



Agenda Report for Decision

Meeting Date: 7 July 2022

Item Name	Code Amendment Initiation Advice to the Minister for Planning – Lot 5680 Hallett Road, Golden Grove Code Amendment
Presenters	Jason Bailey and Nadia Gencarelli
Purpose of Report	Decision
Item Number	4.1
Strategic Plan Reference	4. Discharging Statutory Obligations
Work Plan Reference	4.2 Advise the Minister on Code Amendments
Confidentiality	Not Confidential (Release Delayed). To be released following final decision by the Minister on initiation of the Code Amendment. Anticipated by the end of July 2022
Related Decisions	<ul style="list-style-type: none">• 11 November 2021 – Item 3.2 – Proposal to Initiate the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment• 11 November 2021 – Item 3.3 – Proposal to Initiate the Golden Grove Commercial/Retail Code Amendment• 9 June 2022 – Item 4.1 – Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment

Recommendation

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

1. Approve the designation of this item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by the end of July 2022.
2. Advise the Minister that it:
 - 2.1 Recommends the approval of the Proposal to Initiate the Lot 5680 Hallett Road, Golden Grove 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) (The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays or technical and numerical variations provided for under the published Planning and Design Code (the Code) (on the date the Amendment is released for consultation).

- (b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
- (c) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).

2.2 Recommends that LandSA 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
 - Environment Protection Authority
 - Department for Infrastructure and Transport
 - South Australian Country Fire Service
 - Affordable Housing Unit of the SA Housing Authority
 - YAS Property & Development and Falkenberg Road Pty Ltd (care of URPS), as the proponent seeking to initiate the Golden Grove Neighbourhood and Commercial Code Amendment relating to rural living zoned land adjacent the land the subject of this proposed 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.
4. Specify pursuant to section 73(6)(f) of the Act, that the following further investigation be undertaken:
 - Explore application of the Interface Management Overlay with regard to the existing Resource Extraction Zone and associated activities.
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.
5. 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**).
6. Approve the advice to the Minister as provided (**Attachment 3**).
7. Authorise the Chair to finalise any minor amendments to the advice and attachments.

Background

Section 73(2)(b)(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 LandSA Pty Ltd (**Attachment 1**). It should be noted that LandSA Pty Ltd forms part of the Fairland Group.

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

Discussion

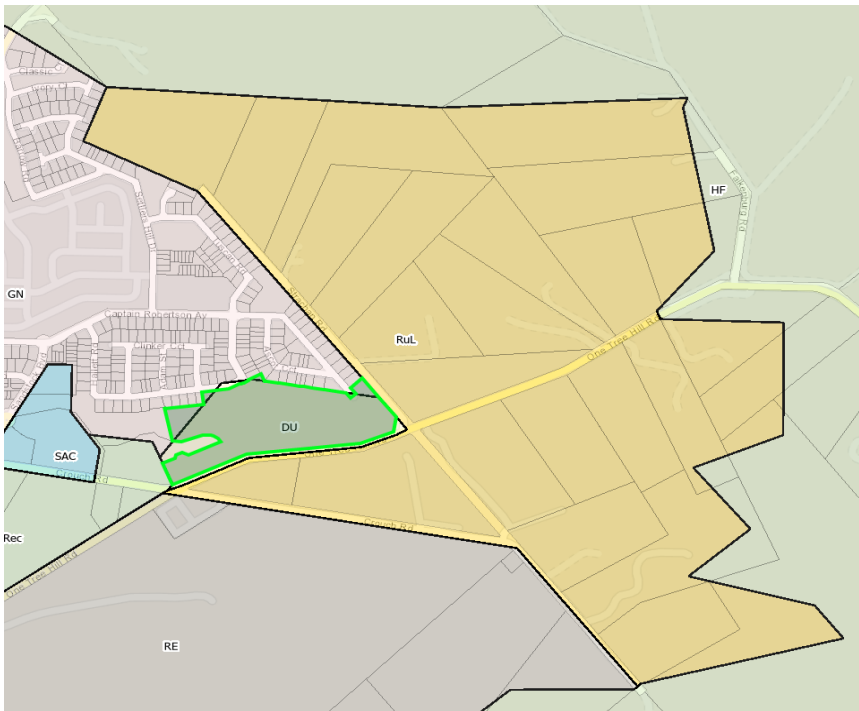
Scope of the Amendment

The Proposal to Initiate seeks to rezone a single allotment comprising 7.12 hectares of land with frontage to One Tree Hill Road, from the Deferred Urban Zone to the General Neighbourhood Zone. A small portion of the subject land is already contained in the General Neighbourhood Zone. The proposed Code Amendment will facilitate low density, low scale residential development with the potential for approximately 50 allotments.

It is recognised that the affected area is an irregular shape and rezoning will result in an incongruous zone arrangement; this is because of the land ownership arrangements. The City of Tea Tree Gully (the Council) owns the land which will remain in the Deferred Urban Zone. The Act establishes a hierarchy of different pathways for council-led and privately-led Code Amendments and as such, it is not possible for Council's land to be included in the rezoning if it is led by the private developer (even if they formed a legally binding agreement). Whilst they are supportive of rezoning, Council is not currently in a position to lead a Code Amendment process.

Planning and Land Use Services recognises the poor planning outcomes that could arise as a result of this and will explore streamlined options to enable the rezoning of the remaining Deferred Urban land.

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



Planning and Design Code Zoning

The affected area is located within the Deferred Urban Zone and a small portion of the General Neighbourhood Zone. The following Overlays apply to the land:

- Affordable Housing (GNZ only)
- Defence Aviation Area – All structures over 15 metres
- Hazards (Flooding)
- Hazards (Flooding – Evidence Required)
- Hazards (Bushfire – Urban Interface)
- Regulated and Significant Tree
- Prescribed Water Resources Area
- Stormwater Management (GNZ only)
- Urban Tree Canopy (GNZ only)
- Water Resources.

The land surrounding the affected area is within the Rural Living Zone, General Neighbourhood Zone, Resource Extraction Zone and Recreation Zone.

The Proposal to Initiate is located in the immediate vicinity of two existing Code Amendments initiated by the former Minister for Planning and Local Government, Mr Josh Teague, on 10 January 2022:

- 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.

A further Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment by YAS Property & Development and Falkenburg Road Pty Ltd, which amalgamates these two existing Code Amendments, was considered by the Commission on 9 June 2022 and recommended for approval with conditions. That Proposal is currently with the Minister for consideration.

Advice to the Minister

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

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 proposed Code Amendment seeks to rezone an identified future urban growth area, representing a logical extension of the existing established part of Golden Grove to the north. The affected area has access to public transport, schools, open space, and shops with direct road links already preserved and available for connection to future development.

The proposed Code Amendment will provide additional residential land supply that responds to the growing population of the Inner North region, to support projected growth over the next 10 years.

Potential constraints comprise:

- Close proximity of the Resource Extraction Zone (to the south): 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.
- Relationship with existing and proposed Code Amendments: Consideration in conjunction with existing and proposed Code Amendments lodged for the adjacent rural living zoned land is beneficial to facilitate pursuit of coordinated and connected built form and infrastructure supply outcomes and transparency of process for the community.

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

Procedural considerations

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

Conditions proposed and items specified

A number of conditions have been recommended to be specified by the Minister, pursuant to 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**).

Attachments:

1. Proposal to Initiate the Lot 5680 Hallett Road, Golden Grove Code Amendment (#18639924).
2. Draft approval letters to:
 - a. The Designated Entity (#18803442)
 - b. The City of Tea Tree Gully (#18803424).
3. State Planning Commission advice to the Minister (#18792329).
4. Procedural Matters for the State Planning Commission (#17170230).
5. Process Flowchart – Code Amendments Initiated by Proponents (#18803140).

Prepared by: Catherine Hollingsworth and Nadia Gencarelli

Endorsed by: Jason Bailey

Date: 30 June 2022



**PROPOSAL TO INITIATE AN AMENDMENT TO
THE PLANNING AND DESIGN CODE
LOT 5680 HALLETT ROAD GOLDEN GROVE**

BY LAND SA PTY LTD

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a horizontal line extending to the right.

LAND SA PTY LTD

Date: 17 June 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*. By signing this Proposal to Initiate, the Proponent acknowledges and agrees that this Proposal to Initiate, and any supporting documents, may be published on the Plan SA portal by the Attorney General's Department.

MINISTER FOR PLANNING

DATE:

Proprietary Information Statement

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Document Control

Revision	Description	Author	Date
V1	Draft	MO	15.03.2022
V2	Draft for Review	MO & EN	23.03.2022
V3	Updated following council feedback	EN	04.04.2022
V4	Final	MO	07.04.2022
V5	Change of Entity	MO	17.06.2022

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APPENDICES

- ATTACHMENT 1: CERTIFICATE OF TITLE*
- ATTACHMENT 2: LOCATION PLAN AND CURRENT ZONE*
- ATTACHMENT 3: PROPOSED ZONE*
- ATTACHMENT 4: ENGAGEMENT PLAN*
- ATTACHMENT 5: TIMETABLE FOR CODE AMENDMENT*

1. INTRODUCTION

The Proponent, Land SA Pty Ltd, is proposing to initiate an amendment (the Code Amendment) to the Planning and Design Code (the Code) as it relates to land described as Lot 5680 Hallett Road, Golden Grove (the Affected Area).

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

The Proponent is the registered owner of the single allotment which forms the whole of the Area Affected. Land SA was the developer of the adjacent residential estate, known as The Settlement, which included 200 residential allotments, a retirement village, nursing home and neighbourhood centre. The Settlement was developed over the period 2008 to 2015 and was the subject of various rezoning processes.

A small portion of an allotment owned by the City of Tea Tree Gully (the Council) is also located within the Deferred Urban Zone. This portion of the Deferred Urban Zone is not included as part of this Code Amendment.

It is understood that the Affected Area was zoned Deferred Urban at the time of the previous rezonings primarily due to the interface with quarrying activities to the south. Notwithstanding, the planning for The Settlement estate at the time assumed the ultimate residential use of the Affected Area, with infrastructure and road connections established for connection to the land.

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 (Fairland) will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements under the Act; and
- 1.1.2. The Proponent declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under section 73(7) of the Act.
- 1.1.3. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
 - (a) Name - Michael Osborn (Director – Future Urban)
 - (b) Email - michael@futureurban.com.au
 - (c) Phone - 0408 808 143

1.1.4. The Proponent intends to undertake the Code Amendment by engaging:

- (a) planning consultants Future Urban;
- (b) traffic consultants – MFY;
- (c) infrastructure, services and water consultants – TMK;
- (d) acoustic consultants – to be confirmed;
- (e) air quality consultant – to be confirmed;
- (f) environmental consultants – to be confirmed;
- (g) arborist – to be confirmed.

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 Rationale for the Code Amendment

On 12 October 2021 the City of Tea Tree Gully's (the Council) Elected Members, carried a motion to proceed with a proposed amendment to the Code, namely the Golden Grove (Rural Living Zone to Neighbourhood-type Zone) Code Amendment (the Golden Grove Residential Code Amendment).

On 10 January 2022, the Hon Josh Teague MP, the then Minister for Planning and Local Government, wrote to the Council to confirm that under section 73(2)(b)(iv) of the Act, the Proposal to Initiate the Golden Grove Residential Code Amendment was approved and that the Council will be the Designated Entity responsible for undertaking the Golden Grove Code Amendment Process.

Concurrent with the above, the Minister agreed to initiate the Golden Grove Commercial/Retail Code Amendments, proposed by YAS Property and Development, in respect to land located at 53 and 99 Crouch Road, Golden Grove.

Details pertaining to the Code Amendment can be viewed on the Plan SA website in the following location: https://plan.sa.gov.au/have_your_say/code_amendments. The land subject of the Golden Grove Residential Code Amendment and Golden Grove Commercial/Retail Code Amendment, relative to the Affected Area is shown by Figure 1.1 below.

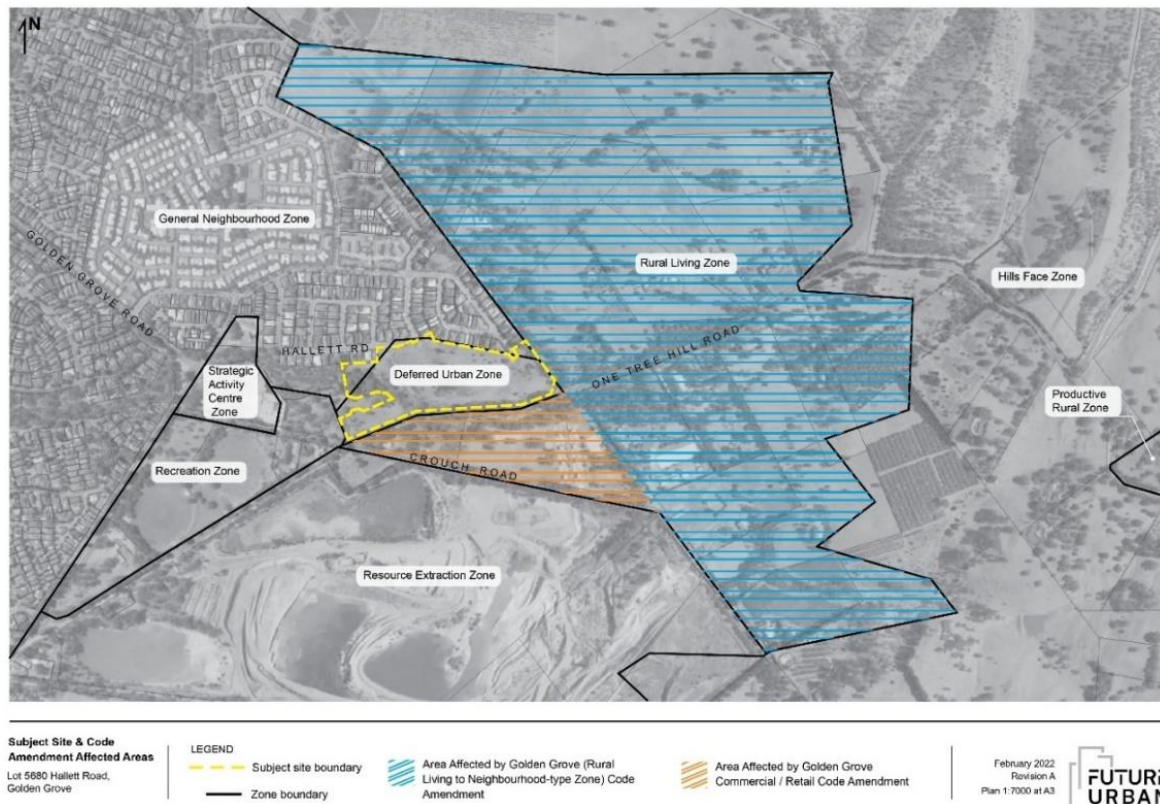
The Designated Entity understands that the aforementioned Code Amendments may be merged into a single Proponent led Code Amendment.

The Affected Area for the proposed Code Amendment is in effect residual land arising from the development of 'The Settlement' estate developed by Land SA in the early 2000s. The majority of the Affected Area is currently zoned Deferred Urban Zone with a small portion of the allotment contained within the General Neighbourhood Zone.

The Deferred Urban Zone seeks to safeguard land for future urban growth and to better coordinate the timely delivery of necessary council and State maintained infrastructure. The Deferred Urban Zone lists both Dwelling and Land division as restricted forms of development.

The rezoning of the Affected Area is envisaged to accommodate low density and low scale residential development.

