


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

**Albert Park Mixed Use Code Amendment
(Part Privately Funded)**

By the Charles Sturt Council

.......... (Signature Required)
Chief Executive Officer

Charles Sturt Council (Part Privately Funded)

Date: 23 March 2021

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


MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date: 12.5.21

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1. INTRODUCTION

Charles Sturt Council is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land located within the Strategic Employment Zone, Employment Zone and General Neighbourhood Zone in Albert Park (the Affected Area).

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

While Charles Sturt Council seeks to initiate the Code Amendment, the process will be partly funded by the owner of a portion of the Affected Area (Don Totino, Director of Capri Cellars Pty Ltd, DFJ Holdings Pty Ltd, Torumare Pty Ltd and No 2 Murray Street Pty Ltd) in accordance with a legal and funding agreement with the Council. However, the Council will contain full control over the Code Amendment process and decision-making responsibilities in accordance with the *Act*.

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

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

1.1. Designated Entity for Undertaking the Code Amendment

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

- 1.1.1. The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements *Act*.
- 1.1.2. The Proponent declares that it has or intends to enter into an agreement with a third party for the recovery of some of the costs incurred in relation to the Code Amendment under section 73(9) of the *Act*. Council is intended to be the designated entity.
- 1.1.3. The contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
 - a) John Tagliaferri
 - b) jtagliaferri@charlessturt.sa.gov.au
 - c) 8408 1111
- 1.1.4. Charles Sturt Council intends to undertake the Code Amendment by:
 - a) Engaging Jensen Plus (planning consultants) and specialised sub-consultants to provide the professional services required to undertake the Code Amendment, with peer review by Council's technical officers.

1.2. Rationale for the Code Amendment

The Affected Area comprises approximately 11 hectares, of which around 4 hectares is controlled by one owner (Mr Totino). Most of the land is located within the Strategic Employment Zone and Employment Zone, with a small portion located within the General Neighbourhood Zone. The Affected Area comprises mainly large scale industrial and commercial buildings, a church, and low-density residential properties. Some of the industrial properties, particularly one parcel controlled by Mr Totino, are underutilised and approaching the end of their economic life. Parts of the land are flanked by residential areas to the west and south, and Port Road and West Lakes Boulevard to the north and east. The land is also located in relatively close proximity to the Albert Park train station.

In summary, rezoning of the subject land warrants consideration for the following reasons:

- Some buildings on the subject land (eg 24-30 Murray Street) have reached the end of their economic life.
- The proximity of some of the land to residential areas imposes significant operational restrictions and redevelopment limitations on the land.
- The land is not considered to be a 'Prime Industrial Area' in Council's *Industrial Land Study* (2008) and *Urban Employment Land Review* (2019).
- Redevelopment of the subject land for mixed use and higher density residential development will offset the likely site contamination remediation costs.
- There are unlikely to be insurmountable infrastructure or environmental barriers preventing redevelopment of the land for sensitive land uses (subject to further investigations).
- The land is well situated in relation to public transport (eg Albert Park and St Clair train stations and the Port Road 'Go Zone' bus services), the CBD and service centres (eg West Lakes District Centre, Port Adelaide Regional Centre).

The State Planning Policies for South Australia (2019) is the highest order policy document in South Australia and details the importance of locating higher residential densities and mixed-use development in and near established services and transport corridor catchments to achieve densities required to support the economic viability of these locations.

The *30-Year Plan for Greater Adelaide* (2017) details the Government's aim to contain the urban footprint of Adelaide by increasing residential densities in appropriate areas such as 'Mass Transit Routes'. It aims to accommodate population growth mainly by increasing infill development in established areas.

The City of Charles Sturt will accommodate a portion of the projected population growth, predominantly through achieving greater residential densities in major infill development projects (eg Bowden/Renewal SA, 'West', Woodville West, St Clair, adjacent Kilkenny station), and other infill developments around centres and adjacent to transit corridors and along key transit corridors (roads and rail). The Affected Area for this Code Amendment qualifies as a site that has major infill development potential in close proximity to existing services and the CBD.

Accordingly, the Code Amendment proposes to investigate policy amendments to encourage mixed use development to facilitate a higher density of residential and commercial

development to make better use of the site's proximity to public transport and the Adelaide CBD.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being the land bounded by Port Road, Glyde Street, Grace Street, May Street and West Lakes Boulevard as shown in Attachment A.

