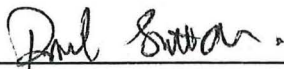


**PROPOSAL TO INITIATE AN AMENDMENT
TO THE PLANNING & DESIGN CODE**

**West Lakes Residential and Mixed Use Code
Amendment**

By the Charles Sturt Council (the Proponent)



(Signature Required)

Chief Executive Officer

Charles Sturt Council (Privately Funded) (the Proponent)

Date: 25 November 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*. 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 PlanSA website by the Attorney General's Department.


MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date: 11 February 2022

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1. INTRODUCTION

The Proponent is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land located at Lot 100 and Lot 101 Frederick Road, West Lakes 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)(iv) of the *Planning, Development and Infrastructure Act 2016* (the Act).

While Charles Sturt Council seeks to initiate the Code Amendment, the process will be funded by Potentia West Lakes Pty Ltd ['Potentia'] who have entered into a contract with SA Water (the owners of the land) for the purchase and development of Lot 100 and are currently in the negotiations for the potential purchase of a portion of Lot 101. As such both Lot 100 and Lot 101 will form the Affected Area. A formal legal funding arrangement has been executed between Potentia and Council to fund the preparation of the proposed Code Amendment. 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.

The Charles Sturt Council acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5)(b) 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 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 Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
 - a) Jim Gronthos, Senior Policy Planner, Urban Projects
 - b) jgronthos@charlessturt.sa.gov.au
 - c) 8408 1111
- 1.1.4. Charles Sturt Council intends to undertake the Code Amendment by:
 - a) engaging Ekistics Planning and Design Pty Ltd (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 and external specialists (if required).

1.2. Rationale for the Code Amendment

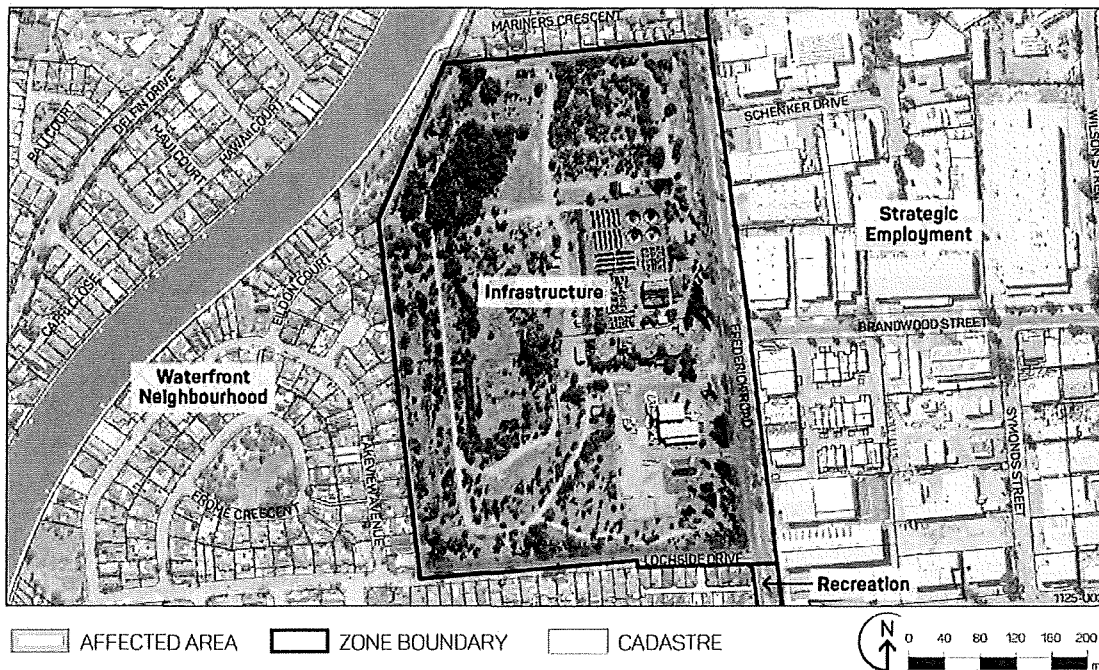
The following outlines the reasons for the preparation of the Code Amendment and a description of the change in circumstances leading to the need for the Code Amendment.