Figure 1.1 Code Amendment Context and Affected Area



In considering the rationale to rezone the Affected Area from Deferred Urban Zone to the General Neighbourhood Zone, there are several key influencing factors, including:

- the original planning for ‘The Settlement’ by Land SA anticipated the eventual future development of the Deferred Urban Zone for residential purposes. Infrastructure planning and road connections were provided to service the land;
- no connections are proposed or required to One Tree Hill Road, a Council maintained road;
- the rezoning represents an opportunity to better utilise undeveloped land for residential purposes within an established metropolitan Adelaide suburb;
- with the separate proposed rezoning of adjacent Rural Living land for residential development purposes, it is timely to investigate the Deferred Urban Zone and discuss the relationship of urban development with the adjacent Resource Extraction Zone;
- the rezoning supports the urban regeneration and renewal goals in *The 30-Year Plan for Greater Adelaide 2017* to better utilise established urban areas and encourage economic and population growth; and
- the Affected Area is presently underutilised and is locationally well suited to accommodate the residential form and density anticipated in the General Neighbourhood Zone, noting this zone is already established directly adjacent to the Affected Area.

2. SCOPE OF CODE AMENDMENT

2.1 Affected Area

The proposal seeks to amend the Code for the Affected Area which comprises portion of Allotment 5680 Hallett Road, Golden Grove which is contained on Certificate of Title Volume 6079 Folio 488. The Certificate of Title is included in **Attachment 1**.

The Affected Area is located within the suburb of Golden Grove, which is within the City of Tea Tree Gully (the Council).

The Affected Area has:

- Frontage to One Tree Hill Road, Strachan Road, Captain Robertson Avenue, Tuscan Road and Hallett Road; and
- A total area of 7.12 hectares.

With the exception of established vegetation, the Affected Area can be generally described as vacant land of limited agricultural, horticultural or mining value.

The locality contains the following key land uses:

- Established residential development to the immediate north;
- Rural living style allotments to the immediate east;
- Sand quarrying activities to the south; and
- Recreation and activity centre activities to the west.

Refer to **Attachment 2** for a location map, which includes the current zoning identified by the Code (V2022.7, April 28, 2022).

2.2 Scope of Proposed Amendments

The scope of amendments to the Code sought through the Code Amendment are detailed in Table 2.1 below. It should be noted that the Affected Area exists over two zones and that some of the Overlays only apply to portions of the Affected Area. This Code Amendment seeks to ensure consistent application of zone and Overlays to the Affected Area.

Table 2.1 *Scope of proposed amendments*

Current Policy	<p>Deferred Urban Zone (balance of the Affected Area) General Neighbourhood Zone (small portion of Affected Area)</p> <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing (applies to those parts of the Affected Area in the General Neighbourhood Zone only) • Defence Aviation Area (all structures over 15 metres) • Hazards (Flooding) • Hazards (Flooding – Evidence Required) • Hazards (Bushfire – Urban Interface) • Regulated and Significant Tree
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	<ul style="list-style-type: none"> • Prescribed Water Resources Area • Stormwater Management (applies to those parts of the Affected Area in the General Neighbourhood Zone only) • Urban Tree Canopy (applies to those parts of the Affected Area in the General Neighbourhood Zone only) • Water Resources
<p>Amendment Outline</p>	<p>The overall intent of the amendment is to facilitate low density and low scale residential development outcomes.</p> <p>This will necessitate the balance of the Affected Area being rezoned from the Deferred Urban Zone to an alternate zone, with the General Neighbourhood Zone considered the most appropriate.</p>
<p>Intended Policy</p>	<ul style="list-style-type: none"> • Rezone the balance of the Affected Area to General Neighbourhood Zone, as shown on the mapping included at Attachment 3. • Extend the Affordable Housing Overlay, Stormwater Management Overlay and Urban Tree Canopy Overlay over the balance of the Affected Area, as shown on the mapping included in Attachment 3. • No other changes to existing Overlays.

3. STRATEGIC PLANNING DOCUMENTS

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

- Strategic Planning Policies (SPPs);
- Regional Plans; and
- Other relevant strategic documents.

3.1 Summary of Strategic Planning Outcomes

The key strategic planning considerations include (but not limited to):

- Infrastructure and services to support the future residential population;
- Potential traffic management interventions to support the additional traffic movements arising from future development;
- Interface between different land uses;
- Preservation of worthy vegetation including regulated/significant trees; and
- Noise and air emissions associated with the transport network and quarrying activities on adjacent land.

The investigations undertaken in association with the Golden Grove Residential Code Amendment and Golden Grove Commercial/Retail Code Amendment has explored some of these matters.

The investigations to be undertaken for this Code Amendment will address these matters and have regard to the investigations undertaken to inform the other Code Amendments (as applicable).

3.2 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 SPPs outlined in Table 3.1 below.

Table 3.1 Code Amendment alignment with State Planning Policies (SPPs)

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>State Planning Policy 1 – Integrated Planning: To apply the principles of integrated planning to shape cities and regions in a way that enhances our liveability, economic prosperity and sustainable future.</p> <p>(1.1) <i>An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period</i></p>	<p>The proposed Code Amendment seeks to deliver the rationalisation of residential growth within Greater Adelaide. The proposal has the potential to yield some 50 allotments and will deliver an appropriate and desired offering in the eastern foothills of Metropolitan Adelaide.</p> <p>It is noted that the population growth forecast as part of this Code Amendment will be adequately serviced by employment lands.</p>

<p><i>(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.</i></p> <p><i>(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.</i></p> <p><i>(1.7) Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i></p>	<p>With a separate commercial/retail Code Amendment proposed on adjacent land which will seek the addition of retail/commercial offerings in close proximity to support current and future community needs.</p> <p>The proposed Code Amendment will see the logical and orderly delivery of residential growth within the metropolitan Adelaide region, providing for the consolidation of build form.</p> <p>The Affected Area is well serviced and connected by infrastructure and located immediate adjacent the existing built-up area. The Code Amendment will deliver a range of new low-density residential outcomes. The current zoning does not support the redevelopment of the Affected Area in this manner.</p>
<p>State Planning Policy 2 – Design Quality: To elevate the design quality of South Australia’s built environment and public realm.</p> <p><i>(2.10) Facilitate development that positively contributes to the public realm by providing active interfaces with streets and public open spaces.</i></p> <p><i>(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</i></p>	<p>Since the preparation of the State Planning Policies, Phase 3 of the Planning and Design Code has been introduced. Such contains both General Development and Zone policies which promote design quality through the development application process.</p> <p>On the basis that the General Neighbourhood Zone be applied to the Affected Area, policies relating to design will be incorporated which provide a particular focus on building form, setbacks materiality and landscaping.</p> <p>The future development of the land will deliver public open space in a manner that provides both local amenity and a stormwater management function.</p>
<p>State Planning Policy 6 – Housing Supply and Diversity To promote the development of well-serviced and sustainable housing and land choices where and when required.</p> <p><i>(6.1) A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.</i></p> <p><i>(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.</i></p>	<p>The Code Amendment will deliver a zoning environment which supports the growth of Golden Grove which otherwise, has little to no available residential growth potential.</p> <p>Development outcomes sought will be well-designed and take into account the Affected Areas characteristics, including topography and natural features.</p> <p>The Code Amendment will deliver the rezoning of some 7.12ha of land to support residential growth. The area in question is well serviced by existing infrastructure and services both existing and proposed.</p>

<p><i>(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.</i></p> <p><i>(6.7) Facilitate the provision of Affordable Housing through incentives such as planning policy bonuses or concessions (e.g. where major re-zonings are undertaken that increase development opportunities).</i></p>	<p>The proximity of the Affected Area to metropolitan Adelaide and existing services offers a unique opportunity to provide a diverse range of housing choice which is not readily found in other locations in the northern residential market. Given the characteristics of the Affected Area, there is opportunity to integrate natural features into the future design.</p> <p>The Code Amendment seeks to apply the Affordable Housing Overlay to the whole of the Affected Area, which provides incentives for provision of affordable housing.</p>
<p>SPP 10 Mineral and Energy Resources: To protect key resources that contribute to our state's economy and provide valued employment opportunities.</p> <p><i>(10.1) Define and protect mineral resources operations, associated infrastructure and undeveloped mineral resources from encroachment by incompatible land uses.</i></p>	<p>It is acknowledged that the land is located in proximity of the <i>Golden Grove Mineral Extraction Zone</i>. Preliminary engagement has taken place with the Department of Energy and Mining (DEM) and the Environment Protection Authority (EPA) We understand investigations are also proposed as part of the Golden Grove Residential Code Amendment.</p> <p>Engagement with DEM, EPA and the various will continue throughout this Code Amendment process. Direct consultation will also be undertaken with the private mine operators.</p> <p>Separately, detailed consideration of the potential impacts that may arise from the interface shared between the existing Resource Extraction Zone and Affected Area will form an integral part of the investigations.</p>
<p>SPP 15: Natural Hazards: To build the resilience of communities, development and infrastructure from the adverse impacts of natural hazards.</p> <p><i>(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.</i></p>	<p>The Affected Area is located within the:</p> <ul style="list-style-type: none"> • Hazards (Bushfire – Urban Interface) Overlay; • Hazards (Flooding) Overlay; and • Hazards (Flooding – Evidence Required) Overlay. <p>These Overlay's provides clear guidance on matters related to natural hazards. Notwithstanding, detailed investigations will be undertaken to understand the likely impact of these Overlay's and ensure appropriate measures are taken to mitigate against risk.</p>

3.3 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 (30 Year Plan) is relevant for this Code Amendment. The Code Amendment aligns with a number of the priorities and targets in the 30 Year Plan as outlined in Table 3.2 below.

Table 3.2 Code Amendment alignment with Regional Plan (30 Year Plan)

Regional Plan identified priorities or targets	Code Amendment Alignment with Regional Plan
Transit corridors, growth areas and activity centres	
<p>P1 Deliver a more compact urban form by locating the majority of Greater Adelaide’s urban growth within existing built-up areas by increasing density at strategic locations close to public transport.</p> <p>P4 Ensure that the bulk of new residential development in Greater Adelaide is low to medium rise with high rise limited to the CBD, parts of the Park Lands frame, significant urban boulevards, and other strategic locations where the interface with lower rise areas can be managed.</p> <p>P11 Ensure new urban fringe growth occurs only within designated urban areas and township boundaries and outside the Environment and Food Production Areas, as shown on Map 3.</p> <p>P12 Ensure, where possible, that new growth areas on the metropolitan Adelaide fringe and in townships are connected to, and make efficient use of, existing infrastructure, thereby discouraging “leapfrog” urban development.</p>	<p>The Affected Area is located within the planned urban lands to 2045 as contained in the 30-Year Plan.</p> <p>The Code Amendment seeks to provide an area for low density low scale residential development which is connected/accessible to existing infrastructure. The Affected Area is contiguous with the existing built-up area and represents a logical expansion of the urban area and associated infrastructure.</p> <p>The Code Amendment will not result in any changes to the boundaries of the EFPA.</p>
Design Quality	
<p>P26 Develop and promote a distinctive and innovative range of building typologies for residential housing which responds to metropolitan Adelaide’s changing housing needs, reflects its character and climate, and provides a diversity of price points.</p>	<p>The proposed Code Amendment is expected to introduce an appropriate zone (General Neighbourhood Zone) which will facilitate residential development and a form of low density, low scale housing which is expected to be in high demand in this location.</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 General Development Policies contained in the Code, including those under the heading <i>Design in Urban Areas</i>, provide sufficient guidance to ensure design quality is achieved.</p>
<p>Housing Mix, affordability and competitiveness</p>	
<p>P36 Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</p> <p>P42 Provide for the integration of affordable housing with other housing to help build social capital.</p>	<p>It is expected that the Code Amendment will introduce the General Neighbourhood Zone which facilitates residential development. This zone is considered sufficiently flexible to enable the ultimate developer(s) to deliver allotments (and associated housing product) which responds to market preference and choice in this location.</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 will be attainable.</p>
<p>Health, Wellbeing and Inclusion</p>	
<p>P47 Plan future suburbs and regenerate and renew existing ones to be healthy neighbourhoods that include:</p> <ul style="list-style-type: none"> • diverse housing options that support affordability • access to local shops, community services and facilities • access to fresh food and a range of food services • safe cycling and pedestrian-friendly streets that are tree-lined for comfort and amenity • diverse areas of quality public open space (including local parks, community gardens and playgrounds) • sporting and recreation facilities • walkable connections to public transport and community infrastructure. 	<p>The proposed rezoning will facilitate an orderly and economic extension of the existing residential estate which was first developed more than 12 years ago. In connecting to the existing estate, future allotments will enjoy access to the variety of facilities which have been established in the locality, including open space, public transport and retail facilities.</p>

<p>P49 Encourage more trees (including productive trees) and water sensitive urban landscaping in the private and public realm, reinforcing neighbourhood character and creating cooler, shady and walkable neighbourhoods and access to nature.</p>	<p>These outcomes are supported by the relevant policies of the Planning and Design Code and therefore would be key assessment criteria for any future land division and residential development application.</p>
<p>Infrastructure</p>	
<p>P86 Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community and green infrastructure, including:</p> <ul style="list-style-type: none"> • walking and cycling paths and facilities • local stormwater and flood management including water sensitive urban design • public open space • sports facilities • street trees • community facilities, such as childcare centres, schools, community hubs and libraries <p>P86 Design and locate community infrastructure to ensure safe, inclusive and convenient access for communities and individuals of all demographic groups and levels of ability.</p>	<p>The proposed 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. Connection to existing facilities within the established estate is anticipated.</p> <p>Relevant infrastructure agreements (as required) can be entered into should the need for augmentation be identified.</p>
<p>Biodiversity</p>	
<p>P93 Ensure that greenways are landscaped with local indigenous species where possible to contribute to urban biodiversity outcomes.</p> <p>P99 Ensure quality open space is within walking distance of all neighbourhoods to:</p> <ul style="list-style-type: none"> • link, integrate and protect biodiversity assts and natural habitats • provide linkages to encourage walking and cycling to local activities • incorporate the principles of Crime Prevention Through Environmental Design for safety and amenity 	<p>Environmental investigations will inform potential development opportunities and constraints. The Code includes policies which will encourage appropriate outcomes in respect to any land identified to be of biodiversity value and identify the health and condition of any regulated/significant tree.</p> <p>The proposed Code Amendment will support a compact urban form with the Affected Area located within a designated urban area.</p>

Climate Change	
<p>P105 Deliver a more compact urban form to:</p> <ul style="list-style-type: none"> • protect valuable primary production land • reinforce the Hills Face Zone, character preservation districts and Environment and Food Production Areas • conserve areas of nature protection areas • safeguard the Mount Lofty Ranges Watershed • reduce vehicle travel and associated greenhouse gas emissions. 	<p>The proposed Code Amendment will support a compact urban form with the Affected Area located within a designated urban area and adjacent to existing residential development in the General Neighbourhood Zone. No change to the Hills Face Zone and EFPA boundaries is sought as part of this Code Amendment, with such boundaries well removed from the Affected Area.</p>
Water	
<p>P115 Incorporate water-sensitive urban design in new developments to manage water quality, water quantity and water use efficiency and to support public stormwater systems.</p>	<p>The Code includes policies which are instructive in respect water quality, use and management.</p> <p>Engineering investigations will ensure that the proposed urban development will not be contrary to the relevant water policies.</p>
Emergency Management and Hazard Avoidance	
<p>P118 Minimise risk to people, property and the environment from exposure to hazards (including bushfire, terrestrial and coastal flooding, erosion, dune drift and acid sulphate soils) by designating and planning for development in accordance with a risk hierarchy of:</p> <ul style="list-style-type: none"> • avoidance • adaptation • protection 	<p>The Affected Area is subject to the following Overlays:</p> <ul style="list-style-type: none"> • Hazards (Bushfire – Urban Interface) Overlay • Hazards (Flooding) Overlay • Hazards (Flooding – Evidence Required) Overlay <p>These Overlay's provides clear guidance on matters related to natural hazards. Notwithstanding, detailed investigations will be undertaken to understand the likely impact of these Overlay's and ensure appropriate measures are taken to mitigate against risk.</p>

3.4 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.