2.2. Scope of Proposed Code Amendment

Site 1 – The Affected Area currently within the Strategic Employment Zone

Current Policy¹	Local Variation (TNV) Maximum Building Height (Metres) (Maximum building height is 12m) Overlay Airport Building Heights (Regulated) (All structures over 110 metres) Hazards (Flooding) Hazards (Flooding General) Prescribed Wells Area Regulated Trees Traffic Generating Development Zone Strategic Employment
Amendment Outline	The Code Amendment proposes to investigate policy amendments to encourage mixed use development to facilitate higher density residential and commercial development to make better use of the site's proximity to public transport and the Adelaide CBD.
Intended Policy	Potential rezoning to: <ul style="list-style-type: none"> • Urban Corridor (Business) Zone • Business Neighbourhood Zone • Suburban Business Zone • Housing Diversity Neighbourhood Zone • Urban Neighbourhood Zone • General Neighbourhood Zone Note that one or more of the above zones could apply to all or parts of the Affected Area, and the final proposed zone(s), overlays and local variation (TNV) will be identified following consideration of the findings of the investigations.

¹ Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

Site 2 - The Affected Area currently within the Employment Zone

Current Policy²	Local Variation (TNV) Maximum Building Height (Metres) (Maximum building height is 12m) Overlay Airport Building Heights (Regulated) (All structures over 110 metres) Hazards (Flooding General) Major Urban Transport Routes Prescribed Wells Area Regulated Trees Traffic Generating Development Zone Employment
Amendment Outline	The Code Amendment proposes to investigate policy amendments to encourage mixed use development to facilitate higher density residential and commercial development to make better use of the site's proximity to public transport and the Adelaide CBD.
Intended Policy	Potential rezoning to: <ul style="list-style-type: none"> • Urban Corridor (Business) Zone • Business Neighbourhood Zone • Suburban Business Zone • Housing Diversity Neighbourhood Zone • Urban Neighbourhood Zone • General Neighbourhood Zone Note that one or more of the above zones could apply to all or parts of the Affected Area, and the final proposed zone(s), overlays and local variation (TNV) will be identified following consideration of the findings of the investigations.

Site 3 - The Affected Area currently within the General Neighbourhood Zone

Current Policy³	Overlay Airport Building Heights (Regulated) (All structures over 110 metres) Prescribed Wells Area Regulated Trees Stormwater Management Traffic Generating Development
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² Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

³ Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

	Urban Tree Canopy Zone General Neighbourhood
Amendment Outline	The Code Amendment proposes to investigate policy amendments to encourage mixed use development to facilitate higher density residential and commercial development to make better use of the site's proximity to public transport and the Adelaide CBD.
Intended Policy	<p>Potential rezoning to:</p> <ul style="list-style-type: none"> • Urban Corridor (Business) Zone • Business Neighbourhood Zone • Suburban Business Zone • Housing Diversity Neighbourhood Zone • Urban Neighbourhood Zone • General Neighbourhood Zone <p>Note that one or more of the above zones could apply to all or parts of the Affected Area, and the final proposed zone(s), overlays and local variation (TNV) will be identified following consideration of the findings of the investigations.</p>

STRATEGIC PLANNING OUTCOMES

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

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

2.3. Summary of Strategic Planning Outcomes

The key strategic planning considerations are summarised as follows:

- Some buildings and sites on the subject land have reached (or are approaching) the end of their economic life, are underutilised, and/or result in significant adverse interface impacts for adjacent residential areas. None of the land has been identified as 'prime industrial land' in previous Council investigations.
- Other parts of the subject land accommodate what appear to be viable and relatively low-impact non-residential activities, some of which capitalise on high traffic volumes and good vehicle access from/to Port Road.
- The subject land is well located in relation to a major arterial and sub-arterial roads (Port Road and West Lakes Boulevard), and significant public transport services (Port Road 'Go Zone' bus service, and the Albert Park and St Clair railway stations), is in relatively close proximity to major service centres (CBD, West Lakes, Port Adelaide and Arndale), and is relatively well serviced by other public infrastructure (water, stormwater and power).

- Parts of the subject land have historically accommodated potentially contaminating activities, and will require remediation to facilitate future development, particularly for sensitive land uses.

Given the above, it is considered an opportune time to investigate and determine an appropriate suite of future zone(s), policies and overlays, which will ideally facilitate economic and well-planned mixed-use redevelopment of the subject land over time.