The Affected Area comprises approximately 19.8 hectares in area with approximate frontages of 365.6 metres to Lochside Drive and 565.39 metres to Frederick Road (a State Maintained Road).

The Affected Area has been utilised as the 'Port Adelaide Wastewater Treatment Plant' for SA Water (formerly the Engineering & Water Supply Department) from 1935 until 2004 when it was decommissioned. The decommissioned infrastructure (which was part of the waste-water treatment process) remains on the land. Lot 100 is now surplus to SA Water's infrastructure requirements, with SA Water own and operate a new re-lift waste-water pumping station built adjacent the southern boundary of the old plant on Lot 101 (on the north-western corner of Frederick Road and Lochside Drive) which is to remain. There is a portion of Lot 101 (with an area of approximately 50m around the periphery of this allotment) for buffering purposes which is not used for Infrastructure purposes. This area is currently sparsely vegetated and is considered ideally situated to form part of a vegetated buffer that could improve the amenity and interface of new residents on Lot 100. This Code Amendment would seek to include a potential vegetated buffer area around the re-lift waste facility into a concept plan, with the remaining portion of Lot 101 to remain in an Infrastructure Zone. The investigations of the Code Amendment will help to inform the extent and configuration of open space buffering required. Both Lot 100 and Lot 101 therefore form the 'Affected Area'.

The Affected Area contains a Local Heritage Place recognised as the 'Port Adelaide Treatment Works' with the extent of the listing including: "*The original form of the administration building, main plant building and the garden area located between the original administration building and Frederick Road for a distance of 50 metres to the north and south of the original administration building. Exclude sewerage ponds, all other structures and garden areas to the north, south and fronting Frederick Road.*"

Figure 1: Affected Area and locality zoning



The Affected Area is located within the **Infrastructure Zone** and is located on a zone boundary with the 'Waterfront Neighbourhood Zone' to the immediate north, west and south and the 'Strategic Employment Zone' to the east, on the opposite side of Frederick Road.

The Desired Outcomes (DO's) and Performance Outcomes (PO's) of the Infrastructure Zone primarily speak to retention and expansion of infrastructure services:

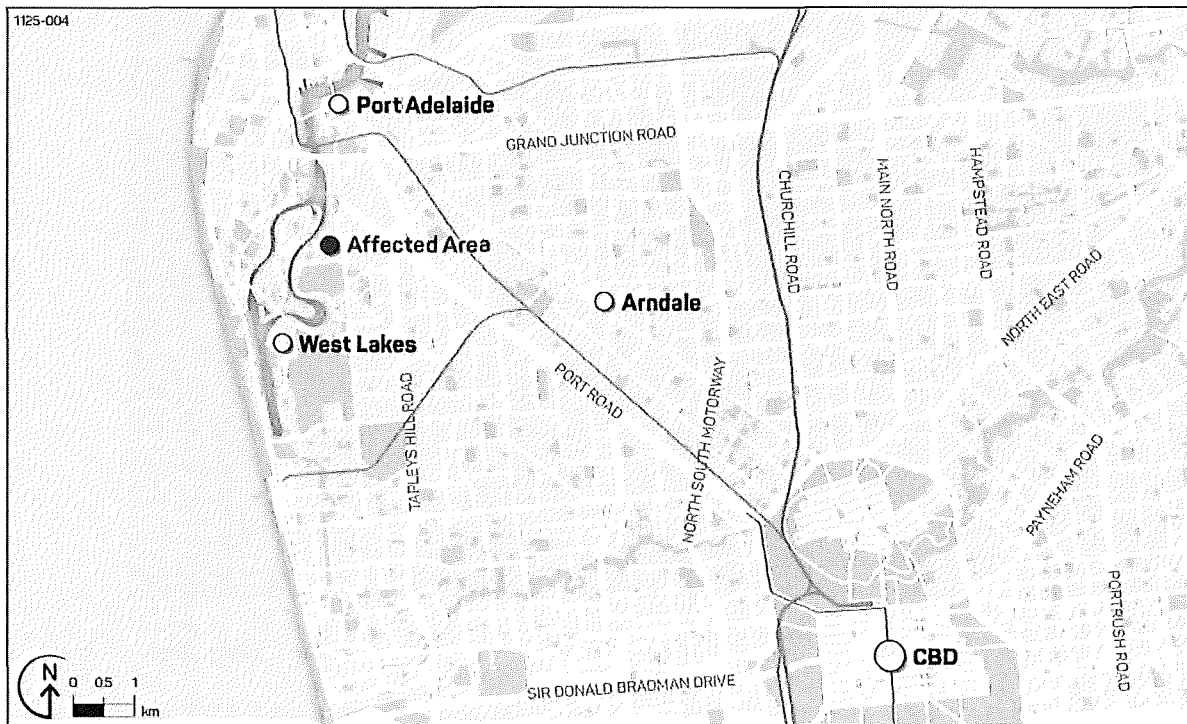
- DO1** *The protection, provision, maintenance and expansion of infrastructure services and facilities that support orderly development and vehicular movements.*
- DO2** *Infrastructure services and facilities manage environmental impacts.*
- PO 1.1** *Utility and infrastructure facilities and other services support the orderly development of land and assist in managing the impacts on the environment and community.*