Table 3.3 below identifies other documents relevant to this proposed Code Amendment.

Table 3.3 *Other strategic documents relevant to the Code Amendment*

Other Relevant Documents	Code Amendment Alignment with Other Relevant Documents
<p>Strategic Plan 2025 (City of Tea Tree Gully)</p>	<p>Key indicators from the Strategic Plan that are relevant to this Code Amendment are:</p> <ul style="list-style-type: none"> • Community Wellbeing – creating a sense of belonging, inclusion and connection • Environment – creating environmentally valuable places and reducing the carbon footprint • Places – well designed housing, sustainable practices and neighbourhoods are easy to move around, and safe • Leadership – focused on the longer-term interests of the community <p>The Code Amendment will investigate to ensure that the Affected Area is suitable for residential purposes, with the resulting zone to be selected which supports an urban form and density consistent with the Council's Strategic Plan.</p>

4. INVESTIGATIONS AND ENGAGEMENT

4.1 Investigations already Undertaken

At the time of preparing this Proposal to Initiate preliminary investigations had not yet been undertaken for the Code Amendment in respect to the Affected Area.

However, the Proponent felt it was pertinent to submit the Proposal to Initiate on the basis that the Golden Grove Residential Code Amendment and Golden Grove Commercial/Retail Code Amendment have recently been initiated and engagement with key stakeholders now underway.

These Code Amendments are located on land immediately adjacent to the Affected Area. From a strategic perspective, it is relevant for these Code Amendments to be considered in the context of this proposed Code Amendment and vice versa.

We understand that investigations relating to the use of the adjacent land and impacts from the existing quarry activities are ongoing as part of the investigations for the Golden Grove Residential Code Amendment and Golden Grove Commercial/Retail Code Amendment. Similar investigations and consultations will also inform this Code Amendment.

4.2 Further Investigations Proposed

Table 4.1 below outlines what investigations that will be undertaken to support the Code Amendment.

Table 4.1 *Investigations to be undertaken for the Code Amendment*

Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
<i>Preliminary Site History Report</i>	Prepare a site history investigation for the Affected Area.
<i>Infrastructure and Servicing Report</i>	Prepare infrastructure and servicing investigations for the Affected Area. Identify any stormwater capacity constraints appurtenant to the Area Affected and options to manage stormwater in terms of both quantity and quality. Identify any infrastructure capacity issues having regard to the development potential arising from the Code Amendment. Identify any need for augmentation and associated responsibilities.
<i>Environmental Noise Assessment</i>	Consider future interface between residential and non-residential uses.
<i>Air Quality Study</i>	Consider future interface between residential and non-residential uses.

<p><i>Traffic Advice</i></p>	<p>Prepare detailed traffic investigations for the Affected Area that also have regard to the Golden Grove Residential Code Amendment and Golden Grove Commercial/Retail Investigations to ensure that existing and future road network can accommodate anticipated traffic associated with future development.</p>
<p><i>Vegetation and Fauna Investigations</i></p>	<p>To determine if any of the existing vegetation on the Affected Area is protected and/or should be retained. Consider whether existing vegetation provides habitat for any fauna on the Affected Area. Understand how this may impact future redevelopment of the Affected Area.</p>
<p><i>Land Management Agreement</i></p>	<p>The Affected Area is subject to a Land Management Agreement (LMA). From a preliminary review it appears that the LMA related to development of the original allotment. Some of the provisions of the LMA may be relevant to future development of the Affected Area, however, some are not.</p> <p>Review and discuss existing LMA with the Council and investigate options to revoke, amend or provide a new LMA for the Affected Area.</p>
<p><i>Aboriginal Heritage Investigations</i></p>	<p>Undertake a search of the Register of Aboriginal Sites and Objects to confirm if the Affected Area is subject to any Aboriginal Sites or Objects.</p>

There is low probability that new infrastructure agreement(s) will be required to be entered in connection with the Code Amendment process.

4.3 Engagement already Undertaken

Initial high-level engagement has occurred on the proposed Code Amendment with the following stakeholders:

- City of Tea Tree Gully
- Environment Protection Authority (EPA)
- Department of Energy and Mining (DEM)
- PLUS, Attorney-General's Department

4.4 Further Engagement Proposed

In addition to the engagement already undertaken and identified above, and Engagement Plan has been prepared and is enclosed (**Attachment 4**). Table 4.2 below provides a summary of the additional engagement which will be undertaken to support the Code Amendment.

Table 4.2 *Engagement to be undertaken for Code Amendment*

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
See Engagement Plan (Attachment 4)	

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 Proponent has prepared an Engagement Plan (**Attachment 4**) which includes the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- The Local Government Association must be notified in writing of the proposed Code Amendment;
- If the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally), the Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the Planning, Development and Infrastructure (General) Regulations 2017, to:
 - » the owners or occupiers of the land; and
 - » owners or occupiers of each piece of adjacent land;
- Consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2 Engagement Report

Once engagement on the Code Amendment is complete, the 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 to 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 in **Attachment 5**. 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. The timetable is attached in **Attachment 5**.



ATTACHMENT 1: CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6079 Folio 488

Parent Title(s) CT 6073/431
Creating Dealing(s) RTC 11586808
Title Issued 30/06/2011 Edition 1 Edition Issued 30/06/2011

Estate Type

FEE SIMPLE

Registered Proprietor

LANDSA PTY. LTD. (ACN: 079 317 623)
OF 21 NORTH TERRACE ADELAIDE SA 5000

Description of Land

ALLOTMENT 5680 DEPOSITED PLAN 86401
IN THE AREA NAMED GOLDEN GROVE
HUNDRED OF YATALA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A AND C TO TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (TG 11437761)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED D FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

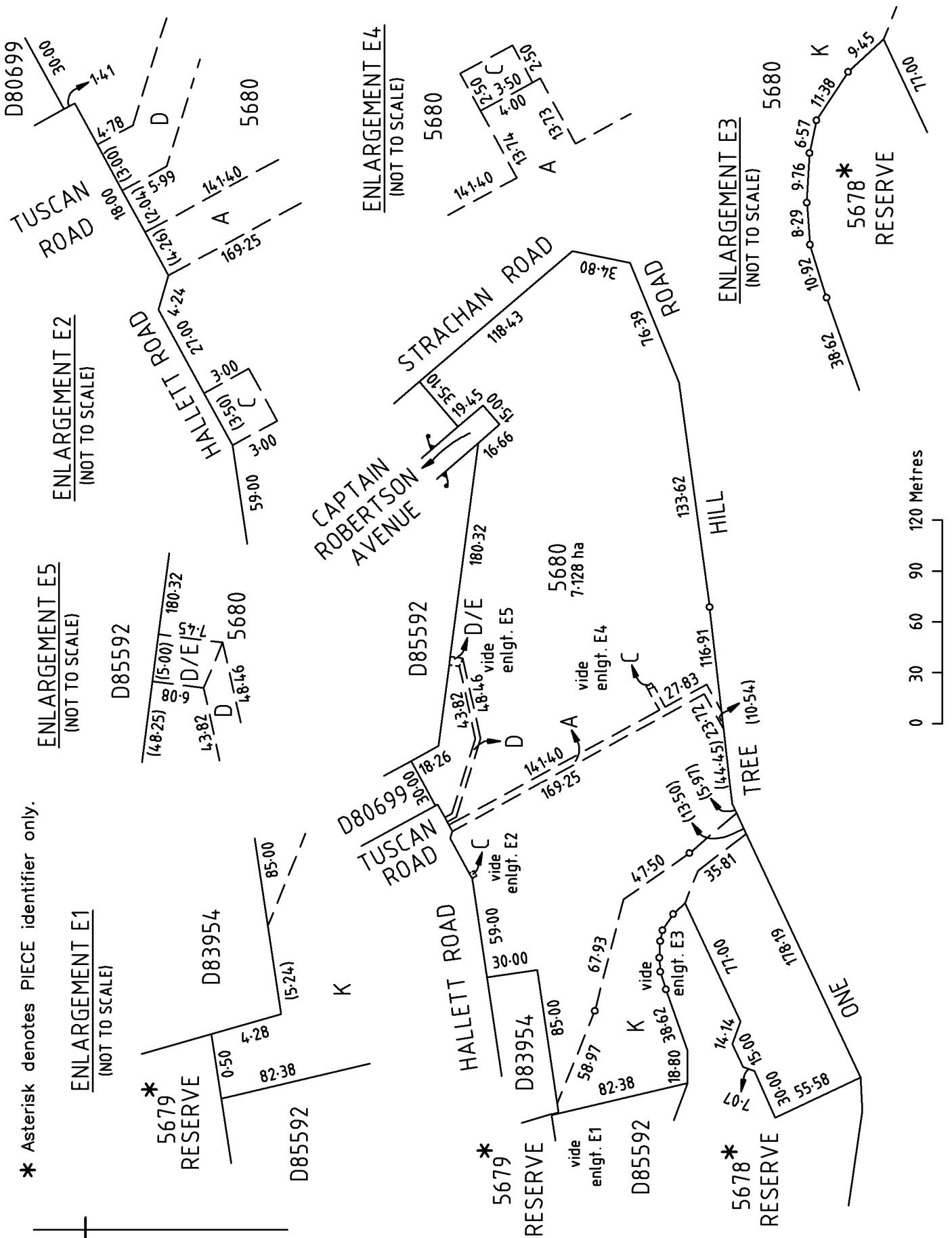
SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED E AND K FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
10274029	MORTGAGE TO WESTPAC BANKING CORPORATION
11022622	AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



* Asterisk denotes PIECE identifier only.

ENLARGEMENT E1
(NOT TO SCALE)

ENLARGEMENT E5
(NOT TO SCALE)

ENLARGEMENT E2
(NOT TO SCALE)

ENLARGEMENT E4
(NOT TO SCALE)


ENLARGEMENT E3
(NOT TO SCALE)

Certificate of Title

Title Reference: CT 6079/488
Status: CURRENT
Parent Title(s): CT 6073/431
Dealing(s) Creating Title: RTC 11586808
Title Issued: 30/06/2011
Edition: 1

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
02/10/2013	22/10/2013	12017179	VESTING (GLOBAL UPDATE)	REGISTERED	WESTPAC BANKING CORPORATION 10274029
26/08/2008	16/10/2008	11022622	AGREEMENT	REGISTERED	CITY OF TEA TREE GULLY
28/07/2005	24/11/2005	10274029	MORTGAGE	REGISTERED	ST.GEORGE BANK LTD. (ACN: 055 513 070)

PURPOSE:	DIVISION	AREA NAME:	GOLDEN GROVE	APPROVED:	STEPHEN ANSELL 21/03/2011	 D86401
MAP REF:	6628/28/G	COUNCIL:	CITY OF TEA TREE GULLY	DEPOSITED:		
LAST PLAN:	D85592	DEVELOPMENT NO:	070/D099/09/001/28033	DEAN WATSON 06/06/2011	SHEET 1 OF 4	
					28245_text_01_v05_Version_5	

AGENT DETAILS:	ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099	SURVEYORS CERTIFICATION:	I Michael Paul Burdett , a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992. 2) That the field work was completed on the 6th day of January 2011 18th day of March 2011 Michael Paul Burdett Licensed Surveyor
AGENT CODE:	ALSY		
REFERENCE:	A003205LTOLS(C)		

SUBJECT TITLE DETAILS:										
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
PT CT	6073	431		ALLOTMENT(S)	5000	D	85592	YATALA		
OTHER TITLES AFFECTED:										

EASEMENT DETAILS:										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION			
EXISTING	5680	LONG	EASEMENT(S)	A		DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	TG11437761			
EXISTING	5678*(RESERVE)	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B						
EXISTING	5678*(RESERVE)	LONG	EASEMENT(S)	B			TG10274028			
EXISTING	5680	LONG	EASEMENT(S)	C		DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	TG11437761			
EXISTING	5679*(RESERVE)	SERVICE	EASEMENT(S)	H(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA			
EXISTING	5680	SERVICE	EASEMENT(S)	D	FOR SEWERAGE PURPOSES	SOUTH AUSTRALIAN WATER CORPORATION	223LG RPA			
EXISTING	5680	SERVICE	EASEMENT(S)	E	FOR DRAINAGE PURPOSES	COUNCIL FOR THE AREA	223LG RPA			



D86401

SHEET 2 OF 4

28245_text_01_v05_Version_5

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
NEW	5680	SERVICE	EASEMENT(S)	K	FOR DRAINAGE PURPOSES	COUNCIL FOR THE AREA	223LG RPA

ANNOTATIONS:

REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NO
2	0°50'	PM FD	28.44	6628/28118
4	305°33'	PM FD	8.59	6628/58570
6		PM FD		6628/59355
7	145°08'	PM FD	6.93	6628/57293
8	98°12'	PM FD	1.35	6628/30241
9	44°10'20"	PM FD	24.17	6628/3974

PIECES SCHEDULE

ONE ALLOTMENT COMPRISES	TOTAL AREA
5678* RESERVE and 5679* RESERVE	1.800ha

*Asterisk denotes PIECE identifier only.