2.4. Alignment with State Planning Policies

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

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

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<i>SPP 1 - Integrated Planning</i>	
<i>Policy 1.1 – An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period.</i>	The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-served area.
<i>Policy 1.7 – Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i>	The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-served area.
<i>Policy 1.8 – Mixed-use development around activity centres, public transport nodes and strategic transit corridors to encourage greater use of active transport options such as public transport, walking and cycling.</i>	The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-served area, in proximity to high frequency and capacity public transport (rail and bus) services.
<i>SPP 5 - Climate Change</i>	
<i>Policy 5.1 – Create carbon-efficient living environments</i>	The Code Amendment will seek to facilitate higher density residential and/or

<i>through a more compact urban form that supports active travel, walkability and the use of public transport.</i>	commercial development within an established and well-serviced area, in proximity to high frequency and capacity public transport (rail and bus) services.
SPP 6 – Housing Supply and Diversity	
<i>Policy 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>	The Code Amendment will seek to facilitate higher density residential and/or commercial development, and associated facilities such as well-designed and located public open space, pedestrian and cyclist facilities etc, within an established and well-serviced area, in proximity to high frequency and capacity public transport (rail and bus) services.
<i>Policy 6.5 – Locate higher density residential and mixed-use development in strategic centres and transport corridor catchments to achieve the densities required to support the economic viability of these locations and the public transport services.</i>	The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-serviced area, in proximity to high frequency and capacity public transport (rail and bus) services.
<i>Policy 6.6 – A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.</i>	The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-serviced area, in proximity to high frequency and capacity public transport (rail and bus) services, as well as apply the Affordable Housing Overlay to the subject land.
<i>Policy 6.8 – Ensure a minimum 15% of new housing in all significant developments that meets the criteria for affordable housing.</i>	The Code Amendment will apply the Affordable Housing Overlay to the subject land.
SPP 9 – Employments Lands	
<i>Policy 9.2 – Enable opportunities for employment and encourage development</i>	The Code Amendment will seek to facilitate a range of compatible residential and non-residential land uses in a well-designed

<p>of underutilised lands connected to, and integrated with, housing, infrastructure, transport and essential services.</p>	<p>mixed-use environment. None of the subject land has been identified as 'prime industrial land' in previous Council investigations.</p>
<p>Policy 9.6 – Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses.</p>	
<p>Policy 9.11 – Encourage the development of integrated employments and residential</p>	
<p>SPP 11 – Strategic Transport Infrastructure</p>	
<p>Policy 11.2 -Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.</p>	<p>The Code Amendment will seek to facilitate higher density residential and/or commercial development within an established and well-serviced area, in proximity to high frequency and capacity public transport (rail and bus) services and service centres (West Lakes, Port Adelaide and the CBD).</p>
<p>Policy 11.5 -Encourage development that supports the increased use of a wider variety of transport modes, including public transport, walking and cycling, to facilitate a reduced reliance on private vehicle travel and promote beneficial community health outcomes.</p>	
<p>Policy 11.11 -Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn and high frequency bus routes).</p>	

SPP 16 – Emissions and Hazardous Activities

Policy 16.2 – Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.

The Code Amendment will include the necessary environmental investigations to identify any potentially contaminating activities and inform appropriate zone, policy and remediation responses.

2.5. Alignment with Regional Plans

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

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

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Principle 1: A compact and carbon-neutral city	The Code Amendment will seek to facilitate the provision of additional housing opportunities at increased densities which can be adequately serviced by infrastructure such as public transport within the footprint of the existing metropolitan area.
Principle 2: Housing diversity and choice	
Principle 3: Accessibility	Providing policy to encourage permeability between adjoining residential areas and public transport services.
Principle 4: A transit-focused and connected city	Providing additional housing opportunities near public transport services.
Principle 8: Healthy, safe and connected communities	Providing policy to encourage permeability between adjoining residential areas and public open space.
Principle 9: Affordable living	The Code Amendment will investigate policy to enable the provision of affordable over the affected area in an area which is well serviced by public transport and established services.
Our policy themes – Transit corridors, growth areas and activity centres	