The Affected Area has a frontage to 'Mariners Reserve' providing direct access to the lake frontage. To the east of the site, over Frederick Road, there are existing large scale commercial and light industrial (employment) land uses. To the north, west and south of the site (over Lochside Drive) there is predominantly low density detached residential development.

The Affected Area is within 50 metres of West Lakes Golf Club to the south. 'Cooke Reserve' is located approx. 200 metres south-east of the Affected Area over Frederick Road. The Affected Area is also located approx. 1.1km south of aquatic reserve on the corner of Old Port Road and Bower Road to the north.

The Affected Area is located between the Urban Activity Centres of West Lakes located approx. 1.26km to the south-west, Port Adelaide located approx. 1.5km to the north-east and Arndale located approx. 4.4km to the east as depicted in **Figure 2** on the following page.

Figure 2: Affected Area context



Accordingly, the Code Amendment represents a unique opportunity to facilitate sensitive infill development which responds to the context of this large, consolidated site.

More specifically, the Code Amendment is intended to facilitate a mixed-use development outcome to accommodate a range of low rise (1-2 storey) low to medium density residential development as well as medium rise (3-6 storey) medium to high density residential development and supporting commercial services and facilities (subject to investigation findings) in a future master planned community over the Affected Area.

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

- The Affected Area in Lot 100 is surplus to current SA Water infrastructure needs;
- The current zoning has the desired outcomes for predominately infrastructure based land uses over both Lot 100 and Lot 101;
- Redevelopment of the Affected Area for low rise (1-2 storey) low to medium density residential development as well as medium rise (3-6 storey) medium to high density residential development and supporting commercial services and facilities (subject to investigation findings) will offset the likely site contamination remediation costs;
- The subject land contains two (2) Local Heritage Places that will benefit from the ability for adaptive reuse;
- There are unlikely to be insurmountable infrastructure or environmental barriers preventing redevelopment of the land in Lot 100 for sensitive land uses (subject to further investigations);
- The land is well situated in relation to proximity to public transport (e.g. bus services to the south along Frederick Road (Stop 34B east and west) along with Stop 35 Old Port Road to the north;
- The site adjoins a bike direct network with dedicated cycle lanes located on Frederick Road;

- The land is located between the Urban Activity Centres of West Lakes, Port Adelaide and Arndale;
- It provides the opportunity to create a vegetated buffer around the SA Water re-lift facility which is to remain on Lot 101; and
- The land is ideally situated adjoining the lakefront and associated recreational areas and walking/cycling paths.

The *State Planning Policies for South Australia (2019)* is the highest order policy document in South Australia and details the importance of locating medium and 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 West Lakes, Port Adelaide and Arndale Urban Activity Centres.

The *Attorney General's Department (AGD) June 2021 Land Supply Report (LSR) for Greater Adelaide – Part 2 – Urban Infill* outlines that within the Adelaide West Region the projected new dwelling demand over the next ten (10) years will be 10,600 at a projected medium population growth or 15,700 dwellings at a projected high population growth. The LSR anticipates that 30% of the net dwelling increase will come from strategic infill (such as the Affected Area).

Accordingly, the Code Amendment proposes to investigate policy amendments to encourage low to higher density residential, mixed use and commercial development to make better use of the site's proximity to public transport, the lake frontage and associated recreation areas and western beaches. The Code Amendment will also investigate the opportunity for appropriate buffering and open space opportunities surrounding the SA Water re-lift facility which is to remain on Lot 101.