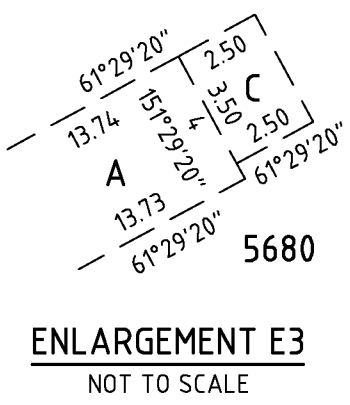
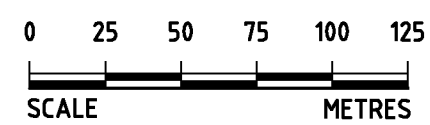
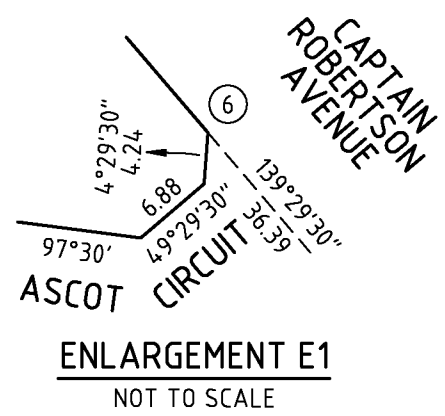
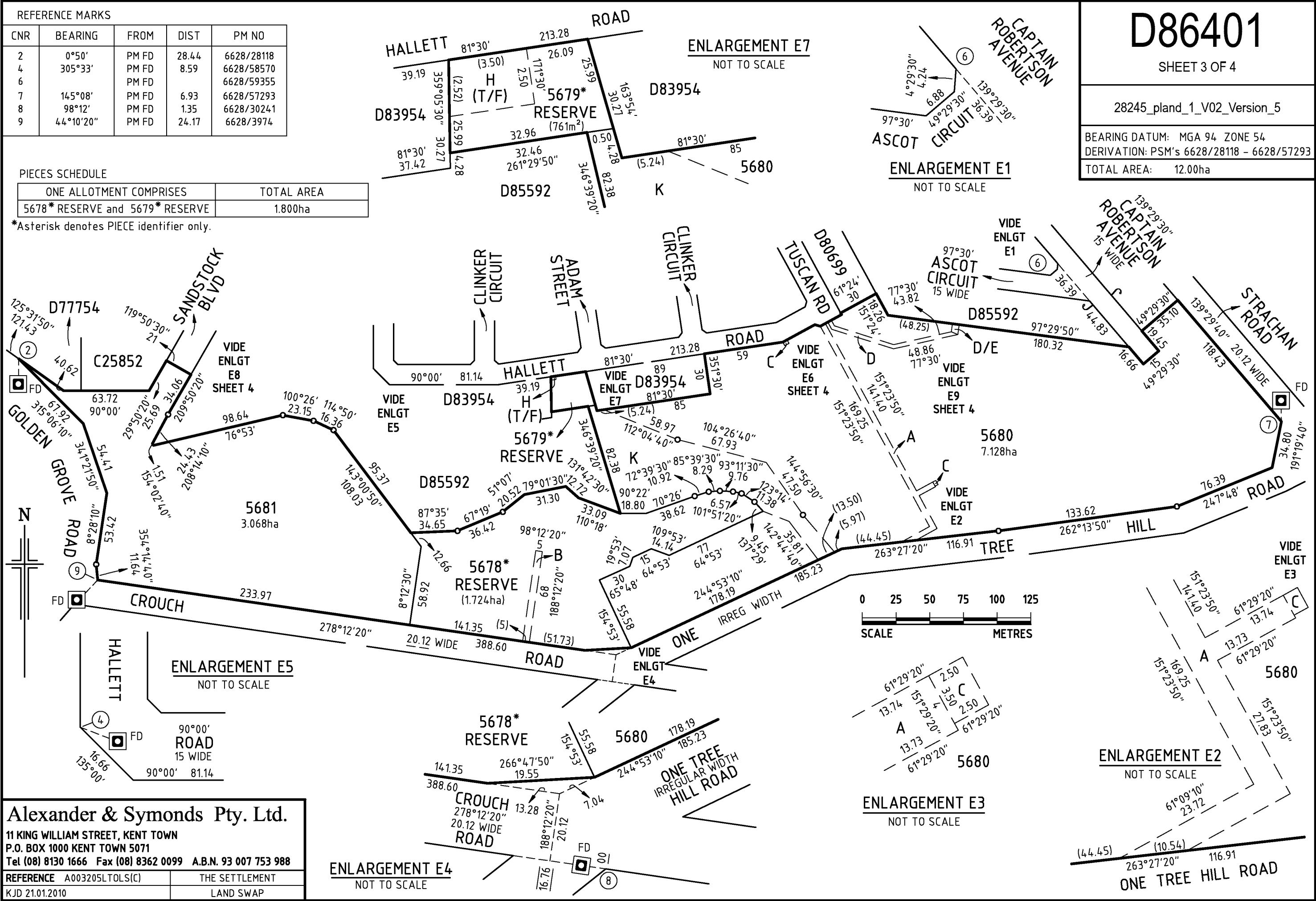
D86401

SHEET 3 OF 4

28245_pland_1_V02_Version_5

BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM's 6628/28118 - 6628/57293

TOTAL AREA: 12.00ha



Alexander & Symonds Pty. Ltd.
 11 KING WILLIAM STREET, KENT TOWN
 P.O. BOX 1000 KENT TOWN 5071
 Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A003205LTOLS(C)	THE SETTLEMENT
KJD 21.01.2010	LAND SWAP

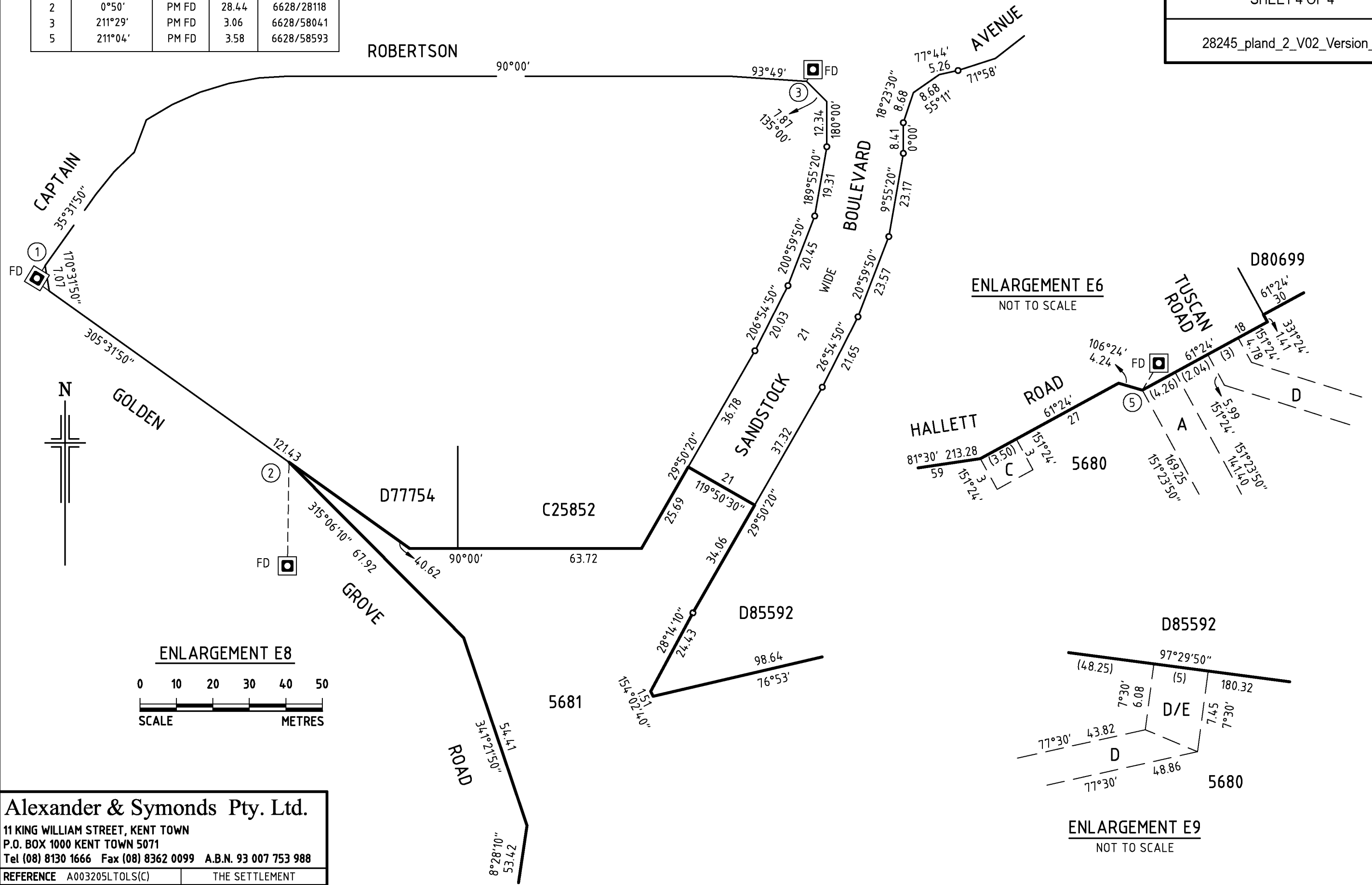
REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NO
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2	0°50'	PM FD	28.44	6628/28118
3	211°29'	PM FD	3.06	6628/58041
5	211°04'	PM FD	3.58	6628/58593

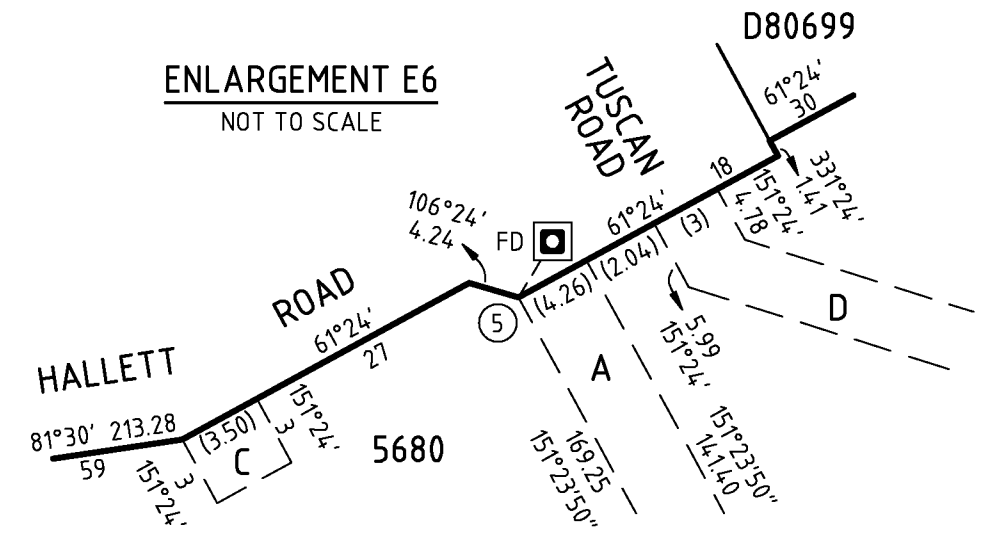
D86401

SHEET 4 OF 4

28245_pland_2_V02_Version_5



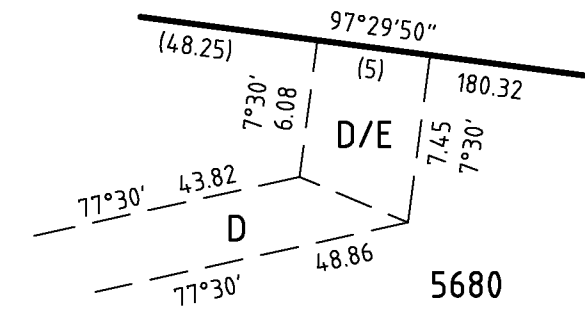
ENLARGEMENT E6
NOT TO SCALE



ENLARGEMENT E8



D85592



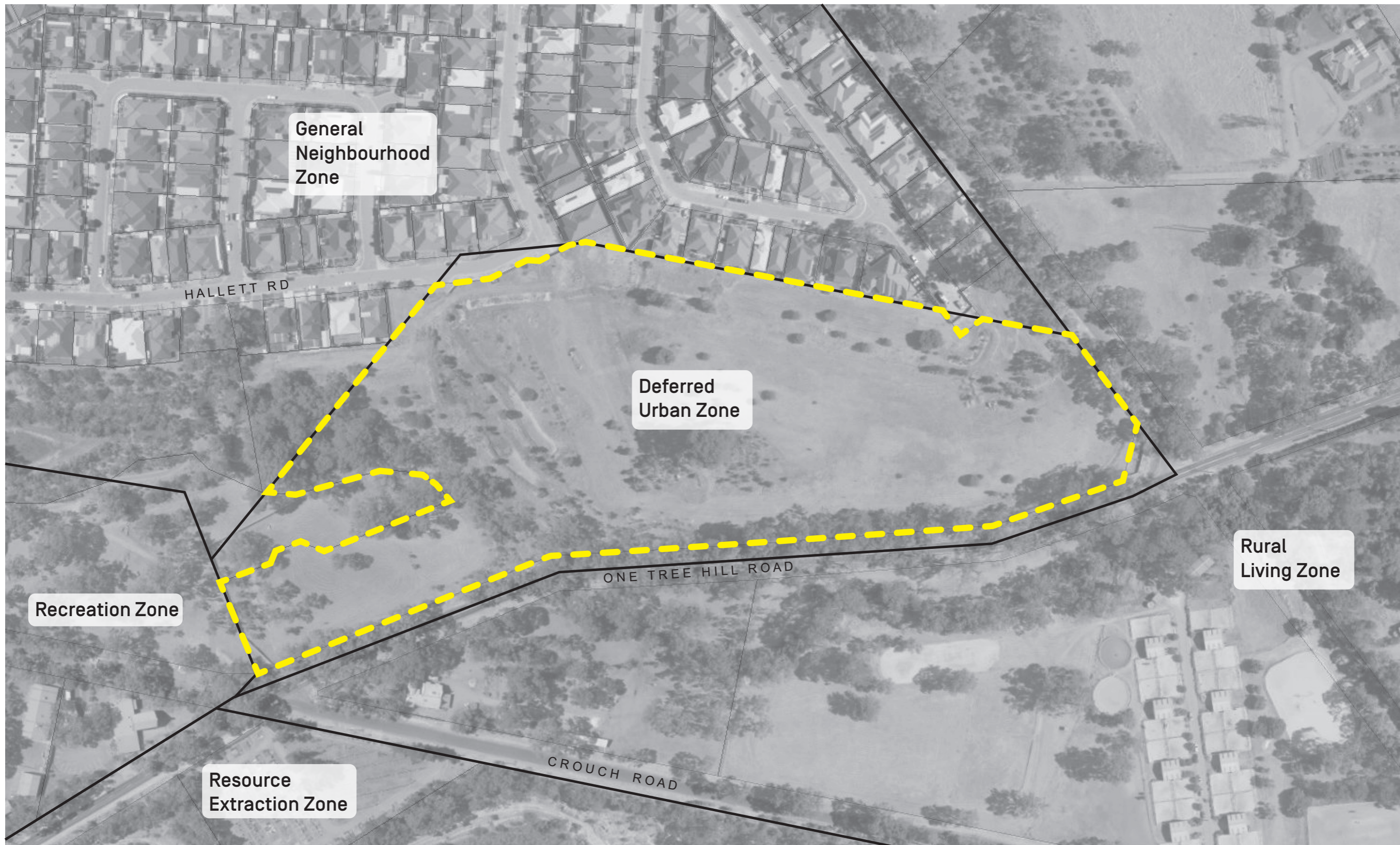
ENLARGEMENT E9
NOT TO SCALE

Alexander & Symonds Pty. Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A003205LTOLS(C)	THE SETTLEMENT
KJD 21.01.2010	LAND SWAP

