected Area.</li> </ul>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
	<ul style="list-style-type: none"> <li>Summarised the applicable legislative requirements.</li> <li>Reviews the results of the Register of Aboriginal Sites and Objects and other registers.</li> <li>Investigates past occupation and land use.</li> <li>Identifies any know heritage sites or potential for unknown heritage and makes an assessment of the potential for works to impact upon any heritage.</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>Engagement has commenced with Kurna Yerta Aboriginal Corporation Registered Native Title Body Corporate</li> <li>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.</li> </ul>
Stormwater Management Strategy	<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"> <li>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.</li> <li>The strategy was based on:</li> <li>Flow management from the 1% AEP post development and restricting this to pre-</li> </ul>	<ul style="list-style-type: none"> <li>Stormwater is capable of being managed in a manner that achieves the requirements of Council and the EPA.</li> <li>Policies within the Planning and Design Code ensure land division adequately addresses stormwater impacts.</li> </ul>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
	<p>development rates for the 20% AEP.</p> <ul style="list-style-type: none"> <li>An overview of the internal stormwater drainage design</li> <li>A general overview of the WSUD opportunities within the development area</li> </ul> <p>Stormwater management techniques required to meet performance objectives.</p>	
<b>Retail and commercial precinct only</b>		
Retail Assessment	Property and Advisory (P&A) was engaged to prepare a retail analysis study to determine the demand for a new retail / bulky goods facility.	<ul style="list-style-type: none"> <li>Based on detailed analysis, there is potential for the retail and commercial precinct in the Affected Area to support a range of new retail and bulky good land uses in a manner that does not substantially impact existing retail land uses within the immediate and broader locality.</li> </ul>

## 4.2 Further Investigations Proposed

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

**Affected Area:**

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
<p><b>Site Contamination Assessment</b></p>	<p>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.</p>
<p><b>Tree Assessment</b></p>	<p>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.</p>
<p><b>Flora and Fauna Assessment</b></p>	<p>Undertake a flora and fauna assessment of the Affected Area to:</p> <ul style="list-style-type: none"> <li>• assess the coverage of remnant vegetation and biodiversity; and</li> <li>• identify any national and state listed flora and fauna species; as well as other flora and fauna species of conservation value.</li> </ul>
<p><b>Traffic and Transport Assessment</b></p>	<p>Investigate the traffic and transport impacts that may arise from the proposed Code Amendment and the scope, timing and need for road upgrades to support future development.</p> <p>In consultation with Council, investigations will include what traffic / road interventions are required to be incorporated with an infrastructure deed.</p>
<p><b>Stormwater and Flooding investigations and management strategy</b></p>	<p>A stormwater investigations report will be undertaken to:</p> <ul style="list-style-type: none"> <li>• Investigate the capacity and/or upgrades that may be required to existing stormwater infrastructure to accommodate the development of the land.</li> <li>• Identify strategies and techniques to be employed in the future development of the land to meet the stormwater requirements of Council and the EPA.</li> </ul> <p>Exploration of potential flood hazard impacts on the affected area and consideration of flood hazard mitigation strategies.</p> <p>In consultation with Council, investigations will consider if stormwater management outcomes, including staging, are required to be included in infrastructure deeds.</p> <p>Investigations will also determine if a stormwater management overly or similar is appropriate.</p>

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Infrastructure and Utility Services Analysis	<p>Investigate the impact of the proposed Code Amendment on the existing infrastructure services available and determine whether any upgrades are required to service the Affected Area.</p> <p>Consider option to underground overhead transmission lines running through the Affected Area and along One Tree Hill Road to Golden Grove Road.</p>
Infrastructure Agreements	Prior to the approval of the Code Amendment, all necessary agreements or deeds will be fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area

#### Commercial/Retail:

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Interface Management	Notwithstanding the intention to deliver a retail/commercial outcome, investigate the suitability of the current P&D Code Overlays to manage potential interface conflict between the existing mining activities and the Affected Area.

#### Neighbourhood:

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 high level strategic review of social infrastructure (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>

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
	In consultation with Council, investigations will determine if a social infrastructure deed is required.
Cultural Heritage	<ul style="list-style-type: none"> <li>• Identify all State Heritage Areas, State Heritage Places, Local heritage places and Representative Items affected by the proposed Code Amendment.</li> <li>• 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 discovered).</li> <li>• Engagement with Kaurua Yerta Aboriginal Corporation Registered Native Title Body Corporate to understand their interest(This process has commenced)</li> </ul>
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"> <li>• The impact of the sand mine and road networks as a potential noise source on future residential activities.</li> <li>• The potential for future residential development to constrain the operation of the sand mine as well as acoustic amenity on the land.</li> </ul>
Bushfire Assessment	Detailed bushfire investigations are not proposed at this stage as the Code Amendment is not proposing to amend the existing Bushfire Hazard Overlay It is understood that the Minister is review these matters via a separate Code Amendment.
Air Quality Assessment	<p>An air quality assessment will be undertaken to consider the potential impact of activities from nearby extractive industries to generate air quality impacts (e.g. dust) and odour emissions on the Affected Area and treatment measures that may be required.</p> <p>The investigations will include a review of the applicability of the Air and Noise Emissions Overlay and the Interface Management Overlay.</p>
Infrastructure services Investigations	Existing utility infrastructure will be reviewed to ensure suitable infrastructure can be provided.
Future Rural Living Land Demand	A high-level analysis will be undertaken to explore whether there remains demand for land to support rural living type activities into the future.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
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>

### 4.3 Engagement Already Undertaken

Engagement has commenced with the following stakeholders:

- Department of Energy and Mining (DEM) and quarry operators
- Country Fire Service (CFS)
- Planning and Land Use Services (PLUS), Attorney General's Department
- Kurna Yerta Aboriginal Corporation
- City of Tea Tree Gully (Regular weekly meetings)
- Attorney General's Department
- Public and independent / private schools.