<p>Policy 1. <i>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. (Map 2)</i></p>	<p>The Code Amendment proposes to investigate an increase in residential density near a Mass Transit Route / Corridor.</p>
<p>Policy 2. <i>Increase residential and mixed-use development in the walking catchment of:</i></p> <ul style="list-style-type: none"> ▪ <i>Strategic activity centres</i> ▪ <i>Appropriate transit corridors</i> ▪ <i>Strategic railway stations.</i> 	<p>The Code Amendment proposes to investigate a mixed-use environment near a Mass Transit Route / Corridor.</p>
<p>Policy 3. <i>Increase average gross densities of development within activity centres and transit corridor catchments from 15 to 25 dwellings per hectare to 35 dwellings per hectare.</i></p>	<p>The Code Amendment proposes to investigate greater residential density near a Mass Transit Route / Corridor.</p>
<p>Policy 5. <i>Encourage medium rise development along key transport corridors, within activity centres and in urban renewal areas that support public transport use.</i></p>	
<p>Policy 8. <i>Provide retail and other services outside designated activity centres where they will contribute to the principles of accessibility, a transit-focused and connected city. High quality urban design, and economic growth and competitiveness.</i></p>	<p>The Code Amendment proposes to investigate policy that envisages mix-use development including commercial land uses to service the proposed residential uses and provide potential employment opportunities.</p>
<p>Action 4. <i>Rezone strategic sites to unlock infill growth opportunities that directly support public transport infrastructure investment.</i></p>	<p>The Code Amendment proposes to investigate greater residential density near a Mass Transit Route / Corridor.</p>
<p>Our policy themes – Design quality</p>	

<p>Policy 29. <i>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.</i></p>	<p>The Code Amendment proposes to investigate the inclusion of policy relating to design issues including setbacks, building heights that can transition from nearby adjacent low-density residential areas, the need for public open space, and integration with adjacent residential areas.</p>
<p>Action 16. <i>Ensure that the local area planning process adequately address interface issues in the local context and identify appropriate locations for:</i></p> <ul style="list-style-type: none">▪ <i>Medium and high-rise buildings</i>▪ <i>Where there should be minimum and maximum height limits.</i>	
<p>Our policy themes – Housing mix, affordability and competitiveness</p>	
<p>Policy 36. <i>Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</i></p>	<p>The Code Amendment proposes to investigate greater residential density near a Mass Transit Route / Corridor.</p>
<p>Policy 37. <i>Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas.....</i></p>	<p>The Code Amendment proposes to investigate greater residential density and housing types near a Mass Transit Route / Corridor, as well as applying the Affordable Housing Overlay to the subject land.</p>
<p>Policy 45. <i>Promote affordable housing in well located areas close to public transport and which offers a housing mix (type and tenure) and quality-built form that is well integrated into the community.</i></p>	<p>The Code Amendment proposes to investigate greater residential density and housing types near a Mass Transit Route / Corridor, as well as applying the Affordable Housing Overlay to the subject land.</p>
<p>Our policy themes – The economy and jobs</p>	
<p>Policy 56. <i>Ensure there are suitable land supplies for the</i></p>	<p>The Code Amendment proposes policy that envisages mix-use development including commercial land uses to service the proposed</p>

<i>retail, commercial and industrial sectors.</i>	residential uses and provide potential employment opportunities, as well as retaining existing non-residential land uses (subject to existing use right provisions).
Policy 73. <i>Provide sufficient strategic employment land options with direct access to major freight routes to support activities that require separation from housing and other sensitive land uses.</i>	Council's Industrial Land Study (2008) and Urban Employment Land Review (2019) both found the subject land not to be 'prime industrial areas'. Regardless, the likely mixed-use zone provisions will enable a range of existing and new non-residential land uses to co-exist within a mixed-use environment.
Our policy themes – Transport	
Policy 76. <i>Improve the amenity and safety of public transport stops, stations and interchanges by improving their connections to adjacent development and encouraging mixed-use development and housing diversity in close proximity.</i>	The Code Amendment proposes to investigate greater residential density and housing types, as well as mixed use development opportunities near a Mass Transit Route / Corridor.
Policy 78. <i>Improve, prioritise and extend walking and cycling infrastructure by providing safe, universally accessible and convenient connections to activity centres, open space and public transport (see Map 8)</i>	The Code Amendment will provide opportunities to improve cycling infrastructure through and adjacent to the subject land as well as improved connections to public transport services.
Our policy themes – Open space, sport and recreation	
Policy 104. <i>Investigate opportunities to increase the amount and/or quality of public open space provision in areas of low open space provision and areas of increasing population growth.</i>	Council's Open Space Strategy 2025 (2015) has identified the locality as having a 'gap in existing open space provision'. Rezoning of the subject land will enable Council to partly redress this gap.
Our policy themes – Climate change	
Policy 105. <i>Deliver a more compact urban form to:</i>	