ATTACHMENT 2: LOCATION PLAN AND CURRENT ZONE



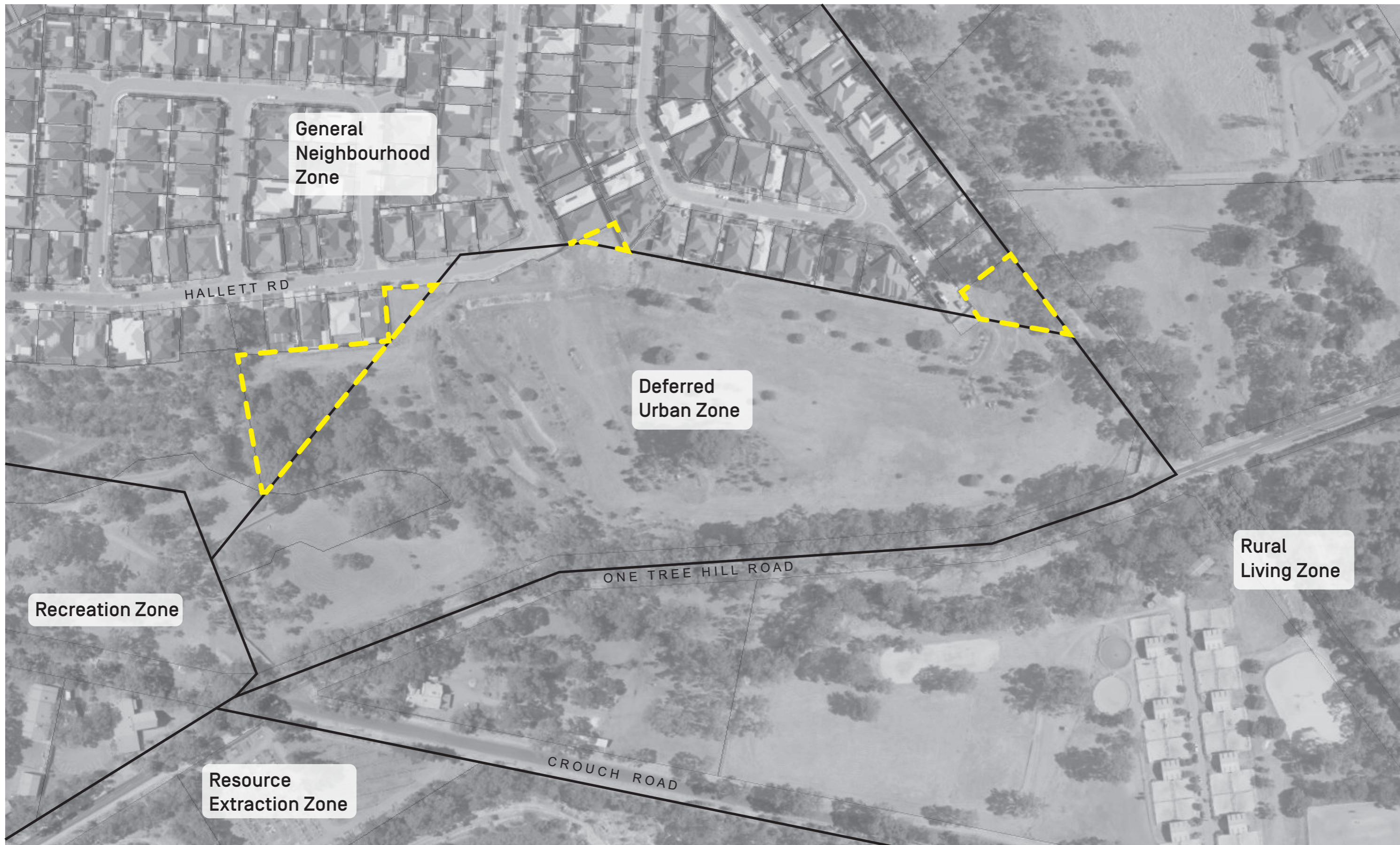
**Affected Area
[Deferred Urban
Zone]**

LEGEND

— — — — — Affected area ————— Zone boundary

Data Source: Imagery - SA Property & Planning Atlas dated 7 Jan-22Jan 2021. Policy - Planning & Design Code version 2022.4, published on 3 March 2022.





**Affected Area
[General
Neighbourhood
Zone]**

LEGEND

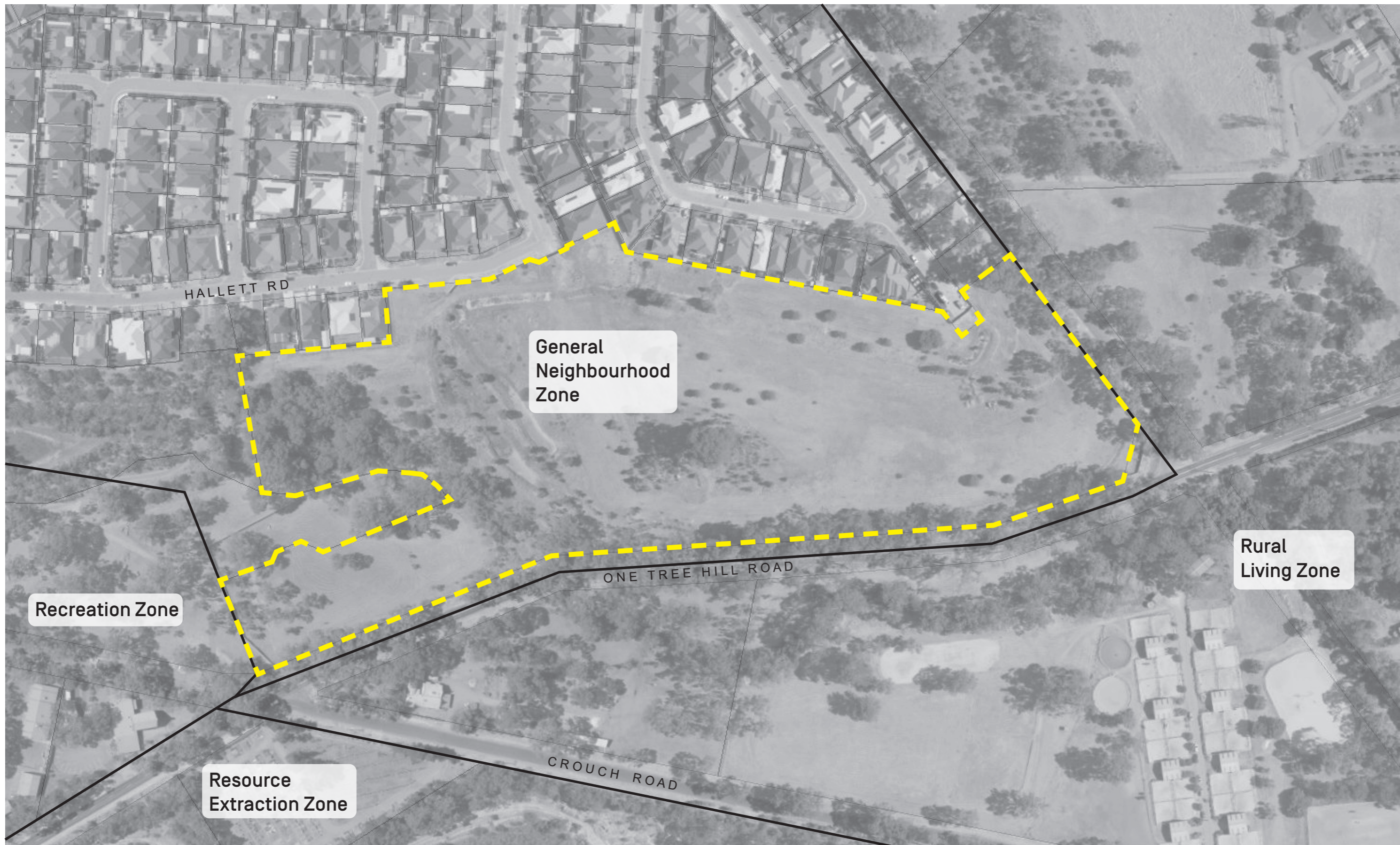
- - - Affected area
- Zone boundary

Data Source: Imagery - SA Property & Planning Atlas dated 7 Jan-22Jan 2021. Policy - Planning & Design Code version 2022.4, published on 3 March 2022.





ATTACHMENT 3: PROPOSED ZONE



Proposed Zone

LEGEND

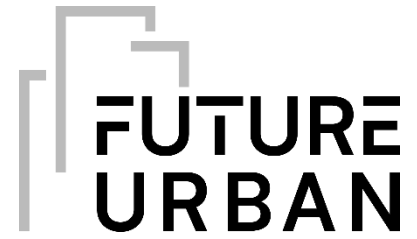
— Affected area — Zone boundary

Data Source: Imagery - SA Property & Planning Atlas dated 7 Jan-22Jan 2021. Policy - Planning & Design Code version 2022.4, published on 3 March 2022.





ATTACHMENT 4: ENGAGEMENT PLAN



ENGAGEMENT PLAN

**Lot 5680 Hallett Road, Golden Grove Deferred Urban to
Neighbourhood Type Zone Code Amendment**

By Fairland

Date:
24.03.2022

Contact Details
Michael Osborn
Director
michael@futureurban.com.au
0408 808 143

DRAFT

Document Control

Revision	Description	Author	Date
V1	Draft	MO & EN	15.03.2022
V2	Review	MO	23.03.2022
V3	Final	MO	

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APPENDICES

- APPENDIX 1: STAKEHOLDER AND COMMUNITY MAPPING*
- APPENDIX 2: PLANNING YOUR ENGAGEMENT APPROACH*
- APPENDIX 3: MEASURING SUCCESS*
- APPENDIX 4: CLOSING THE LOOP AND REPORTING BACK*

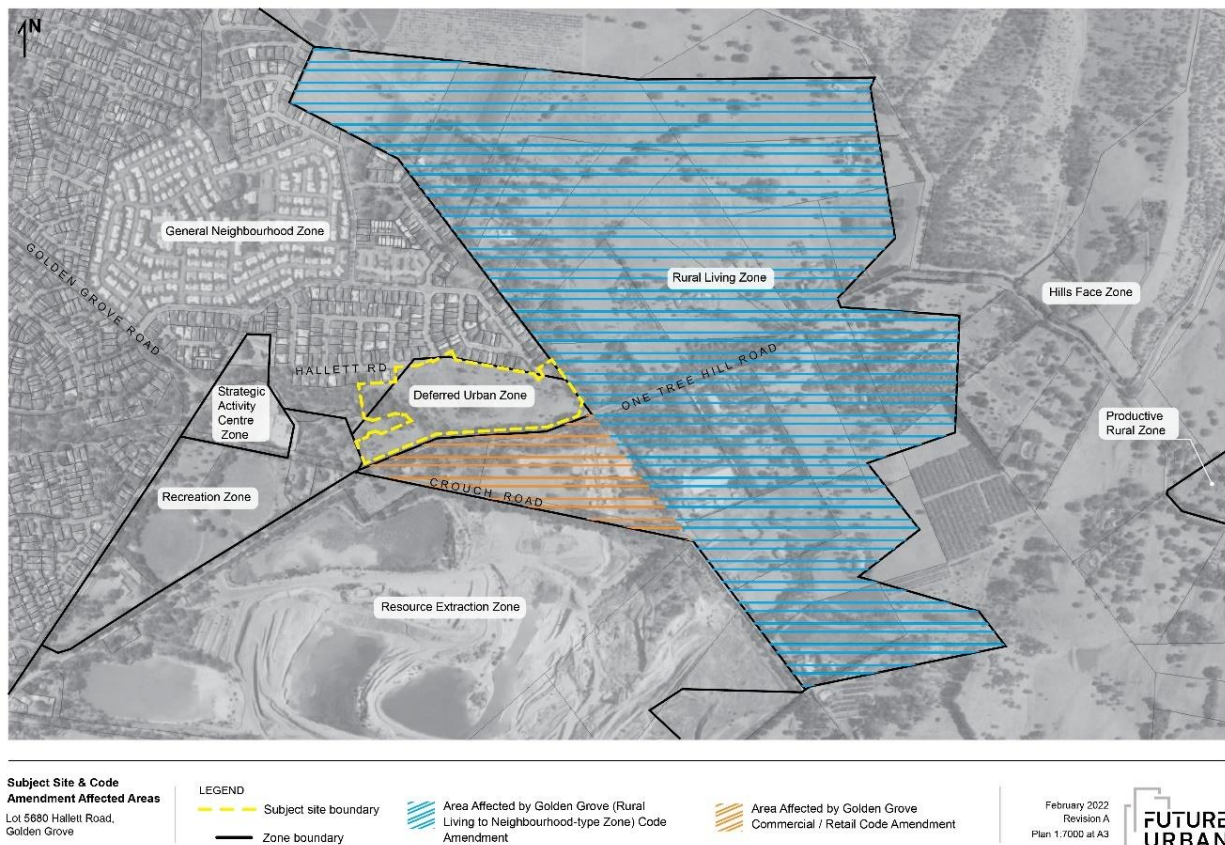
1. BACKGROUND INFORMATION

Fairland (the Proponent) is proposing to initiate an amendment (the Code Amendment) to the Planning and Design Code (the Code) as it relates to land described as Lot 5680 Hallett Road, Golden Grove (the Affected Area). The proposal seeks to rezone the land from the Deferred Urban Zone to the General Neighbourhood Zone. This change would facilitate the development of conventional residential sized allotments in a manner which is consistent with the adjoining residential estate, marketed at the time as 'The Settlement'.

The Affected Area is located on the northern side of One Tree Hill Road, as shown by **Figure 1.1** below.

It is evident from **Figure 1.1** that the subject land adjoins the General Neighbourhood Zone to the north, the Rural Living Zone to the east, the Recreation Zone to and west. The Resource Extraction is located on the southern side of Crouch Road.

Figure 1.1 Location



The proposed rezoning aligns with a number of relevant State Planning Policies in relation to integrated planning, housing supply, design quality, mineral and energy resources and natural hazards. The proposed rezoning also aligns with a number of relevant policies within the 30 Year Plan for Greater Adelaide (the 30 Year Plan), as outlined within the Code Amendment Initiation document. In particular, the proposal correlates with the 30 Year Plan policies in respect to population, housing, design quality, infrastructure, water, biodiversity, climate change and natural hazards.

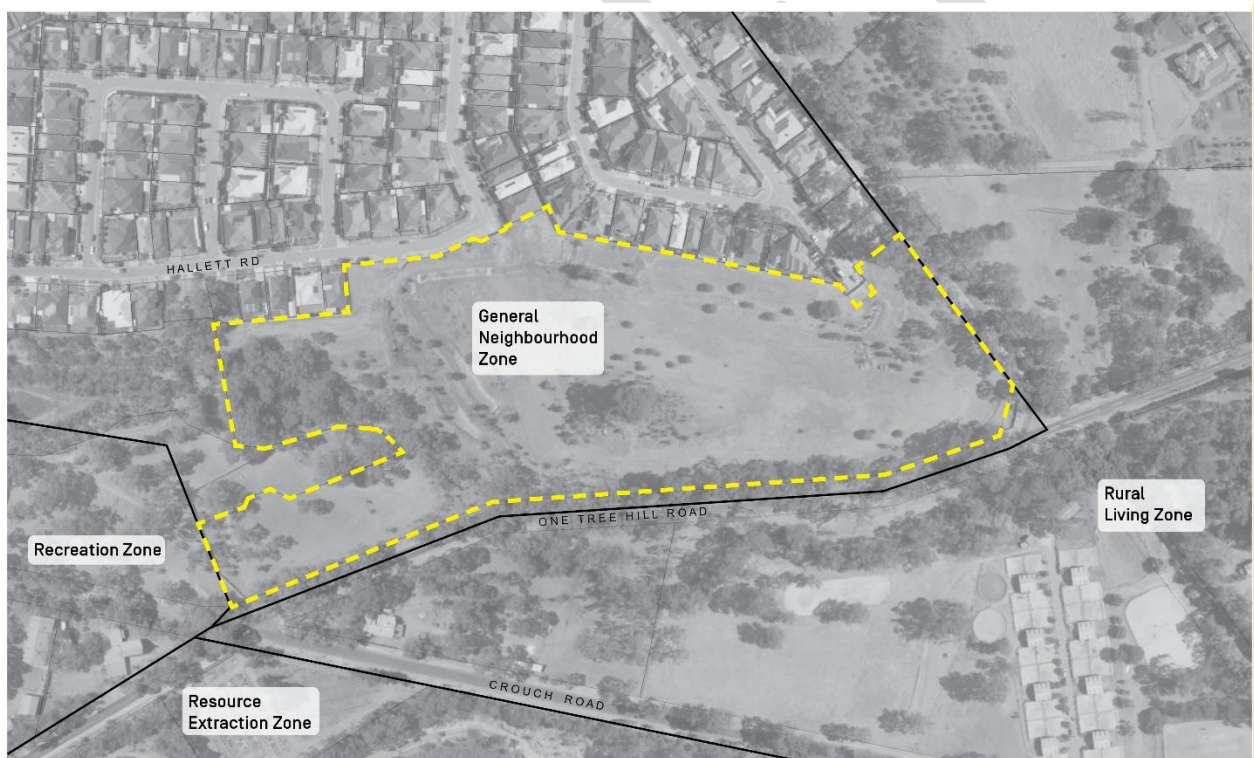
Investigations are required to be undertaken for the Code Amendment which include:

- Preliminary site investigations;
- Traffic;
- Environmental noise and air quality;
- Infrastructure and services;
- The existing land management agreement registered on the Certificate of Title for the Affected Area;
- Traffic; and
- Vegetation.