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 existing extractive industries. This area is identified as the Golden Grove Extractive Industries Zone (GGEIZ) and 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 likely address updates to the Overlay resulting from this Code Amendment.
- The potential impact of natural hazards, namely bushfire needs to be considered. Master planning activities should consider how to manage interface between dwellings and vegetation to ensure adequate buffers are provided.

In accordance with Practice Direction 2, the City of Tea Tree Gully (CTTG) has been consulted on this proposal.

## 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 and Members of Parliament	See Engagement Plan (to be developed prior to community engagement).
Engage with Kaurna Yerta Aboriginal Corporation Registered Native Title Body Corporate	Engage during Investigations to understand their level of interest.
The Stables Shopping Centre	Understand impact of additional traffic on the shopping centre.
Environment Protection Authority (EPA)	Identify the potential impact of resource extraction in proximity of residential land uses.
Department of Energy and Mining (DEM)	Understand and adequately address the long-term need to protect strategic mineral resources.
Department of Environment and Water	To ensure environmental issues are adequately address in the Amendment.
Mining Operators	To understand the future intentions of mining operators to inform appropriate policy and future design responses and protect ongoing operation of extractive industries.
Utility service providers i.e. SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers	Investigate capacity of the existing infrastructure networks and identify any augmentation or upgrades required.
PLUS	Understand how the proposed rezoning will address/ impact supply and demand for housing in northeast metropolitan Adelaide.
SA Fire and Emergency Commission & CFS	Bushfire zones being amended. Identify special needs regarding access and road network design.
Adelaide Metro	Options for expansion of public transport network.



## 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 Designated Entity 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 on 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.
- The Engagement process will be overseen by a person with experience and qualifications in community engagement. We have a number of staff who have an IAP2A Certificate in Engagement.

### 5.2 Engagement Report

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

The Designated Entity 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 Proponent (where it is also the Designated Entity) 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 Proponent 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.

## 6. Conditions and Additional Information

### 6.1 Identified Conditions and Requested Additional Investigations

The Minister and Commission identified conditions and requested additional investigations in the letter to approve the initiation of the Council's Rural Living and Commercial Code Amendments. These include:

#### Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment

Pursuant to section 73(5) of the Act, the approval is 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 Investigations have highlighted the importance of policies that address the development of sloping land. The proponent has commenced discussions about the potential to apply a new Subzone over the land, which is being considered by the State Planning Commission for a similar rezoning proposal. The Designated Entity is seeking approval to explore the use of the Subzone in consultation with the Attorney-General's Department.*

- 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.

*Comment:* This is satisfied in this proposal.

- 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.

*Comment:* This proposal does not affect the Hills Face Zone or EFPA.

- 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 by YAS Property and Development, to the satisfaction of all relevant infrastructure providers.

*Comment:* This proposal includes a commitment to resolve infrastructure through Infrastructure Agreements prior to the lodgement of the final Amendment for approval.

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.

**Comment:** The Community Engagement Plan has been updated accordingly.

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 by YAS Property and Development on the provision of infrastructure in the area, particularly in relation to upgrade needs and funding mechanisms.

**Comment:** This Initiation Proposal seeks approval to investigate the potential for a subzone currently being prepared by the Commission. Subject to reviewing its details, the subzone could be introduced within the Master Planned Neighbourhood Zone. We understand that the Urban Tree Canopy and Stormwater Management Overlay does not generally apply to the Master Planned Neighbourhood Zone, which has now been selected for this Code Amendment. However, the Affordable Housing Overlay will be included for the area affected by the Master Planned Neighbourhood Zone. The investigations include the exploration of the potential flood hazard impacts on the affected area.

### **Proposal to Initiate the Golden Grove Commercial/Retail Code Amendment by YAS Property and Development**

Pursuant to section 73(5) of the Act, the approval is 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.
- 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 (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully, to the satisfaction of all relevant infrastructure providers.
- The Code Amendment will not be considered for approval until such time that the associated Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully has been approved. This condition is not to be taken as a guarantee of future considerations or approval.

**Comment:** These conditions will be satisfied through the consolidation of the two separate Code Amendments into one.

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 Energy and Mining
- Department for Infrastructure and Transport
- Environment Protection Authority
- 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.

**Comment:** This consultation has been included within the Initiation Proposal and the Engagement Plan.

Further, the Commission has, under section 73(6)(0) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- 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.

**Comment:** This condition has been satisfied through the consolidation of two separate Code Amendments into one.

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:

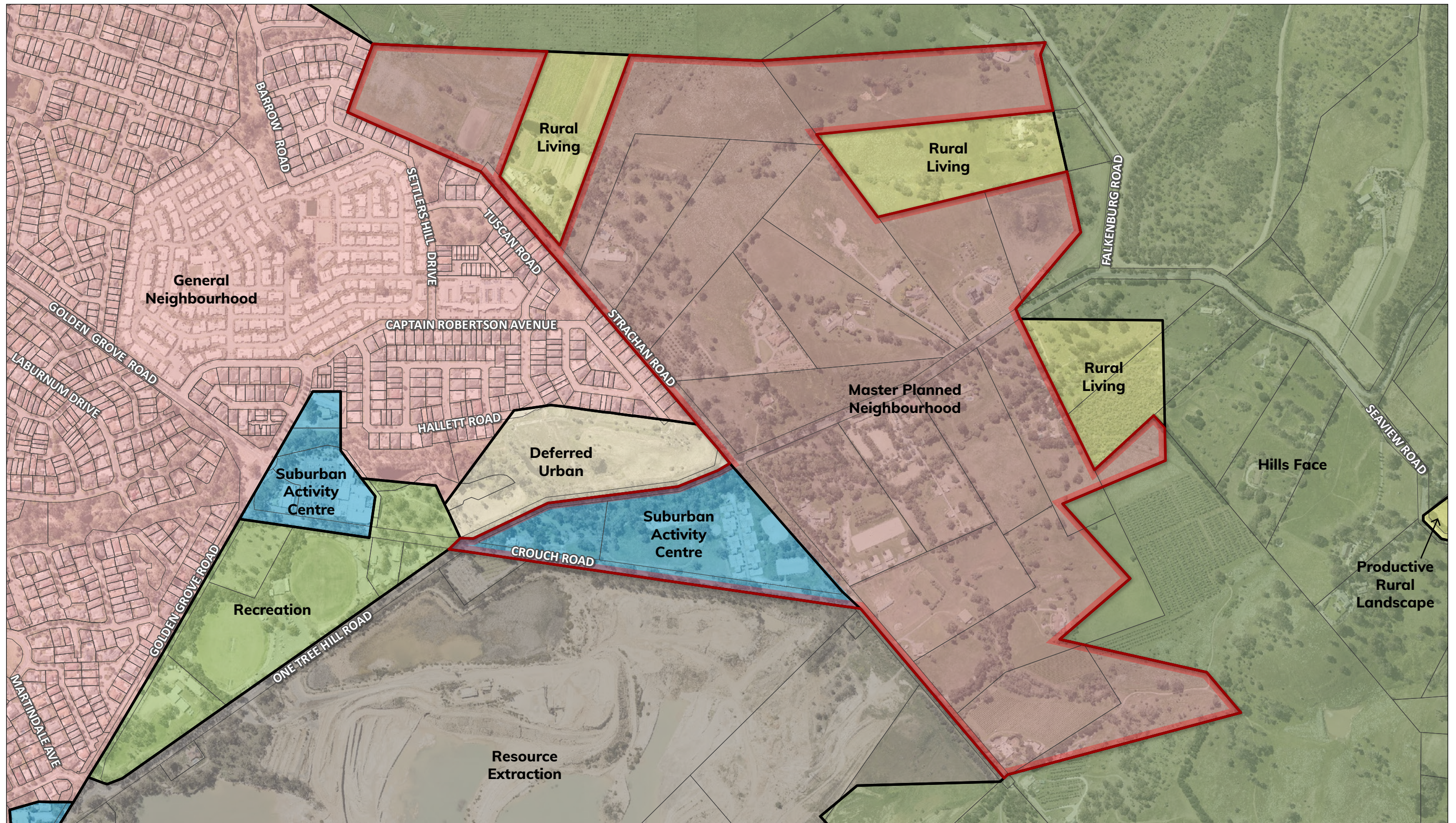
- The City of Tea Tree Gully
- Owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the Planning, Development and Infrastructure (General) Regulations 2017.

**Comment:** Noted, this has been addressed in the Initiation Proposal.

Full copies of letters received from the Minister are available in Attachment C.

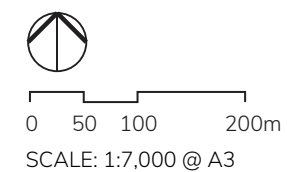
# Attachment A: Map of Affected Area





## PROPOSED PLANNING AND DESIGN CODE ZONING Golden Grove

JOB REF. 22ADL-0397  
 PREPARED BY. MP  
 DATE. 27.04.22  
 REVISION. 2  
 DATA SOURCE. MetroMap (07.01.21)



**Legend**  
 [Red outline] Area Affected  
 [Black outline] Zone Boundary  
 [Grey outline] Cadastre





## Attachment B: Timetable for Code Amendment by Proponent

The proponent is working towards having the Code Amendment and Infrastructure Deed/LMA approved by no later than mid Nov 2022.

Step	Responsibility	Timeframe
<b>Approval of the Proposal to Initiate</b>		
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	PLUS	2 weeks (includes lodgement and allocation + referral to Government Agencies within the first week)
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	PLUS, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
<b>Proposal to Initiate</b> agreed to by the Minister	Minister	2 weeks
<b>Preparation of the Code Amendment</b>		
Engagement Plan Prepared. Investigations conducted; <b>Code Amendment Report</b> prepared The Drafting instructions and draft mapping provided to PLUS	Designated Entity	4 weeks
PLUS prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	PLUS	1 week
Preparation of Materials for Consultation	Designated Entity	Per Engagement Plan
<b>Engagement on the Code Amendment</b>		

Step	Responsibility	Timeframe
<b>Code Amendment Report</b> released for public consultation in accordance with the Community Engagement Charter and the prepared <b>Community Engagement Plan</b>	Designated Entity	Per Engagement Plan
<b>Consideration of Engagement and Finalisation of Amendments</b>		
Submissions summarised; Amended drafting instructions provided, <b>Engagement Report</b> prepared and lodged with PLUS	Designated Entity	6 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>	PLUS	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks (includes 1 week to process through Minister's office)
	<b>Commission</b>	<b>+ 3 weeks</b>
<b>Decision Process</b>		
Minister considers the <b>Code Amendment Report</b> and the <b>Engagement Report</b> and makes decision	Minister	3 weeks
<b>Implementing the Amendment (operation of the Code Amendment)</b>		
Go- Live- Publish on the PlanSA Portal	PLUS	2-4 weeks
<b>Parliamentary Scrutiny</b>		
Referral of approved <b>Code Amendment</b> to ERDC	PLUS	8 weeks



# Attachment C: Letters from the Minister for Planning and Local Government



21MPL2268

**Government  
of South Australia**

**Minister for Planning  
and Local Government**

GPO Exchange  
10 Franklin Street  
Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1723  
Fax 08 8207 1736

Mr John Moyle  
Chief Executive Officer  
City of Tea Tree Gully

By email: [john.moyle@cttg.sa.gov.au](mailto:john.moyle@cttg.sa.gov.au)

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 the 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](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, A/Team Leader, Code Amendments, within the Attorney-General's Department on (08) 7109 7036 or via email [Nadia.Gencarelli@sa.gov.au](mailto:Nadia.Gencarelli@sa.gov.au).

Yours sincerely



**Hon Josh Teague MP**  
Minister for Planning and Local Government

10 / 1 / 2022

The Hon Josh Teague MP



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**Government  
of South Australia**

**Minister for Planning  
and Local Government**

GPO Exchange  
10 Franklin Street  
Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1723  
Fax 08 8207 1736

YAS Property & Development  
C/- Mr Grazio Maiorano  
Director  
URPS

By email: [gmaiorano@urps.com.au](mailto:gmaiorano@urps.com.au)

Dear Mr Maiorano

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 Commercial/Retail Code Amendment.