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 Frederick Road, Lochside Drive and Mariners Reserve as shown in **Attachment A** contained within Certificate of Title Volume 6162 Folio 717 (Allotment 100 in Deposited Plan 110755) and Certificate of Title Volume 6162 Folio 718 (Allotment 101 in Deposited Plan 110755).

The Affected Area comprises the existing SA Water, waste water re-lift facility on Lot 101 as well as the former SA Water waste water treatment plant on Lot 100 which includes decommissioned infrastructure as follows:

- Primary and secondary sedimentation tanks;
- Aeration tanks;
- Digestion tanks;
- Chlorine dosing facilities;
- Odour control facilities;
- Storage sheds;
- Administration and laboratory buildings;
- Local Heritage Places – Workshop and machinery building; and
- Associated landscaping and carparking areas.

2.2. Scope of Proposed Code Amendment

The Affected Area is currently located within the Infrastructure Zone under the State's Planning and Design Code –Lot 100 and Lot 101 Frederick Road, West Lakes

<p>Current Policy</p>	<p>Zone</p> <p>Infrastructure Zone</p> <p>Overlay</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 110 metres) Overlay • Hazards (Flooding General) Overlay • Local Heritage Place Overlay • Prescribed Wells Area Overlay • Regulated and Significant Tree Overlay • Traffic Generating Development Overlay • Urban Transport Routes Overlay • Water Resources Overlay <p>Local Variation (TNV) - Nil</p>
<p>Amendment Outline</p>	<p>The Code Amendment proposes to investigate policy amendments to encourage a diverse range of low-rise (1-2 storey), low to medium density residential development as well as medium rise (3-6 storey) medium to high density residential development and supporting commercial services and facilities (subject to investigation findings) in a future master planned community over Lot 100 of the Affected Area.</p> <p>The overall objective is to provide a policy frame work that will facilitate both low density detached dwellings and higher density multi-level buildings along with compatible mixed use commercial development orientated towards the primary road corridor of Frederick Road. The policy framework aims to make better use of the site's proximity to public transport, the lake frontage, and employment opportunities in the adjoining strategic employment zone.</p> <p>The Code Amendment will also investigate the potential for well designed landscaped open space buffer area around the SA Water waste water re-lift facility which is to remain on Lot 101.</p>
<p>Intended Policy</p>	<p>The Code Amendment intends to replace the existing 'Infrastructure Zone' with the 'Urban Renewal Neighbourhood Zone' (or similar neighbourhood type zone(s)) with investigations to be undertaken which will inform the most appropriate zoning.</p>

	<ul style="list-style-type: none"> • Local Heritage Place Overlay • Noise and Air Emissions Overlay • Prescribed Wells Area Overlay • Regulated and Significant Tree Overlay • Traffic Generating Development Overlay • Urban Transport Routes Overlay • Urban Tree Canopy Overlay • Water Resources Overlay <p>Technical and Numeric Variations</p> <ul style="list-style-type: none"> • Maximum building heights will be identified through local variation as Technical and Numeric Variations (TNVs) following consideration of the findings of the investigations. • Concept Plan
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3. STRATEGIC PLANNING OUTCOMES

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

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

3.1. Summary of Strategic Planning Outcomes

The key strategic planning considerations are summarised as follows:

- The previous use of the land on Lot 100 for a waste water treatment plant is surplus to SA Water's infrastructure requirements;
- The Affected Area is well located adjoining a State Maintained Road (Frederick Road) and within walking distance of public transport services (stop 34B Frederick Road east and west and stop 35 Old Port Road – east); adjoins the bike direct network on Frederick Road, and is relatively close proximity to major service centres (West Lakes, Port Adelaide and Arndale);
- The Affected Area has historically accommodated potentially contaminating activities and will require investigations to involve the completion of interim audit advice by an Environment Protection Authority (EPA) Accredited Site Contamination Auditor to demonstrate the appropriateness (or otherwise) of the land to facilitate sensitive land uses and preliminary consultation with the EPA prior to statutory consultation.
- A portion of the Affected Area on Lot 101 will be reviewed as a potential vegetated buffer for the current SA Water waste water re-lift facility;
- The Affected Area adjoins the lake frontage with its associated walking/cycling paths and recreation areas; and
- Given the above, it is considered an opportune time to investigate and determine an appropriate suite of future zone(s), policies, overlays and technical variations which will ideally facilitate economic and well-planned residential and mixed-use redevelopment of the subject land over time.