In accordance with section 73(4)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act), Fairland will be the Designated Entity responsible for conducting the Code Amendment process.

The proposed zone outcome is shown by Figure 1.2 below.

Figure 1.2 Proposed Zone



Proposed Zone

LEGEND

— Affected area — Zone boundary

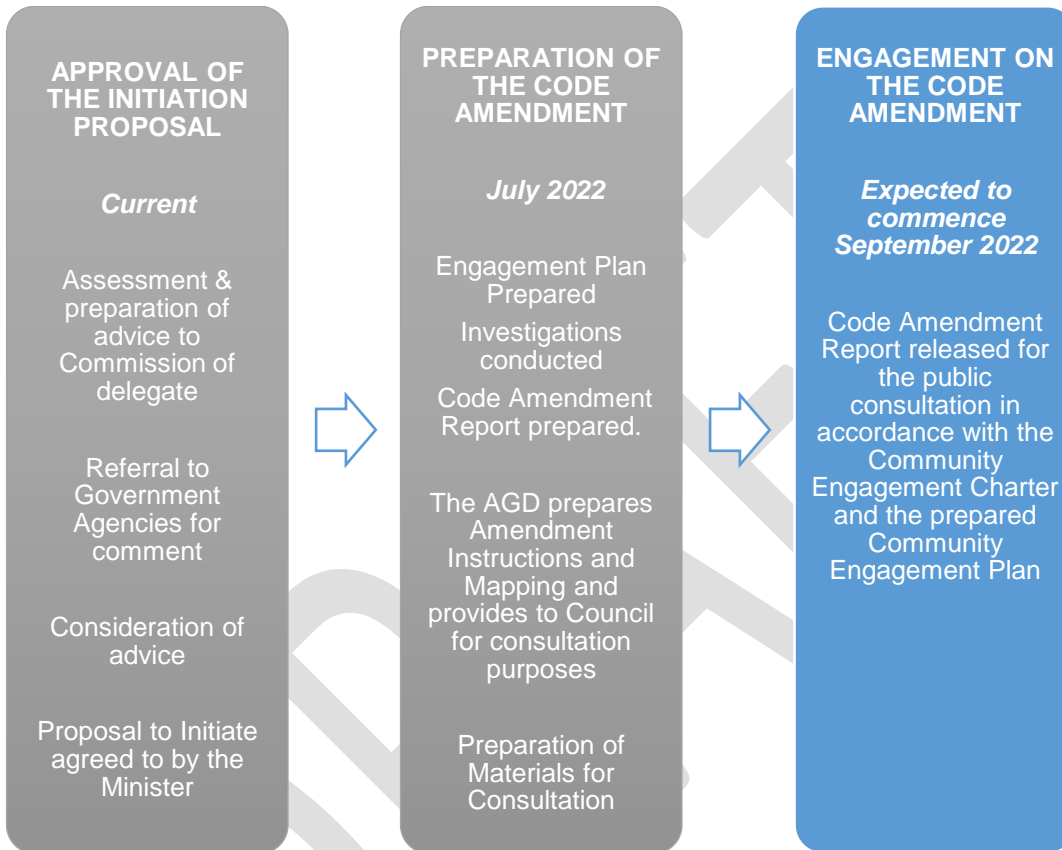
Data Source: Imagery - SA Property & Planning Atlas dated 7 Jan-22, Jan 2021. Policy - Planning & Design Code version 2022.4, published on 3 March 2022.



2. CODE AMENDMENT PROCESS

The Code Amendment process follows steps which require specific actions at each milestone. The timeframes for each step are outlined within **Figure 2.1**. The steps which are greyed out have already been completed. The steps which are currently being undertaken refer to the 'Engagement on the Code Amendment'.

Figure 2.1 Status of the Code Amendment



3. ENGAGEMENT APPROACH

3.1 Purpose

The purpose of the engagement is to inform the rezoning of the Affected Area to enable the future development of the land for residential purposes.

Specifically, the engagement will:

- Communicate to raise awareness that a Code Amendment is being prepared;
- Provide information about what is proposed by the Code Amendment including the location of where the proposed changes will apply;
- Provide the opportunity for stakeholders to identify issues and opportunities early, so that they can be considered in the preparation of the Code Amendment;
- Enable stakeholders and community to provide feedback on the Code Amendment prior to it being finalised and submitted to the Minister for Planning;
- Close the loop with stakeholders and community to inform them of the final version of the Code Amendment;
- Meet statutory requirements as they relate to engagement on a Code Amendment;
- Build relationships and a community of interest to support future activities (i.e. construction);
- Maximise the opportunity for the media to be well informed, minimising reporting of inaccurate or biased reporting.

3.2 Objectives

Stakeholders and the community will be engaged at three key stages in preparation of the Code Amendment:

- Stage 1 – To gain feedback on the Code Amendment (Collaborate/Consult)
- Stage 2 – To be informed of the final Code Amendment (Inform)
- Stage 3 – To close the loop and evaluate engagement (Inform/Evaluate)

3.3 Community Engagement Charter

The preparation of the Code Amendment is required to comply with the principles of the Community Engagement Charter under the *Planning, Development and Infrastructure Act 2016*.

The Community Engagement Charter sets out best practise guidelines for community engagement in relation to the preparation and amendment of planning policies, strategies and schemes.

3.4 Engagement Already Undertaken

Preliminary discussions in respect to the intended Code Amendment have occurred with Planning and Land Use Services (PLUS) staff within the Attorney General's Department and also with the staff of the City of Tea Tree Gully.

Given the lands proximity to the Resource Extraction Zone and established mining activity, preliminary engagement has occurred with the Department for Energy and Mining (DEM). Historical discussions have also occurred with the Environment Protection Agency (EPA).

Both State Government Agencies outlined the following guiding principles and comments:

- It is important to protect the Golden Grove Resource Extraction Zone (GGREZ) from encroachment of incompatible development;
- There is recognition that the activities occurring within the GGREZ are a source of noise and air quality complaints. There are also issues arising from heavy vehicle movements.

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4. STAKEHOLDER IDENTIFICATION AND ANALYSIS

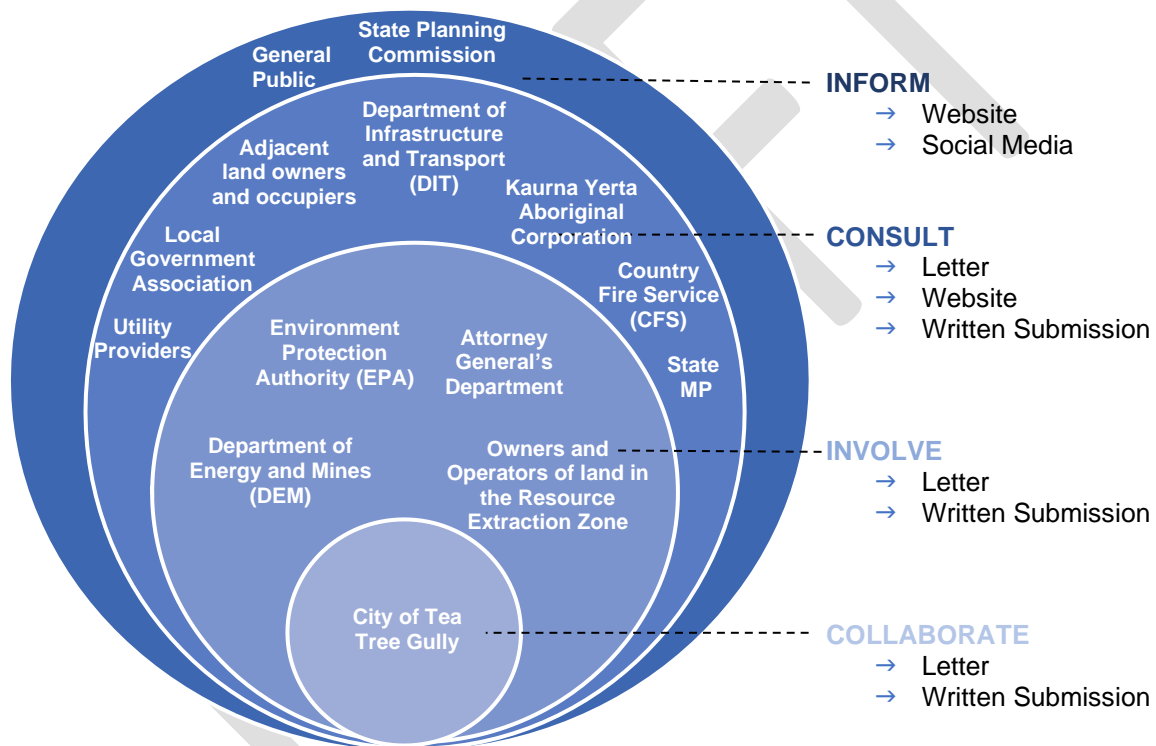
The overall intent of the Code Amendment is to enable low density/low scale residential development to be established on the Affected Area.

The primary audience for the engagement of this Code Amendment are the City of Tea Tree Gully, the Department of Energy and Mines, license holders and operators of quarry related activities and adjacent land owners and occupiers.

Overall, the aim of the community engagement is to provide a level of influence which seeks to work directly with the relevant stakeholders throughout the process to ensure that public concerns and aspirations are understood, considered and reflected in the Code Amendment.

A stakeholder identification and analysis has been undertaken and the outcomes of this are provided in **Appendix 1**, with a summary of this analysis provided in **Figure 4.1** below.

Figure 4.1 Stakeholder Analysis Summary

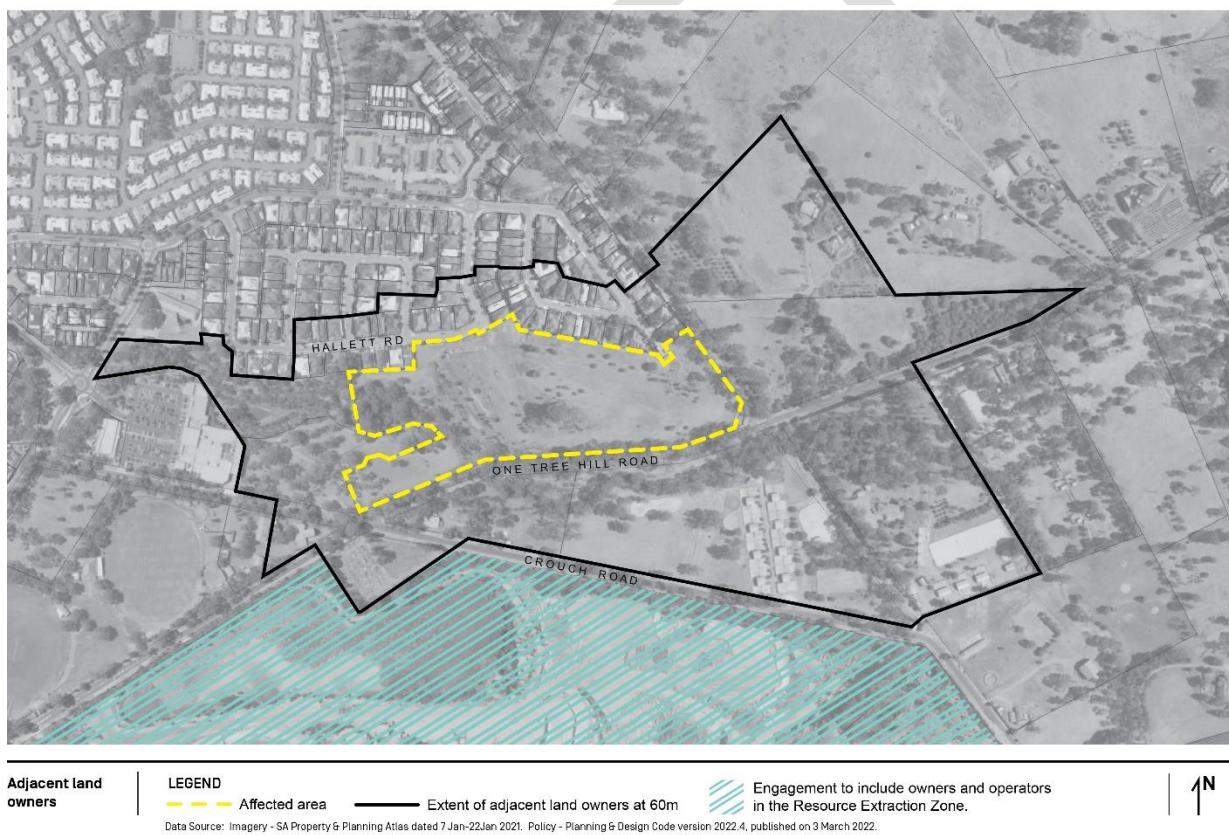


The stakeholders which have been determined to influence the proposed Code Amendment are:

- Adjacent land owners and occupiers shown in **Figure 4.2** below;
- City of Tea Tree Gully;
- Local Government Association;
- Department of Energy and Mines (DEM);
- Owners and operators of land in the Resource Extraction Zone;

- Department for Infrastructure and Transport (DIT);
- Attorney General's Department;
- Environment Protection Authority (EPA);
- Country Fire Service (CFS);
- Utility providers;
- State Member of Parliament;
- State Planning Commission;
- General Public.

Figure 4.2 *Extent of adjoining landowners and occupiers to be directly notified*



The level of each stakeholder's interest (low, medium and high), the nature of their interests and their needs and expectations of the engagement process have been identified. Having regard to the level of interest, the potential impact of the project on each of the stakeholders' interests and the potential impact of each stakeholder on the Code Amendment, the level of engagement has been established. The outcomes of this analysis are included in **Appendix 1**.

The levels of engagement are informed by the IAP2 Spectrum of Public Participation and are summarised in **Table 4.1**.

Table 4.1 IAP2 Spectrum of Public Participation

	Inform	Consult	Involve	Collaborate	Empower
Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
Promise to Stakeholders	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

In addition to stakeholder engagement outlined above, the Proponent also intends to engage with and seek the advice of the PLUS Code Control Group, particularly in the preliminary and early stages of drafting the Code Amendment Report and following stakeholder engagement to inform the Code Amendment.

5. SCOPE OF INFLUENCE

Aspects of the project which stakeholders and the community can influence are:

- the spatial application of Overlays and Technical and Numeric Variations.

Aspects of the project which stakeholders and the community cannot influence are:

- The geographic extent of the amendment;
- The residential expectations of the proposed Zone; and
- Policy within the Code.

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6. IMPLEMENTATION PLAN

An implementation plan has been prepared which details the various engagement activities proposed for each engagement level. The implementation plan is attached as **Appendix 2**.

Engagement activities have been included to ensure that the method of engagement is appropriate for achieving the objectives and level of influence of the engagement.