The initiation approval is on the basis that under section 73(4)(a) of the Act, YAS Property & Development 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.
- 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 (Rural Living to Neighbourhood-type Zone) Code Amendment, to the satisfaction of all relevant infrastructure providers.
- The Code Amendment will not be considered for approval until such time that the associated Golden Grove (Rural Living to Neighbourhood-type Zone) Code Amendment by the City of Tea Tree Gully has been approved. This condition is not to be taken as a guarantee of future considerations or approval.

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 Energy and Mining
- Department for Infrastructure and Transport
- Environment Protection Authority
- 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:

- Investigate the impacts of the associated Golden Grove (Rural Living Zone to Neighbourhood-type Zone) 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:

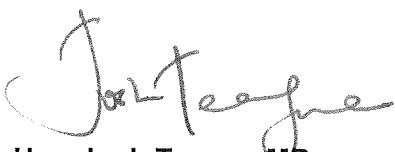
- The City of Tea Tree Gully
- Owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

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](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, A/Team Leader, Code Amendments within the Attorney-General's Department on (08) 7109 7036 or via email [Nadia.Gencarelli@sa.gov.au](mailto:Nadia.Gencarelli@sa.gov.au).

Yours sincerely



**Hon Josh Teague MP**  
Minister for Planning and Local Government

10 / 1 / 2022

Enc      Proposal to Initiate the Golden Grove Commercial/Retail Code Amendment

# Attachment D: Letters of Support

# YAS

PROPERTY & DEVELOPMENT

To: Hon Stephen Knol  
Minister for Planning

John Moyle  
CEO  
City Of Tea Tree Gully

C/O Tim Shahin  
YAS Property & Development  
34 Nelson Street  
Stepney  
SA 5069  
Attention: Tim Shahin  
By E-Mail: tshahin@yaspd.com.au

I/We, Shayne Ronald Watts and Karen Watts & Hans Jorg Dobrzinski and Deborah Lewington, owner of the property at 202 One Tree Hill Road, Golden Grove, SA 5125, being certificate of Title CT 5943/949 hereby advise of my/our support for the rezoning of our landholding from Rural Living to Residential Zone (or a zone conferring similar rights).

Signature Of Registered Proprietor(s)



Date 29.3.20.

Full Name (in block letters)

SHAYNE RONALD WATTS - KAREN WATTS  
HANS JORG DOBRZINSKI - DEBORAH LEWINGTON

JOHN LEWINGTON  
FOR ABOVE

YAS Australia PTY LTD

+61 8 361 3298  
tshahin@yaspd.com.au

34 Nelson Street, Stepney, SA 5069  
PO BOX 157, Woodcroft, SA 5162

www.yaspd.com.au  
611 174 817

# YAS

PROPERTY & DEVELOPMENT


To: Hon Stephen Knol  
Minister for Planning

John Moyle  
CEO  
City Of Tea Tree Gully


C/O Tim Shahin  
YAS Property & Development  
34 Nelson Street  
Stepney  
SA 5069  
Attention: Tim Shahin  
By E-Mail: tshahin@yaspd.com.au

I/We, Stephen Davison and Marian Lilian Dolan, owner of the property at 244 One Tree Hill Road, Golden Grove, SA 5125, being certificate of Title CT 5943/951 hereby advise of my/our support for the rezoning of our landholding from Rural Living to Residential Zone (or a zone conferring similar rights).

Signature Of Registered Proprietor(s)

  
.....  
  
.....



Full Name (in block letters)

  
STEPHEN DAVISON  
.....  
MARIAN L. DOLAN  
.....

Date 29/04/2020  
.....

YAS Australia PTY LTD

 +61 8 361 3298  
 tshahin@yaspd.com.au

 34 Nelson Street, Stepney, SA 5069  
 PO BOX 157, Woodcroft, SA 5162

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SHAPING  
GREAT  
COMMUNITIES





**TO: MINISTER FOR PLANNING**

**RE: PROPOSAL TO INITIATE THE GOLDEN GROVE NEIGHBOURHOOD AND  
COMMERCIAL CODE AMENDMENT BY YAS PROPERTY & DEVELOPMENT  
AND FALKENBURG ROAD PTY LTD**

## **PURPOSE**

To provide advice on the Proposal to Initiate a Golden Grove Neighbourhood and Commercial Code Amendment (the Proposal) by YAS Property & Development and Falkenburg Road Pty Ltd (the Proponent).

## **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—*

(vii) *in relation to the Planning and Design Code or a design standard— a person who has an interest in land and who is seeking to alter the way in which the Planning and Design Code or a design standard affects that land.*

The Proponent has lodged the Proposal to Initiate 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 9 June 2022 and resolved to support, subject to conditions, the Code Amendment it entails.

A summary of the role and responsibilities for you in regard to the Code Amendment is provided in **Appendix A**.