<i>Reduce vehicle travel and associated greenhouse gas emissions.</i>	The Code Amendment provides an opportunity to address each of these matters through future development endeavours.
<i>Policy 111.</i> <i>Create a more liveable urban environment through establishing a network of greenways, bicycle boulevards and tree-lined streets.</i>	
Our policy themes – Water	
<i>Policy 117.</i> <i>Increase the provision of stormwater infrastructure (including water sensitive urban design) to manage and reduce the impacts of: Run-off from infill development</i>	The Code Amendment proposes to investigate stormwater management to inform the preparation of policies including the consideration of stormwater management systems and Water Sensitive Urban Design Techniques for future development proposals specific to the Affected Area.
Our policy themes – Emergency management and hazard avoidance	
<i>Policy 121.</i> <i>Ensure risk posed by known or potential contamination of sites is adequately managed to enable appropriate development and safe use of the land.</i>	The Code Amendment proposes to undertake environmental investigations to identify any potentially contaminating activities to inform the preparation of policy to acknowledge potential requirements relating to site contamination investigations and remediation.

2.6. Alignment with Other Relevant Documents

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

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

City of Charles Sturt Community Plan 2013 - 2027	Code Amendment Alignment with the Community Plan
<i>Our Liveability: An Urban environment that is adaptive to a changing and growing city</i>	The Code Amendment proposes to investigate the rezoning of an area of land that is located mainly within the Urban Employment Zone to

	take advantage of its location near a Mass Transit Route / Corridor.
<i>Drive an integrated, responsive transport system and network.</i>	The Code Amendment proposes to investigate the introduction of policy to encourage residential uses of a higher density located near a Mass Transit Route / Corridor.
<i>Enhance the quality and diversity of open and public spaces.</i>	The Code Amendment will provide the opportunity to redress a gap in public open space provision within the broader locality.
<i>Our Economy: Facilitate an environment for a diversity of business and industry types</i>	The Code Amendment proposes to investigate the inclusion of policy that can encourage mix-use development including commercial land uses to service the proposed residential uses and provide potential employment opportunities.

3. INVESTIGATIONS AND ENGAGEMENT

3.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Charles Sturt Industrial Land Study (2008) and Urban Employment Land Review (2019)	Both studies reviewed the future of industrial land within the Council area, with a view to identifying 'prime industrial areas' and providing some justification for their retention as predominantly industrial/employment precincts.	Both studies did not identify the subject land as a 'prime industrial area'. A recent Council initiated Urban Employment Zone DPA (October 2017) also introduced new policies for parts of the subject land to facilitate a broader range of commercial land uses, reflecting the more commercial nature and potential of those parts of the subject land with frontage to Port Road.
<i>Investigations undertaken as part of the initiated DPA process</i>		
Albert Park Mixed Use – Development Plan Amendment Transport Impact Assessment (July	This report provided an assessment of the anticipated transport implications of re-zoning the subject land, with consideration of existing traffic and parking conditions,	The following conclusions were reached: <ul style="list-style-type: none"> • The rezoning is likely to generate an additional 207 vehicle trips during

<p>2020) GTA Consultants</p>	<p>likely parking demand, access arrangements, traffic generating characteristics of potential development, public transport, walking and cycling transport networks, and the transport impact of future development on the surrounding road network.</p>	<p>the PM peak hour based on potential development and typical traffic generating rates.</p> <ul style="list-style-type: none"> • The impact of the additional traffic generation on the adjacent road network is likely to be minimal during the peak periods, with a net PM peak period increase of 60 and 25 vehicles respectively at the May Street / Port Road and Jervois Street / West Lakes Boulevard intersections. • No existing parking issues were identified. • The subject land is well serviced by public transport services.
<p>Albert Park Mixed Use Development Plan Amendment – Preliminary Infrastructure Investigations (June 2020) Kellogg Brown Root Pty Ltd</p>	<p>This report considered the need for onsite stormwater detention and the capacity of other utility infrastructure.</p>	<p>The assessment concluded that approximately 2,700m³ of onsite stormwater detention will be required within two sub-catchments in the event of redevelopment of the subject land. The detention volume could be attained by detention basins, underground tanks, oversized pipes, or a combination of these. Approximately 840m² of bioretention will be required to meet relevant standards.</p> <p>Given the flood susceptibility of parts of the subject land, it was recommended that the finished floor level of future buildings should be 300mm above the anticipated 1% AEP flood level.</p> <p>All service authorities (water, sewer, electricity, gas and communications) provided high level advice that there is sufficient capacity within all networks to cater for future development of the subject land. Depending on the</p>