The overall engagement for the Code Amendment will consist of three stages, which include:

- Preliminary Engagement, undertaken prior to the drafting of the Code Amendment Report;
- Early Engagement, undertaken after the initial draft of the Code Amendment Report is prepared, but allowing for early input and sharing of information before the Code Amendment is publicly available; and
- Code Amendment Engagement, undertaken after the draft of the Code Amendment Report is completed and includes the Report being made available to the public and all stakeholders for review and input.

Within each stage of the engagement, the engagement activities generally include the following three milestones:

- Commencement of engagement;
- Engagement concludes; and
- Report back to the relevant stakeholders and/or the public on the outcomes and next steps.

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7. APPLYING THE CHARTER PRINCIPLES IN PRACTISE

The stakeholders have been considered in respect to their needs and requirements to ensure that the design of the engagement allows all stakeholders to contribute equally. **Table 7.1** outlines the characteristics of the stakeholders relevant to this engagement and the needs and / or techniques which have been implemented.

Table 7.1 *Applying the Charter Principles*

Stakeholder	Engagement need or technique
English as a second language	<ul style="list-style-type: none"> Information that is easily translatable; Website accessibility for those who come from non-English speaking backgrounds.
The older population within the community	<ul style="list-style-type: none"> Offering different levels of communication via phone and website; Website accessibility for those with impairments that affect vision, reading ability or physical movement.
Accessibility to information	<ul style="list-style-type: none"> Use of technology to increase stakeholder access to information; Hard copies of documents made at appropriate locations (i.e. Council civic centre).

The engagement activities have been identified and the relevant charter principles have been addressed which is outlined within **Table 7.2** below.

Table 7.2 *Charter Principles in Practice*

Charter Principles	How does your engagement approach/activities reflect this principle in action?
Engagement is genuine	<ul style="list-style-type: none"> The engagement activities seek to provide clear and concise information that builds the community capacity to understand planning. The engagement process provides opportunity for stakeholders and the community to identify their issues and solutions and for these issues to be analysed and considered before finalising the Code Amendment.

<p>Engagement is inclusive and respectful</p>	<ul style="list-style-type: none"> Affected and interested people had the opportunity to participate via website, direct letters and social media and are given the opportunity to be heard via written submission.
<p>Engagement is fit for purpose</p>	<ul style="list-style-type: none"> Clear and concise information will be publicly available to ensure people understand what is proposed and how to participate in the engagement.
<p>Engagement is informed and transparent</p>	<ul style="list-style-type: none"> Information (online and hard copy via letter-box drop) in basic language clearly articulates the proposal, potential impacts, engagement process and invites feedback/participation; The community engagement report will summarise the feedback received and how it has been, or will be, used to inform the Code Amendment.
<p>Engagement is reviewed and improved</p>	<ul style="list-style-type: none"> Measures of success are identified and measured at the conclusion of the engagement and reported on in the Engagement Report.

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8. KEY MESSAGES

The following key messages will underpin the engagement regarding the Code Amendment:

- The Proponent is planning to re-zone the land located at Lot 5680 Hallett Road, Golden Grove from the Deferred Urban Zone to the General Neighbourhood Zone in order to facilitate the further development of the land for low density low scale residential purposes;
- The reason for this is that residential development represents a more orderly and economic use of the land, which can take advantage of its strategic location adjacent to key transport infrastructure and open space; and
- A Code Amendment is required to enable this re-zoning.

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9. EVALUATION

As part of the engagement process, feedback from stakeholders regarding the engagement will be noted to ensure that the project team can:

- Address any changes for the implementation of the Code Amendment;
- Alter the engagement process if needed to respond to feedback and/or mitigate risks to the project; and
- Maintain the quality of the engagement activities.

Appendix 3 includes a table which outlines a summary of measuring the success of the engagement process. Participants are invited to assess the success of the engagement against the criteria. The evaluation will be included in the statutory report required to be prepared by the Designated Entity under section 73(7) of the Act (the Engagement Report).

Following an evaluation of the success of the engagement, a summary of the engagement process will be provided to the participants. The methods for reporting back and closing the loop are outlined within **Appendix 4**.

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APPENDIX 1: STAKEHOLDER AND COMMUNITY MAPPING

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Stakeholder and community mapping

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
Adjacent landowners and occupiers	High	<ul style="list-style-type: none"> • High interest in the Code Amendment proposal and impact as the Zone change is located within their locality; • How the Zone change will affect the value of their property; • How the Zone change will affect the general locality. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
City of Tea Tree Gully	High	<ul style="list-style-type: none"> • High interest in the Code Amendment proposal as the land proposed to be rezoned is within the City of Tea Tree Gully Council area and is subject to an LMA entered into with the Council. 	<p>That we will seek the Council's feedback and innovation in formulating solutions and incorporate its advice and recommendations into the decisions to the maximum extent possible.</p> <p>That we will investigate and resolve an outcome with respect to the existing LMA with the Council to facilitate the desired development outcomes of the Code Amendment.</p>	Collaborate

Local Government Association	Medium	<ul style="list-style-type: none"> • Low level of interest as the Code Amendment is specifically relevant to the City of Tea Tree Gully; • It is a mandatory requirement to notify the Local Government Association in writing and to be consulted in accordance with the Act. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
State Planning Commission	Medium	<ul style="list-style-type: none"> • Medium level of interest. 	That they will be made aware of the Code Amendment and kept informed.	Inform
Department of Energy and Mines (DEM)	High	<ul style="list-style-type: none"> • High level of interest; • The land is located adjacent to strategic resources and operating mining activities. 	That they will be made aware of the Code Amendment, be provided information through the process as part of a process of working through any identified issues and ultimately will have influence on the outcome.	Involve
Owners and Operators of land in Resource Extraction Zone	High	<ul style="list-style-type: none"> • High level of interest; • The land is located adjacent to strategic resources and operating mining activities. 	That they will be made aware of the Code Amendment, be provided information through the process as part of a process of working through any identified issues and ultimately will have influence on the outcome.	Involve

Department of Infrastructure and Transport (DIT)	Medium	<ul style="list-style-type: none"> • Medium level of interest; • The Affected Area does not have frontage to a State Maintained Road, but traffic from the Affected Area will flow to Golden Grove Road which is a State Maintained Road. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
Utility Providers	Medium	<ul style="list-style-type: none"> • Medium level of interest; • The proposed rezoning may generate infrastructure demands which require assessment. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
State Minister for Parliament	High	<ul style="list-style-type: none"> • High level of interest; • Any rezoning process is likely to engender interest within the local community. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
Environment Protection Authority (EPA)	High	<ul style="list-style-type: none"> • High level of interest; • The land is located adjacent to strategic resources and operating mining activities. 	That they will be made aware of the Code Amendment, be provided information through the process as part of a process of working through any identified issues and ultimately will have influence on the outcome.	Involve

Country Fire Service (CFS)	Medium	<ul style="list-style-type: none"> • Medium level of interest; • The Affected Area is not in a high or medium bushfire risk area, but is identified within the Hazards (Bushfire – Urban Interface) Overlay. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
Kurna Yerta Aboriginal Corporation	Medium	<ul style="list-style-type: none"> • Interest as the Traditional Owners of the Affected Area, and the impacts the change of zone will have on surrounding features. 	That they will be made aware of the Code Amendment, have an opportunity to participate, influence the outcome and be kept informed.	Consult
General Public	Low	<ul style="list-style-type: none"> • To keep informed in the overall process of the Code Amendment and Zone change; • To provide feedback on the Code Amendment. 	That they will be made aware of the Code Amendment and kept informed.	Inform

APPENDIX 2: PLANNING YOUR ENGAGEMENT APPROACH

Planning your engagement approach

Stage	Objective	Stakeholders/ target audience	Engagement level	Engagement activity	Timing
Preliminary Engagement	<ul style="list-style-type: none"> To Share information about the Code Amendment; Create an understanding of the reasons for the Code Amendment; Understand the views of the stakeholders; and Inform and improve the quality of the policy within the Code Amendment. 	<ul style="list-style-type: none"> City of Tea Tree Gully Department of Energy and Mines Environment Protection Authority Owners and operators of land in Resource Extraction Zone 	Involve	<ul style="list-style-type: none"> One-on-one meetings Presentations Letter 	Preliminary engagement to occur following initiation, but prior to drafting the Code Amendment Report.
		<ul style="list-style-type: none"> Code Control Group 	Nil		
Early Engagement	<ul style="list-style-type: none"> To Share information about the Code Amendment; Create an understanding of the reasons for the Code Amendment; Understand the views of the stakeholders; and Inform and improve the quality of the policy within the Code Amendment. 	<ul style="list-style-type: none"> City of Tea Tree Gully Department of Energy and Mines Environment Protection Authority Licensees and operators of quarry 	Involve	<ul style="list-style-type: none"> One-on-one meetings Presentations Letter 	Early engagement to occur following initiation and prior to release of the Code Amendment Report for the Code Amendment Engagement.
		<ul style="list-style-type: none"> Code Control Group 	Nil		

Stage	Objective	Stakeholders/ target audience	Engagement level	Engagement activity	Timing
Code Amendment Engagement	<ul style="list-style-type: none"> • Share information with the public about the Code Amendment; • Create an understanding of the reasons for the Code Amendment; • Understand the views of the stakeholders; • Inform and improve the quality of the policy within the Code Amendment; and • Comply with the Community Engagement Charter and the Act. 	<ul style="list-style-type: none"> • City of Tea Tree Gully • Licensees and operators of quarry 	Collaborate	<ul style="list-style-type: none"> • Letter • Information provided on website • Written submissions 	Code Amendment Engagement in anticipated to commence September 2022
		<ul style="list-style-type: none"> • Environment Protection Authority (EPA) • Department of Energy and Mines 	Involve	<ul style="list-style-type: none"> • Letter • Information provided on website • Written submissions 	
		<ul style="list-style-type: none"> • Department of Infrastructure and Transport (DIT) • Adjacent Land Owners and Occupiers • Utility Providers • Local Government Association • State Member for Parliament 	Consult	<ul style="list-style-type: none"> • Letter • Information provided on website • Written submissions 	

Stage	Objective	Stakeholders/ target audience	Engagement level	Engagement activity	Timing
		<ul style="list-style-type: none"> • General Public • State Planning Commission 	Inform	<ul style="list-style-type: none"> • Information provided on website • Written submissions 	

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APPENDIX 3: MEASURING SUCCESS

Measuring success

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement	What additional measure/s can help evaluate this principle?	What additional method will we use to collect information about this measure?	How do we integrate collection of this information with our planned engagement activities?
1	Principle 1: Engagement is genuine.	People had faith and confidence in the engagement process.	Community.	I feel the engagement genuinely sought my input to help shape the proposal.	Likert scale - strongly disagree to strongly agree.	Per cent from each response.	Nil additional measures proposed	Exit survey/ follow-up survey	Original letter to confirm that an exit survey will be available
2	Principle 2: Engagement is inclusive and respectful.	Affected and interested people had the opportunity to participate and be heard.	Community.	I am confident my views were heard during the engagement.	Likert scale - strongly disagree to strongly agree.	Per cent from each response.	Nil additional measures proposed	Exit survey/ follow-up survey	Original letter to confirm that an exit survey will be available
			Project Lead.	The engagement reached those identified as community of interest.	<p>Representatives from most community groups participated in the engagement.</p> <p>Representatives from some community groups participated in the engagement.</p> <p>There was little representation of the community groups in engagement.</p>	Per cent from each response.	Nil additional measures proposed	Nil additional measures proposed	Original letter to confirm that an exit survey will be available

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement	What additional measure/s can help evaluate this principle?	What additional method will we use to collect information about this measure?	How do we integrate collection of this information with our planned engagement activities?
3	Principle 3: Engagement is fit for purpose.	People were effectively engaged and satisfied with the process.	Community	I was given sufficient information so that I could take an informed view.	Likert scale - strongly disagree to strongly agree.	Per cent from each response.	Nil additional measures proposed	Exit survey/ follow-up survey	Original letter to confirm that an exit survey will be available
		People were clear about the proposed change and how it would affect them.		I was given an adequate opportunity to be heard.	Likert scale - strongly disagree to strongly agree.	Per cent from each response.	Nil additional measures proposed	Exit survey/ follow-up survey	Original letter to confirm that an exit survey will be available
4	Principle 4: Engagement is informed and transparent.	All relevant information was made available and people could access it. People understood how their views were considered, the reasons for the outcomes and the final decision that was made.	Community.	I felt informed about why I was being asked for my view, and the way it would be considered.	Likert scale - strongly disagree to strongly agree.	Per cent from each response.	Nil additional measures proposed	Exit survey/ follow-up survey	Original letter to confirm that an exit survey will be available

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement	What additional measure/s can help evaluate this principle?	What additional method will we use to collect information about this measure?	How do we integrate collection of this information with our planned engagement activities?
5	Principle 5: Engagement processes are reviewed and improved.	The engagement was reviewed and improvements recommended.	Project Lead.	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement.	Reviewed and recommendations made. Reviewed but no system for making recommendations. Not reviewed.	Per cent from each response.	Nil additional measures proposed	Nil additional measures proposed	Observation and review of provided responses
6	Engagement occurs early.	Engagement occurred before or during the drafting of the planning policy, strategy or scheme. There was an opportunity for influence during this process.	Project Lead.	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme.	Engaged when there was opportunity for input into scoping. Engaged when there was opportunity for input into first draft. Engaged when there was opportunity for minor edits to final draft. Engaged when there was no real opportunity for input to be considered.	Per cent from each response.	Nil additional measures proposed	Nil additional measures proposed	Observation and review of provided responses

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement	What additional measure/s can help evaluate this principle?	What additional method will we use to collect information about this measure?	How do we integrate collection of this information with our planned engagement activities?
7	Engagement feedback was considered in the development of planning policy, strategy or scheme.	Engagement contributed to the substance of a plan or resulted in changes to a draft.	Project Lead.	Engagement contributed to the substance of the final plan.	In a significant way. In a moderate way. In a minor way. Not at all.	Per cent from each response.	Nil additional measures proposed	Nil additional measures proposed	Observation and review of provided responses
8	Engagement includes 'closing the loop'.	Engagement included activities that 'closed the loop'. Such can occur by providing feedback to participants/ community about outcomes of engagement.	Project Lead.	Engagement provided feedback to community about outcomes of engagement.	Formally (report or public forum). Informally (closing summaries). No feedback provided.	Per cent from each response.	Nil additional measures proposed	Nil additional measures proposed	Observation and review of provided responses

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement	What additional measure/s can help evaluate this principle?	What additional method will we use to collect information about this measure?	How do we integrate collection of this information with our planned engagement activities?
9	Charter is valued and useful.	Engagement is facilitated and valued by planners.	Project Lead.	Identify key strength of the Charter and Guide. Identify key challenge of the charter and Guide.			Nil additional measures proposed	Nil additional measures proposed	Observation and review of provided responses

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APPENDIX 4: CLOSING THE LOOP AND REPORTING BACK

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Closing the loop and reporting back

How will you respond to participants?	Who's responsible?	When will you report back?
Via e-mail and / or mail	Future Urban on behalf of the Proponent	2-4 weeks after consultation has ended
The general public will be made aware of the outcomes via information made available on the Plan SA Portal	Future Urban on behalf of the Proponent	6-8 weeks after consultation has ended
All other stakeholders will be directly notified in writing by letter and / or e-mail.	Future Urban on behalf of the Proponent	6-8 weeks after consultation has ended

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ATTACHMENT 5: TIMETABLE FOR CODE AMENDMENT

CODE AMENDMENTS TIMETABLE		
Steps	Responsibility	Timeframes
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission	AGD	2 weeks (<i>includes lodgement and allocation + referral to Government Agencies within the first week</i>)
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister.	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
Proposal to initiate agreed to by the Minister.	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan prepared. Investigations conducted; Code Amendment Report prepared. The drafting instructions and draft mapping provided to the AGD.	Land SA	2 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation.	Land SA	2 weeks
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan .	Land SA	6 weeks
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised, amended drafting instructions provided, Engagement Report prepared and lodged with AGD.	Land SA	4 weeks
Assess the Amendment and engagement.	AGD	4 weeks

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>		
Consideration of Advice.	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision.	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go-live / Publish on the PlanSA portal.	AGD	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC.	AGD	8 weeks



TO: MINISTER FOR PLANNING

**RE: PROPOSAL TO INITIATE THE LOT 5680 HALLETT ROAD, GOLDEN GROVE
CODE AMENDMENT BY LANDSA PTY LTD – FOR INITIATION**

PURPOSE

To recommend that you approve, with conditions, the Proposal to Initiate a Lot 5680 Hallett Road, Golden Grove Code Amendment (the Proposal).