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

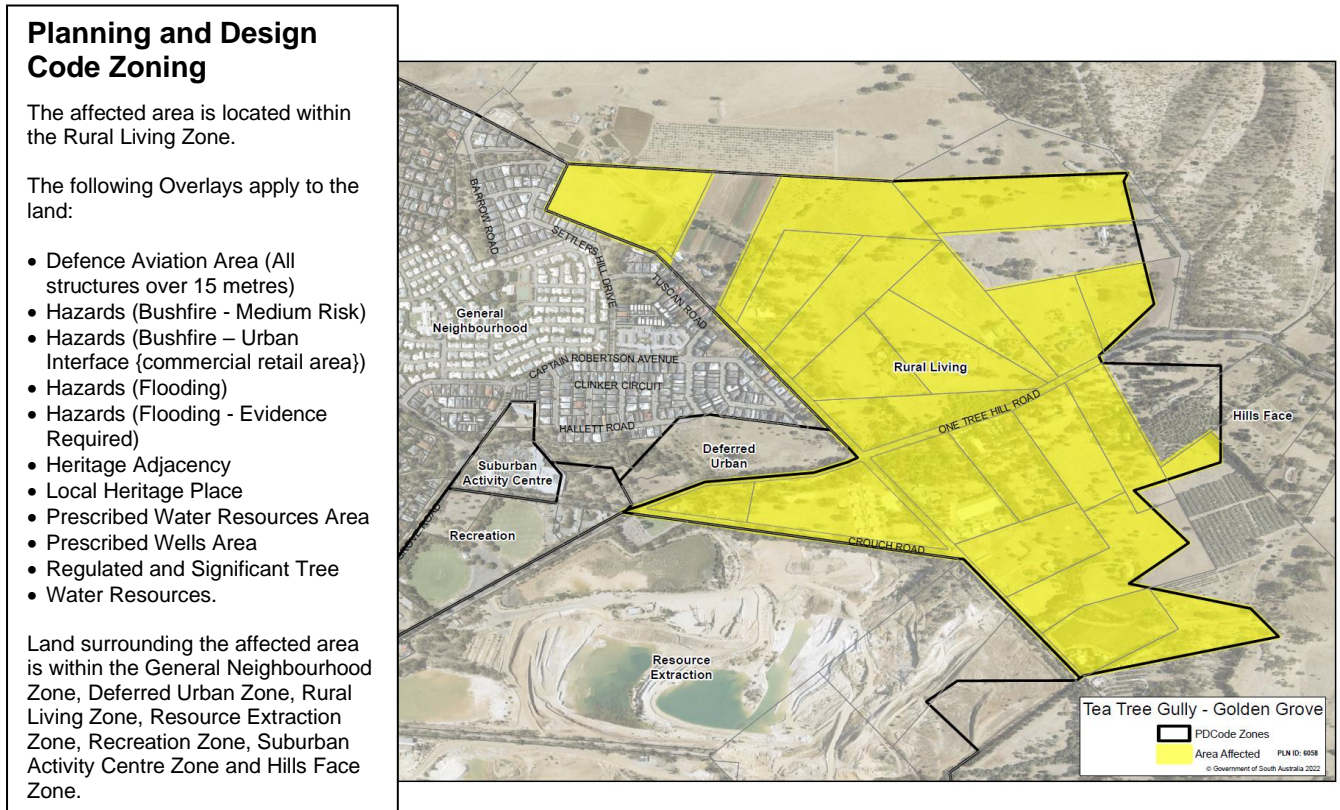
## **DISCUSSION**

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 to Initiate seeks to rezone land to facilitate a master planned development at Golden Grove comprising between 900 and 1,200 new low to medium density dwellings together with a commercial/retail precinct.

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



The Proposal to Initiate effectively comprises the amalgamation of the following two existing, separate Code Amendments over the affected area:

- The Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully.
- The Golden Grove Commercial/Retail Code Amendment by YAS Property & Development.

Initiation of these two Code Amendments was approved in January 2022 by the former Minister for Planning and Local Government.

The Proponent has provided the following reasons for seeking to replace the existing Code Amendments with this single proposed Code Amendment:

- Potential confusion within the community over two engagement processes for two amendments by two separate designated entities.
- Simplification of the procedural assessment process.
- Simplification of the further investigations specified by the Commission under section 73(6)(f) of the Act for both existing Code Amendments in relation to provision of infrastructure, particularly in relation to upgrades and funding mechanisms.

The Commission is broadly in agreement with this reasoning. By requiring consideration of one rather than two Code Amendments and associated investigations, the Code Amendment entailed by the Proposal will likely facilitate better community and stakeholder review and understanding of what is proposed, administrative efficiencies and simplification of the required investigations.

Another key driver of the Proposal is a request for reconsideration of the approval condition under section 73(5) of the Act that applies to both existing Code Amendments, limiting the scope of these such that they do not include the creation of new planning rules, including subzones.

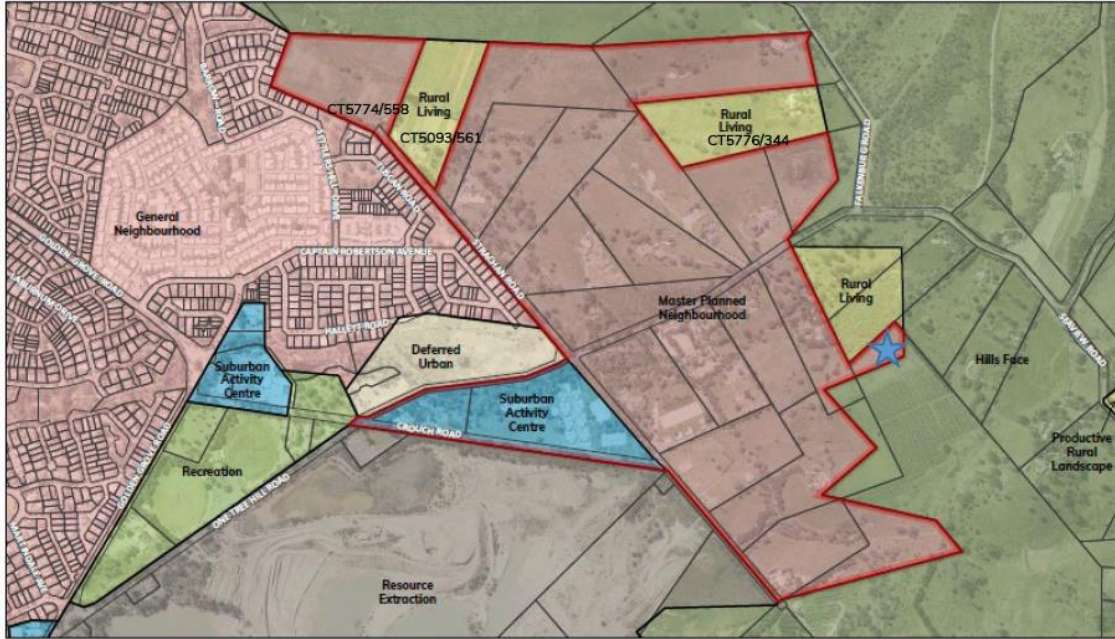
The Proponent has argued that investigations to date show that a new subzone may be the most appropriate policy response to development on sloping land and is seeking agreement to explore the application of a subzone.