		specifics of future development, some upgrades may be required.
Preliminary Environmental Assessment – Development Plan Amendment Area, Albert Park, South Australia (June 2020) LBWco Pty Ltd	The report provides details of a broad assessment of contamination issues pertaining to the subject land to inform constraints and policy implications for future development of the subject land.	<p>The report concluded that a relatively large portion of the subject area has been subject to Class 1 and/or 2 potentially contaminating activities (PCAs), indicating a generally high risk posed by contamination for the types of development contemplated by the re-zoning exercise.</p> <p>EPA investigations into soil vapour impacts from 24-30 Murray Street have identified soil vapour across a significant portion of the western part of the subject land. These investigations, as well as interim audit advice in relation to this site, are ongoing.</p> <p>Changing to more sensitive land uses will require more comprehensive investigation and possibly remediation work. Site contamination audits will be required.</p> <p>Re-zoning of the subject land will likely need to precede detailed site investigations and audits to provide confidence to future development proponents of the land.</p>

3.2. Further Investigations Proposed

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

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Interim Audit Advice (24-30 Murray Street)	The EPA has advised Council that the interim audit advice in relation to this parcel of land will be required to enable the risks and any remediation options to be understood and to

	inform the planning process. Council understands that this advice is imminent.
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3.3. Engagement Already Undertaken

The following engagement has also occurred on the proposed Code Amendment:

- The above-mentioned Transport Impact Assessment was referred to the Department of Planning, Transport and Infrastructure (Transport Division) for comment.
- The above-mentioned Preliminary Environmental Assessment was referred to the Environment Protection Authority for comment.
- Initiation of the Albert Park Mixed Use Development Plan Amendment (DPA) process (as previously agreed to by the Minister) was notified on Council's web site.
- Initiation of the Albert Park Mixed Use DPA was conveyed to residents in Albert Park as part of Council's Albert Park Living Street Project – Your Neighbourhood Plan. This included:
 - Your Say Charles Sturt project page published (late Nov 2020 to present)
 - Share stories about your neighbourhood on Your Say Charles Sturt project page (late Nov 2020 to present)
 - Opportunity to become a Neighbourhood Champion (late Nov 2020 to present)
 - Postcard to all households in Albert Park and Hendon informing of YNP project, Your Say Charles Sturt and face to face survey (sent late Nov/early Dec 2020)
 - Door to door survey of 800 people in the local community by Intuito (1 to 15 December 2020).

Both DPTI and the EPA provided feedback on the respective investigations.

3.4. Further Engagement Proposed

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

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
<ul style="list-style-type: none"> • 8-week consultation process on a draft Code Amendment. • A copy of the Code Amendment in the Plan SA Portal. • A notice in the Advertiser Newspaper. 	<p>The broad intent of the engagement process will be to:</p>

<ul style="list-style-type: none"> • Information on Council's 'YourSay' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment, FAQs and information on how to make comments. • A written notice to all property owners within the affected area and other property owners immediately surrounding the affected area inviting them to review and comment on the draft policy. • Information brochure outlining what the Code Amendment is about, the proposed policy amendments, and how interested persons can comment. • Notification of the draft Code Amendment to relevant State Government departments/agencies, Members of Parliament, adjacent Councils, infrastructure providers and other interested parties. • Copies of draft Code Amendment and information brochure to be made available at Council offices and libraries. • The scheduling of a Public Meeting at the conclusion of the consultation process, at which any interested person may appear before Council's City Services Committee to make representations on the proposed amendment. 	<ul style="list-style-type: none"> • Alert attention to the draft Code Amendment, its scope and intent. • Highlight any specific issues identified during the drafting process. • Provide details on the Code Amendment process and opportunities for input/comment. • Provide information on how to seek further information.
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4. CODE AMENDMENT PROCESS

4.1. Engagement Plan

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

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

- the Local Government Association must be notified in writing of the proposed Code Amendment;

- if the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone 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.

4.2. 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.

4.3. Code Amendment Timetable

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

ATTACHMENT A
Map of Affected Area



Figure 1

Proponent's Land

ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission	AGD	2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
Proposal to Initiate agreed to by the Minister	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared The Drafting instructions and draft mapping provided to AGD	Designated Entity	12 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	6 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	Designated Entity	12 weeks
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD	Designated Entity	8 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks
Decision Process		

Step	Responsibility	Timeframe
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Parliamentary Scrutiny		
Go- Live- Publish on the PlanSA Portal	AGD	2-4 weeks
Referral of approved Code Amendment to ERDC	AGD	8 weeks