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 proposal to initiate the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP 1 – Integrated Planning</p> <p><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></p> <p><i>Policy 1.7 – Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i></p> <p><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></p>	<p>The affected area represents approximately 19.8 hectares of largely underutilised land and represents one of the few remaining major urban infill sites located within close proximity to the Port Adelaide, West Lakes and Arndale Activity Centres.</p> <p>Population growth for the City of Charles Sturt between 2016-2020 was 1.23% compared to 0.98% for Western Adelaide¹. This represents a need for infill housing within the Council Area.</p> <p>The Code Amendment will seek to facilitate low-rise (1-2 storey) low to medium density residential development as well as medium rise (3-6 storey) medium to high density residential development and supporting commercial services (subject to investigations) within an established and well-serviced master planned community.</p> <p>The Code Amendment will facilitate a policy framework which provides the opportunity for a range of housing options including apartments, small lot housing and larger allotments for detached dwellings.</p> <p>The proposed policy framework will facilitate mixed use development orientated towards the Frederick Road transit corridor.</p> <p>The Affected Area is ideally situated adjoining Mariners Reserve that provides future residents recreation options around the lake frontage including existing walking and cycling paths, and provides the opportunity to maximise buffering around the current SA Water facility.</p>

¹ City of Charles Sturt Community Profile, REMPLAN, 2021

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP2 – Design Quality</p> <p><i>Policy 2.6 - Maximise opportunities for the Principles of Good Design and community engagement to inform future policy creation and improve design outcomes.</i></p> <p><i>Policy 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>Policy 2.12 - Create design solutions for infill development that improves the relationship between buildings and public spaces, and the interface with neighbours.</i></p>	<p>The use of local variations (TNV) will ensure that development of the Affected Area provides an appropriate transition in height and interface with adjoining sensitive land uses.</p> <p>The Affected Area on Lot 100 has a frontage to Frederick Road in the order of 310 metres which currently comprises sporadic patches of landscaping and fencing. The Code Amendment will facilitate the activation of this street frontage through the opportunity for mixed use and/or commercial built form.</p> <p>The desire for increased density for development within an established urban context requires emphasis on good design outcomes and the Code Amendment seeks to ensure sufficient policy coverage is provided to deliver quality and contemporary design outcomes for the development of the Affected Area.</p> <p>The Code Amendment will also facilitate opportunities for the potential adaptive reuse of the Local Heritage Places (the administration building, the main plant building and the original garden setting).</p> <p>The Amendment provides the opportunity to provide greater vistas to the lake frontage through the Affected Area, as well as improved relationship and linkages with the lake frontage and Mariners Reserve adjoining the site. The Amendment will facilitate the opportunity for a high quality, usable and well landscape open space interface with the current SA Water waste water re-lift facility on Lot 101.</p> <p>Statutory consultation with the community and Government Agency's will be undertaken on a draft Code Amendment to inform future policy outcome before a decision is made on the Code Amendment.</p>
<p>SSP 4 – Biodiversity</p>	<p>The Code Amendment may support the creation of additional public open space adjoining Mariners</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><i>Policy 4.4 - Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.</i></p> <p><i>Policy 4.6 - Encourage nature-based tourism and recreation that is compatible with, and at an appropriate scale for, conserving the natural values of that landscape.</i></p>	<p>Reserve and the lake frontage and opportunities for pedestrian and cycling connections.</p> <p>There is also the potential to expand, support and supplement the existing recreational assets in Mariners Reserve.</p> <p>The Amendment will investigate the strategic opportunity for a vegetated buffer to the SA Water waste water re-lift facility on Lot 101.</p> <p>The Regulated and Significant Trees Overlay will continue to apply to the Affected Area and it is proposed to apply the Urban Trees Canopy Overlay as part of the Code Amendment.</p> <p>The Code Amendment investigations will address any potential water quality implications of future development on the lake.</p>