The Proponent is aware that the Hackham Code Amendment by the Chief Executive of the Attorney-General's Department is on a trajectory to propose a new Hills Subzone under the Master Planned Neighbourhood Zone. This awareness has been gained through the landowner and stakeholder information sessions offered in relation to the Hackham Code Amendment (YAS Property & Development owns and has options over a significant number of allotments within the area affected by the Hackham Code Amendment). It is this Subzone, in particular, that the Proponent considers should be available to the Code Amendment entailed by the Proposal. As this Subzone is not yet formally a part of the Code, it cannot be proposed by the two existing Golden Grove Code Amendments.

The Commission accepts this rationale and is therefore supportive of the Code Amendment entailed by the Proposal having available to it the ability to propose application of the draft Hills Subzone to that part of the area affected over which the Master Planned Neighbourhood Zone is seen to be the appropriate zone choice.

Four rural living allotments included in the area affected by the Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully (the Council) are excluded from the Proposal. This is due to the Proponent not having an interest in these allotments. The four allotments are shown in the figure below along with proposed zoning (note: the irregular allotment on the eastern boundary identified with a blue star in this figure has been identified for investigation for recreation and stormwater).





The Proponent has argued that notwithstanding the exclusion of these four allotments, the Code Amendment entailed by the Proposal will, like the two existing Code Amendments, realise a logical extension of the existing Golden Grove neighbourhood and will be connected by infrastructure and services. Whilst the exclusion of these allotments from the Proposal is not ideal, the Commission considers that their exclusion is not a fatal deficiency of the Proposal on the basis that:

- Three of these allotments are at the edge of the urban area (they straddle the boundary of the Rural Living Zone and extend into the Hills Face Zone).
- The fourth allotment, whilst dividing the area affected, is not fundamental to realising logical extension to the urban area (whilst it creates two sides to the area affected, each of these sides adjoin the existing urban area, and therefore, their development for urban purposes will constitute logical extension of the existing urban area).

In summary, the Proposal seeks to investigate:

- Replacement of the existing Rural Living Zone with the Master Planned Neighbourhood Zone and Suburban Activity Centre Zone.
- Introduction of a new subzone to address sloping land.
- Consideration of Technical and Numeric Variations (TNVs) – Building Heights (low rise development is envisaged).
- Review of application of the following Overlays:
  - Hazards (Bushfire – Medium Risk)
  - Hazards (Flooding)
  - Hazards (Flooding – Evidence Required)
  - Water Resources Overlay.
- Application of the Affordable Housing Overlay (Master Planned Neighbourhood Zone).

- Application of the Noise and Air Emissions Overlay and the Interface Management Overlay (Suburban Activity Centre Zone).
- Introduction of a Concept Plan.

It should also be noted that a Proposal to Initiate the Lot 5680 Hallett Road, Golden Grove Code Amendment has been lodged by Fairland (care of Future Urban) for the deferred urban land adjacent to the subject land of the Golden Grove Neighbourhood and Commercial Code Amendment. This proposal is currently under consideration and will be forwarded for your determination in due course.

Should both Code Amendments be initiated (being, the Golden Grove Neighbourhood and Commercial Code Amendment and the Lot 5680 Hallett Road, Golden Grove Code Amendment), it is recommended that Planning and Land Use Services (PLUS) establish a working group between the Designated Entities to ensure coordination between these two Code Amendments.

### **Strategic considerations**

The following sets out the strategic considerations relating to this proposal and further 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 provide suitably zoned land for the purpose of low to medium density residential development and supporting commercial and retail development adjacent to the built-up area of Golden Grove.

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 reasons for supporting the initiation are provided below:

- The land is located adjacent to an existing urban area that is well serviced by transport and social infrastructure.
- The land has connection to or ability to be easily connected 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, which recently underwent a significant upgrade, improving public and private transport connections to/from the locality.
- The Inner North region is one of the fastest growing sub-regions in Greater Adelaide. The remaining parts of Lightview and Mawson Lakes are nearing completion, leaving the Renewal SA Oakden/Strathmont site as the remaining strategic development site in the region.

Potential constraints comprise:

- Land ownership is fragmented. The Proponent has demonstrated an interest in the affected area. (A summary table and map of land interest is provided in **Appendix E**). Notwithstanding, the Proposal is weakened by the omission of the four allotments previously discussed resulting in some disconnection and erosion of the orderliness of the proposed rezoning. Investigations to ensure a coordinated approach to planning and infrastructure delivery would be required, and arguably, the existing Proposal by the City of Tea Tree Gully would provide a more comprehensive and strategic approach to the rezoning of this land.
- Large adjacent extractive industry area. 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.
- Natural landforms, including creek lines which are contained within the Water Resources Overlay, which seeks to retain watercourses in their natural state, protect and maintain water quality and flow and native vegetation.
- Native vegetation, including significant and regulated trees. Master planning activities will need to consider how to manage the interface between dwellings, natural landforms and vegetation.
- Located within the Hazards (Bushfire – Urban Interface and Bushfire – Medium Risk) Overlays. Bushfire hazard mapping and policy is subject to a State-wide Bushfire Hazards Overlay Code Amendment. Consideration needs to be given to the potential impact of bushfire.

#### Residential land supply

The subject land is located within the Inner North region of Greater Adelaide, and whilst not located within the Environment and Food Production Areas (EFPA), the land does sit directly adjacent. Noting this, the recently completed Land Supply Reports (LSRs) 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 dwellings from this site would contribute to the strategic residential land supply in this region.

### Commercial/Retail Land Supply

The LSR for Greater Adelaide notes there is very little employment-zoned land in the locality. It should be noted that 'employment-zoned land' relates to zoned industrial land. Commercial and retail development is not currently captured within the Land Supply data. The LSRs do identify the Inner North as one of the faster growing regions of Greater Adelaide:

- LSRs for Greater Adelaide – Part 1 (Greenfield)
- LSRs for Greater Adelaide – Part 3 (Employment).