BACKGROUND

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

73 – Preparation and amendment

(2) A proposal to amend a designated instrument may be initiated by—

(b) with the approval of the Minister, acting on the advice of the Commission—

(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.

LandSA Pty Ltd (the Proponent) has lodged the Proposal 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 7 July 2022 and resolved to support the Code Amendment, subject to conditions.

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**.

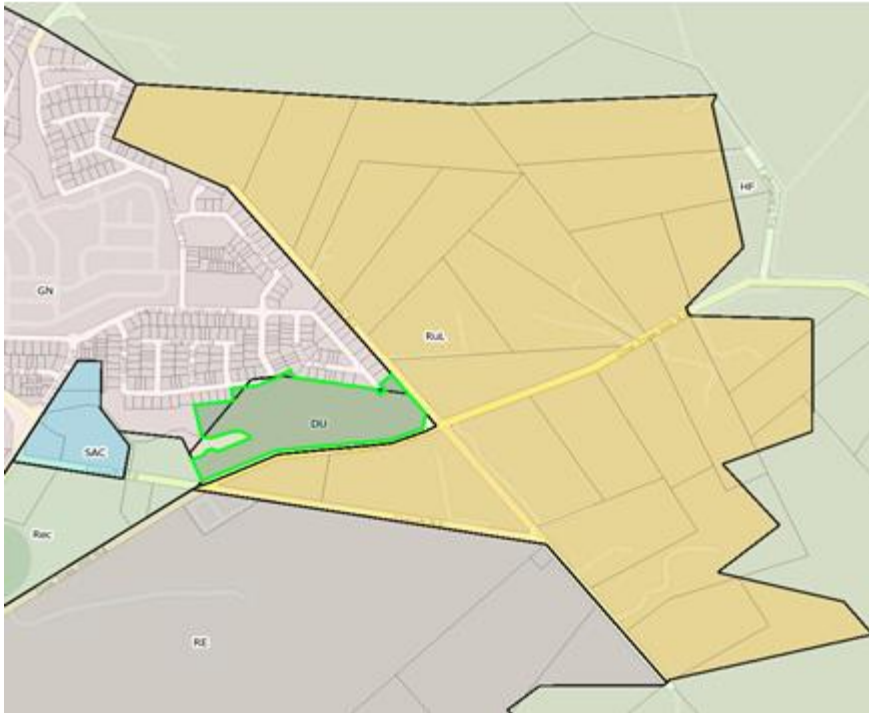
DISCUSSION

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 a single allotment comprising 7.12 hectares of land with frontage to One Tree Hill Road from the Deferred Urban Zone to the General Neighbourhood Zone. A small portion of the subject land is already in the General Neighbourhood Zone. The proposed Code Amendment will facilitate low density, low scale residential development with the potential for approximately 50 allotments.

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



Planning and Design Code Zoning

The affected area is located within the Deferred Urban Zone and a small portion of the General Neighbourhood Zone.

The following Overlays apply to the land:

- Affordable Housing (GNZ only)
- Defence Aviation Area – All structures over 15 metres
- Hazards (Flooding)
- Hazards (Flooding – Evidence Required)
- Hazards (Bushfire – Urban Interface)
- Regulated and Significant Tree
- Prescribed Water Resources Area
- Stormwater Management (GNZ only)
- Urban Tree Canopy (GNZ only)
- Water Resources.

The land surrounding the affected area is within the Rural Living Zone, General Neighbourhood Zone, Resource Extraction Zone and Recreation Zone.

LandSA Pty Ltd forms part of the Fairland Group. The adjacent residential estate, known as *The Settlement*, was developed by LandSA Pty Ltd from 2008 to 2015. Future development of the affected area was provided for through the establishment of infrastructure and road connections to the land.

A small portion of an allotment owned by the City of Tea Tree Gully (the Council) is also located within the Deferred Urban Zone; however, is not included as part of this Code Amendment as the Proponent does not have a legal interest in the land.

The Proposal is in the immediate vicinity of two existing Proposals initiated by the former Minister for Planning and Local Government, Mr Josh Teague, on 10 January 2022:

- 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.

A further Proposal to Initiate the Golden Grove Neighbourhood and Commercial Code Amendment by YAS Property & Development and Falkenburg Road Pty Ltd, which amalgamates these two existing Code Amendments, was considered by the Commission on 9 June 2022. That Proposal is currently with you, as Minister for Planning, for consideration.

In summary, the Proposal (by LandSA Pty Ltd) seeks to investigate:

- Replacement of the Deferred Urban Zone as it applies to the affected area with the General Neighbourhood Zone.
- Extension of the Affordable Housing Overlay, Stormwater Management Overlay and Urban Tree Canopy Overlay over the affected area.

The Proponent has advised that no other changes to existing Overlays are proposed.

Strategic considerations

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

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

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

Strategic advice

The proposed Code Amendment seeks to rezone an identified future urban growth area, representing a logical extension of the existing established part of Golden Grove to the north. The affected area has access to public transport, schools, open space, and shops with direct road links already preserved and available for connection to future development.

The affected area is located within the Inner North region of Greater Adelaide, as defined within the Land Supply Reports (LSRs).

- The LSRs indicate the Inner North region could accommodate between 26,500 (medium) to 32,800 (high) additional people between 2020-2030. This rate of growth is second only to the Outer North region.
- To accommodate this growth, it is estimated an additional 12,000 (medium) to 14,000 (high) dwellings will be required over this period.

The Proposal will facilitate the provision of additional strategic, larger scale, infill land within the Inner North region. Current large scale strategic infill sites are coming to an end and additional supply in the region would alleviate some pressure. The proposed Code Amendment will therefore provide additional residential land supply that responds to the growing population of the Inner North region, to support projected growth over the next 10 years.

Potential constraints comprise:

- Close proximity of the Resource Extraction Zone (to the south): Careful consideration needs to be given to the interface between the affected area and the Resource Extraction Zone; which covers a resource extraction land use of strategic importance to the State.
- Relationship with existing and proposed Code Amendments: Consideration in conjunction with existing and proposed Code Amendments lodged for the adjacent rural living zoned land is needed to ensure physical connectivity and transparency of process for the community.

Land use characteristics

Surrounding land use activities comprise residential, rural living, sand quarrying, recreation, and retail. The affected area forms the residual land from *The Settlement* estate and is largely cleared, with some established vegetation and portion of an existing creek line.

An existing Land Management Agreement (LMA) relating to the original development allotment is in place. Review and discussion with Council will be undertaken to determine options to revoke, amend or provide a new LMA.

Investigations

Preliminary investigations have not yet been undertaken; however, in order to ensure timely engagement with regard to the existing and proposed Code Amendments proposed over the adjacent Rural Living Zone, the Proposal was submitted with the following investigations proposed.

Infrastructure

An Infrastructure and Servicing Report is proposed to identify existing capacity and the potential need to augment services. Connection to existing facilities within the established estate is anticipated. Investigations will include stormwater capacity constraints and options to manage stormwater quantity and quality. Relevant infrastructure agreements are indicated should the need for augmentation be identified.

It is recommended that a condition to address upgrade requirements and associated funding mechanisms be applied.

Transport and access

Detailed traffic investigations into potential traffic management interventions to support additional traffic movements arising from future development will be undertaken, noting that no direct access is proposed to One Tree Hill Road. These investigations will also have regard to the existing and proposed Code Amendments over adjacent rural living zoned land.

Interface with adjacent land use activities – Noise and air emissions

The affected area is in close proximity to the Resource Extraction Zone. The Proponent has undertaken preliminary consultation with the Department for Energy and Mining (DEM) and the Environment Protection Authority (EPA) and will continue engagement that will include private mine operators. DEM and the EPA have advised of the importance of protecting the Golden Grove Resource Extraction Zone from encroachment of incompatible development, recognising that activities occurring within the Zone are a source of noise and air quality complaints.

Planned investigations include consideration of the potential impacts that may arise from the interface between existing and intended land uses, and an Environmental Noise Assessment and Air Quality Study is also proposed. It is recommended that application of the Interface Management Overlay be investigated given the proximity of the Resource Extraction Zone and a condition has been recommended in relation to this.

Vegetation and fauna investigations

The affected area contains some established vegetation, particularly associated with the existing creek line. Investigations into vegetation and habitat for fauna are proposed, and it is recommended that the Native Vegetation Council be engaged on the Code Amendment.

Hazards

The affected area is subject to the Hazards (Bushfire – Urban Interface), Hazards (Flooding) and Hazards (Flooding – Evidence Required) Overlays. The Proponent has indicated that detailed investigations will be undertaken to understand the likely impact of these Overlays and ensure appropriate measures are taken to mitigate against risk. Notwithstanding, bushfire has not been identified within the proposed investigations. It is recommended that the South Australian Country Fire Service (CFS) be included as a specified body that the Designated Entity must consult with.

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 and Amendment of Designated Instruments outlines the information requirements for a Proposal to Initiate and is provided in **Appendix E**.

The mandatory information requirements have been met and therefore the Proposal to Initiate 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 **Appendix D** and a more detailed analysis is also located in the Proposal to Initiate (**Attachment 1**).

In summary, the Proposal is considered 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 for Trade and Investment (the Department) the responsibility for undertaking the processes.

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

Recommendation(s)

That LandSA Pty Ltd be the Designated Entity responsible for undertaking the Code Amendment process.

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

Investigations to support the Amendment

The Proponent has identified investigations to support the Code Amendment as detailed above.

It is recommended under section 73(6)(f) of the Act that a further investigation be undertaken to consider application of the Interface Management Overlay as a means of mitigating potential land use conflict with the existing resource extraction activity in the Resource Extraction Zone adjacent the area affected.

As the site is undeveloped, a search of the Register of Aboriginal Sites and Objects (Taa wika) should be undertaken to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.

It is also 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 investigation be undertaken by the Designated Entity, in addition to that outlined in the Proposal to Initiate, under section 73(6)(f) of the Act:

- Explore application of the Interface Management Overlay with regard to the existing Resource Extraction Zone and associated activities.
- Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.

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 Deferred Urban Zone to the General Neighbourhood Zone to support low density, low scale residential development.

Recommendation(s)

That approval of the Proposal to Initiate be the subject of a condition that limits the scope of the proposed Code Amendment to exclude the creation of new planning rules and to only allow spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Code (on the date the Amendment is released for consultation).

Consultation

The Proponent has undertaken preliminary consultation with Council who have advised that the Proposal was presented at an Elected Member workshop on 17 May 2022 and has been considered by Council staff, including the Acting Chief Executive Officer. Matters raised include:

- The proximity to extractive mining, which is the reason the land is zoned Deferred Urban, and a view that the support of the Minister for Energy and Mining to rezone for residential use will be key. The Proponent is urged to clarify whether the proposed rezoning is viable from the perspective of DEM in the early stages of investigations.
- Rezoning that portion of the Deferred Urban Zone owned by Council (part of Hallett Reserve) so that it is consistent with adjoining land. If this Proposal is successful, Council will likely request the Minister to consider rezoning through section 76 of the Act. Council's letter dated 23 May 2022 is provided in **Appendix F**.

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 August 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
- Environment Protection Authority
- Department for Infrastructure and Transport

- South Australian Country Fire Service
- Affordable Housing Unit of the SA Housing Authority
- Native Vegetation Council – Department for Environment and Water
- YAS Property & Development and Falkenberg Road Pty Ltd (care of URPS), as the proponent seeking to initiate a Code Amendment on the rural living 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) & 73(6)(d) of the Act, consultation must be undertaken with:

- 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:

- | | |
|--|--------------------------|
| <p>1. Note the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the <i>Planning, Development and Infrastructure Act 2016</i>.</p> | <p>NOTED / NOT NOTED</p> |
| <p>2. Note that the State Planning Commission has, under section 73(6)(e) of the <i>Planning, Development and Infrastructure Act 2016</i>, specified that the Designated Entity must consult with the following nominated individuals and entities, and advise the Designated Entity accordingly:</p> <ul style="list-style-type: none"> • Department for Energy and Mining • Environment Protection Authority • Department for Infrastructure and Transport • South Australian Country Fire Service • Affordable Housing Unit of the SA Housing Authority • Native Vegetation Council – Department for Environment and Water • YAS Property & Development and Falkenberg Road Pty Ltd (care of URPS), as the proponent seeking to initiate a Code Amendment on the rural living 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. | <p>NOTED / NOT NOTED</p> |
| <p>3. Note that the State Planning Commission has, under section 73(6)(f) of the <i>Planning, Development and Infrastructure Act 2016</i>, resolved to specify the following further investigations to that outlined in the Proposal to Initiate, and advise the Designated Entity accordingly:</p> | <p>NOTED / NOT NOTED</p> |

- Explore application of the Interface Management Overlay with regard to the existing Resource Extraction Zone and associated activities.
- Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.

4. Approve initiation under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*, subject to the following conditions, under section 73(5) of the *Planning, Development and Infrastructure Act 2016*:

APPROVED / NOT APPROVED

- a) 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).
- b) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (on the date the Amendment is released for consultation).
- 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.

5. Under section 73(4)(a) of the *Planning, Development and Infrastructure Act 2016*, approve the initiation of the Lot 5680 Hallett Road, Golden Grove Code Amendment on the basis that LandSA Pty Ltd will undertake the Code Amendment processes (as the Designated Entity) required under the *Planning, Development and Infrastructure Act 2016*.

APPROVED / NOT APPROVED

- | | |
|--|---------------------|
| 6. Agree to sign the Proposal to Initiate the Lot 5680 Hallett Road, Golden Grove Code Amendment (Attachment 1). | AGREED / NOT AGREED |
| 7. Agree to sign the attached letters to LandSA Pty Ltd (Attachment 2) and the City of Tea Tree Gully (Attachment 3) advising of your approval and conditions. | AGREED / NOT AGREED |

NICK CHAMPION MP
/ / 2022



CRAIG HOLDEN
Chair, State Planning Commission
11 / 07/ 2022

Attachments:

1. Proposal to Initiate the Lot 5680 Hallett Road, Golden Grove Code Amendment (#18639924).
2. Suggested letter to LandSA Pty Ltd (#18803442).
3. Suggested letter to the City of Tea Tree Gully (#18803424).

Appendices:

- A. Summary of Roles and Responsibilities in the Code Amendment Process (#18803369).
- B. Process Flowchart – Code Amendments Initiated by Proponents (#18803140).
- C. State Planning Commission’s Strategic Priorities (#18803170).
- D. Assessment against the State Planning Policies and Regional Plan (#18803216).
- E. Extract from *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (#18803245).
- F. Letter from John Moyle, CEO, City of Tea Tree Gully, 23 May 2022 (#18720206).

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*