The Proposal suggests that rezoning will facilitate new complementary commercial/retail activities within the Golden Grove area that will not directly compete with nearby activity centres. A large Suburban Activity Centre is located approximately 3.5 kilometres from the affected area, and a smaller Suburban Activity Centre accommodating a supermarket is located at 'The Stables', some 100 metres along Crouch Road.

A retail study (Confidential) was undertaken to inform the Golden Grove Commercial/Retail Code Amendment and determine demand. The analysis found the affected area has potential to support a range of new retail and bulky goods services that will not substantially impact existing retail land uses in the locality. The study is provided in **Attachment F**.

### Land use characteristics

The area affected by the Proposal is located adjacent the Hills Face Zone to the east and the General Neighbourhood Zone to the west. An area of Deferred Urban Zone is also located to the west along Strachan Road and a landowner within that area has indicated their intention to lodge a separate Proposal to Initiate a Code Amendment in the coming months. The proposed Suburban Activity Centre Zone is located along the northern boundary of the existing Extractive Industry Zone to the south.

Several allotments in the affected area are located within both the Rural Living Zone and Hills Face Zone, as well as the EFPA. The Proposal is limited to land within the Rural Living Zone, such that existing allotments are currently 'split' between zones and land located within the Hills Face Zone and EFPA is excluded.

The existing rural living land is utilised for low density residential purposes and ancillary primary production, together with equestrian facilities adjacent the quarry. The Proponent has argued that the land comprises one of the last areas within the council area capable of supporting population growth, with most development comprising small-scale urban infill.

### Transport and access

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



Investigations are proposed into transport impacts, together with the scope and timing of road upgrades, with offsite infrastructure to be provided by way of a Basic Infrastructure Scheme or negotiated provision of funding deeds. It is recommended that PLUS be consulted, and a condition has been recommended in relation to this.

### 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. It is recommended that upgrade requirements and associated funding mechanisms be put in place, and a condition has been recommended to address this matter.

### Natural landform, native vegetation and stormwater

The land is traversed by creek lines, together with native vegetation, including significant and regulated trees. The Proposal advises a survey of significant and regulated trees to identify options for retention, as well as stormwater investigations to adequately manage stormwater quantity and quality. Proposed investigations will also consider biodiversity and identify any flora and fauna species of conservation value within the affected area.

### Hazards

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

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

Proposed investigations will identify the likely impact of these overlays on development to be facilitated by the rezoning proposed and consider the incorporation of appropriate measures to mitigate hazard risk.

Preliminary engagement has been undertaken with the South Australian Country Fire Service (CFS), which has highlighted the need for investigations to consider appropriate access, vegetation management and water supply. 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.

The affected area is subject to potential flooding along the existing creek lines which will require development to be sited and designed to minimise exposure to flood risk.

### Interface with adjacent mining activities

The Proposal will investigate the application of suitable Overlay(s) to facilitate management of potential interface conflict. It is also recommended that the Department for Energy and Mining and the Environment Protection Authority be consulted, and a condition has been recommended in relation to this.

### **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 for Planning. 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 and is provided in **Appendix G**.

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

### Consistent with the State Planning Policies and Regional Plan

The Code 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*. This assessment is provided in the appendices. A more detailed analysis is also located in the Proposal to Initiate (**Attachment 1**).

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 private proponent, 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.

In this instance, it is considered appropriate that the Proponent be the Designated Entity; however, it is recommended that given the integrated planning objective for this significant master planned proposal, the Designated Entity must obtain the approval of the Commission to undertake consultation.

Documentation should be prepared by a suitably qualified person to ensure statutory procedures and good planning outcomes are addressed.

Further, following approval to initiate, YAS Property & Development is required to withdraw the previously initiated Golden Grove Commercial/Retail Code Amendment.

*Recommendation(s)*

- That YAS Property & Development and Falkenburg Road Pty Ltd be the Designated Entity responsible for undertaking the Code Amendment process.
- The Designated Entity must obtain the approval of Planning and Land Use Services (as delegate of the State Planning Commission) to undertake 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.
- YAS Property & Development must withdraw the previously initiated Golden Grove Commercial/Retail Code Amendment.
- Note that Planning and Land Use Services will keep the State Planning Commission informed on the progress of the Code Amendment, including the Concept Plan, prior to consultation being undertaken.

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:

- Site Contamination investigations
- Significant Tree/Regulated Tree Survey
- Flora and Fauna Assessment
- Traffic and Transport Assessment
- Stormwater and Flooding Investigations and Management Strategy
- Infrastructure and Utility Services Analysis
- Infrastructure Agreements
- Social Infrastructure
- Interface Management
- Cultural Heritage, including State and Local Heritage Places
- Noise Assessment
- Bushfire Assessment
- Air Quality Assessment
- Future Rural Living Land Demand
- Residential Land Supply Demand.

The Proponent has recognised that the scope of several of the investigations already undertaken (including the preliminary environmental noise assessment and flora and fauna due diligence) focused on land north of One Tree Hill Road. Further analysis and update is required to consider the wider impacts of the Proposal.

The Proponent has advised that consideration has been given to the application of neighbourhood zone related Overlays and has determined that the Affordable Housing Overlay be applied. The Proponent has determined however, not to consider application of the Urban Tree Canopy or Stormwater Management Overlay. The Commission notes that these Overlays are not generally applied to the Master Planned Neighbourhood Zone, being targeted to address the impact of infill development on existing infrastructure capacity.

In relation to the proposed Suburban Activity Centre Zone, investigations will consider application of the Noise and Air Emissions Overlay and the Interface Management Overlay with regard to the potential impact of activities from the nearby Extractive Industries Zone.

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. The Proponent has advised a commitment to continuing discussions with Council in this regard.

To that end, it is recommended that a condition be placed on this Code Amendment under section 73(5) of the Act, to ensure that appropriate funding agreements are in place prior to approval of the Code Amendment.

*Recommendation(s)*

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 for Planning 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 (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 and the Suburban Activity Centre Zone to support residential development and associated commercial and retail activities. 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.

The Proponent has advised that the scope of the proposed Code Amendment does not include changes to the extent of the Hills Face Zone or the EFPA.

The Proponent is seeking approval to explore the use of a Subzone, in consultation with PLUS, to address the development of sloping land. This would require that the condition ordinarily applied to Code Amendments undertaken by private entities having an interest in land that limits the Code Amendment to the spatial application of zones, subzones, overlays, or technical and numerical variations not be applied in this instance. As previously discussed, the Proponent intends to explore use of the draft Hills Subzone likely to be proposed for inclusion in the Code by the Hackham Code Amendment. A condition requiring that the Proponent obtain the approval of the Commission to commence consultation will enable the Commission to ensure that the Subzone ultimately proposed by the Code Amendment is suitably aligned with that proposed by the Hackham Code Amendment and does not, therefore, threaten the integrity of the Code.

*Recommendation(s)*

- As outlined above, the Designated Entity must obtain the approval of Planning and Land Use Services (as delegate of the State Planning Commission) to undertake consultation.

Consultation

The Proponent undertook preliminary consultation with Council in relation to the Golden Grove Commercial/Retail Code Amendment. Council resolved to provide in-principle support and an extract of the minutes from the 27 July 2021 meeting is provided within **Attachment 1**.

Council then considered the first version of the Proposal at its 22 March 2022 meeting. It resolved to provide correspondence requesting that if this is approved, the existing Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment by the City of Tea Tree Gully be withdrawn. A copy of this correspondence is provided in **Appendix H**.

Council's resolution does not explicitly indicate support or opposition to the Proposal. The nature of the resolution is such that the Commission considers it can be fairly construed to not indicate opposition to the Proposal.

The first version of the Proposal considered by Council was one in which three as opposed to four allotments were excluded from area affected by the existing Golden Grove (Rural Living Zone to Neighbourhood-Type Zone) Code Amendment. Whilst Council has not considered the updated version of the Proposal the subject of this advice, the Commission considers that Council's resolution in respect of the first version can still be taken to be relevant to this Proposal. Council will, of course, have the opportunity to comment on the Code Amendment entailed by the Proposal when it is released for consultation and build upon the view previously expressed through this.

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 anticipated to commence in July 2022.

The Commission has determined to specify the following 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 Energy and Mining
- Department for Environment and Water
- Department for Infrastructure and Transport
- Environment Protection Authority
- South Australian Country Fire Service
- Affordable Housing Unit of the SA Housing Authority
- Fairland (care of Future Urban), as the proponent seeking to initiate a Code Amendment on the deferred urban land adjacent to the subject land for this Code Amendment
- 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) and 73(6)(d) of the Act, the consultation must be undertaken with:

- The City of Tea Tree Gully
- 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**

It is recommended that you:

- |  |                         |
|--|-------------------------|
| 1. Note the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the Act.   | NOTED / NOT NOTED       |
| 2. Note that the State Planning 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: <ul style="list-style-type: none"><li>• Department for Energy and Mining</li><li>• Department for Environment and Water</li><li>• Department for Infrastructure and Transport</li><li>• Environment Protection Authority</li><li>• South Australian Country Fire Service</li><li>• Affordable Housing Unit of the SA Housing Authority</li><li>• Fairland (care of Future Urban), as the proponent seeking to initiate a Code Amendment on the deferred urban land adjacent to the subject land for this Code Amendment</li><li>• Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers</li><li>• State Members of Parliament for the electorates in which the proposed Code Amendment applies.</li></ul> | NOTED / NOT NOTED       |
| 3. Approve initiation under section 73(2)(b) of the Act, subject to the following conditions, under section 73(5) of the Act: <ul style="list-style-type: none"><li>a) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to your satisfaction, as Minister for Planning, 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 (to the</li></ul>   | APPROVED / NOT APPROVED |

satisfaction of all relevant infrastructure providers).

- b) The Designated Entity must obtain the approval of Planning and Land Use Services (as Delegate of the State Planning Commission to undertake consultation.
- c) 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.
- d) YAS Property & Development must withdraw the previously initiated Golden Grove Commercial/Retail Code Amendment.

4. Under section 73(4)(a) of the Act, approve the initiation of the Code Amendment on the basis that YAS Property & Development and Falkenburg Road Pty Ltd will undertake the Code Amendment processes (as the Designated Entity) required under the Act.

APPROVED / NOT APPROVED

5. Approve the initiation on the basis that should both Code Amendments be initiated (being, the Golden Grove Neighbourhood and Commercial Code Amendment and the Lot 5680 Hallett Road, Golden Grove Code Amendment), Planning and Land Use Services will establish a working group between the Designated Entities to ensure coordination between these two Code Amendments.

APPROVED / NOT APPROVED

6. Agree to sign the Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment (**Attachment 1**).

AGREED / NOT AGREED

7. Agree to sign the attached letters to YAS Property & Development and Falkenburg Road Pty Ltd (**Attachment 2**) and the City of Tea Tree Gully (**Attachment 3**) advising of your approval and conditions.

AGREED / NOT AGREED

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**NICK CHAMPION MP**  
/ / 2022





**CRAIG HOLDEN**

Chair, State Planning Commission

17 / 06 / 2022

**Attachments:**

1. Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment (#18690768).
2. Suggested letter to YAS Property & Development and Falkenburg Road Pty Ltd (#18559278).
3. Suggested letter to the City of Tea Tree Gully (#18559376).

**Appendices:**

- A. Summary of Roles and Responsibilities in the Code Amendment Process (#18558117).
- B. Process Flowchart – Code Amendments Initiated by Proponents (#18558222).
- C. State Planning Commission’s Strategic Priorities (#18558630).
- D. Assessment against the State Planning Policies and Regional Plan (#18558992).
- E. Summary table and map of land interest (#18642247 and #18690597).
- F. **CONFIDENTIAL** – Golden Grove Retail Report (#18602039).
- G. Extract from *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (#18559047).
- H. Letter from the City of Tea Tree Gully, 28 March 2022 (#18602003).

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*