<p>SPP – 5: Climate Change</p> <p><i>Policy 5.5 - Avoid development in hazard-prone areas or, where unavoidable, ensure risks to people and property are mitigated to an acceptable or tolerable level through cost-effective measures.</i></p> <p><i>Policy 5.9 - Encourage development that does not increase our vulnerability to, or exacerbate the impacts of climate change and which makes the fullest possible contribution to mitigation.</i></p>	<p>Code Amendment investigations will consider the impacts of projected sea level rise modelling on future development.</p> <p>The Code Amendment seeks to facilitate residential development and/or commercial development within an established and well serviced area, such as walkability to the Lake and the bicycle paths and networks surrounding the Affected Area.</p>
<p>SPP 6 – Housing Supply and Diversity</p> <p><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></p>	<p>The Code Amendment will aide in the facilitation of the Chares Sturt West Lakes Walking Loop and Lake Edge Master Plan. This master plan seeks to improve linkages to the lake edge and improved walking/cycling paths around the lake.</p> <p>As outlined above and visually depicted in Attachment A, the site is well- serviced by high frequency public transport (bus) services.</p> <p>The policy framework will facilitate a range of housing options to cater for differing lifestyle options.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><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></p> <p><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></p> <p><i>Policy 6.8 – Ensure a minimum 15% of new housing in all significant developments that meets the criteria for affordable housing.</i></p>	<p>The Code Amendment will investigate a rezoning that can facilitate a diverse range of housing options and investigate the application of the Affordable Housing Overlay to the Affected Area. Accordingly, the Code Amendment would support the policy objective for the provision of affordable housing.</p>
<p>SPP 9 – Employment Lands</p> <p><i>Policy 9.2 - Enable opportunities for employment and encourage development of underutilised lands connected to, and integrated with, housing, infrastructure, transport and essential services.</i></p> <p><i>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.</i></p>	<p>The Code Amendment will seek to facilitate a range of compatible residential and non-residential land uses in a well-designed mixed-use environment. The Affected Area is located opposite an area identified as Prime Industrial land within the 'Strategic Employment Zone' over Frederick Road.</p> <p>The Code Amendment seeks to facilitate an appropriate buffer of mixed use and commercial development along part of the Frederick Road frontage to provide a suitable transition between existing employment lands east of Frederick Road and future sensitive residential development within the balance of the Affected Area.</p> <p>The Code Amendment will therefore facilitate housing options in support of the established surrounding employment land and provide compatible retail and commercial opportunities (such as café/restaurants) that can service the surrounding workforce.</p> <p>Implementation of the 'Noise and Air Emission Overlay' and 'Interface Management Overlay' (if required) will ensure the protection of adjacent prime industrial and remaining infrastructure land.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP 11 – Strategic Transport Infrastructure</p> <p><i>Policy 11.2 -Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.</i></p> <p><i>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.</i></p> <p><i>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).</i></p>	<p>The Affected Area is located in walking distance to public bus services which run along Frederick Road and Old Port Road.</p> <p>Future development of the Affected Area can take advantage of the proximity to public transport (bus) services and walking and cycling paths along the lake frontage.</p> <p>The Code Amendment will investigate infill development within the Affected Area, which adjoins a bike direct network with dedicated cycle lanes located on Frederick Road.</p>
<p>SPP 14 – Water Security and Quality</p> <p><i>Policy 14.2 - Protect and recognise water supply catchments, including:</i></p> <ul style="list-style-type: none"> • <i>Water Protection Areas under the Environment Protection Act 1993 (including those located in the Mount Lofty Ranges, South East and River Murray)</i> • <i>The River Murray Protection Areas under the River Murray Act 2003</i> • <i>Prescribed water resources and wells under the Natural Resources Management Act 2004.</i> 	<p>The Code Amendment will recognise the site's proximity to the lake frontage and seeks to protect and enhance this natural resource.</p> <p>The Affected Area is not located within either a Water Protection Area, nor a River Murray Protection Area. The Code Amendment will continue to apply the 'Prescribed Wells Overlay' and the 'Water Resources Overlay' over the Affected Area to ensure future development incorporates best practice water sensitive urban design.</p> <p>The Code amendment will investigate stormwater management over the Affected Area including potential for flooding due to sea level rise modelling.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<i>Policy 14.6 -Improve the alignment between urban water management and planning by adopting an integrated water management approach.</i>	
SPP - 16 – Emissions and Hazardous Activities <i>Policy 16.2 – Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.</i>	The Code Amendment will include the necessary environmental investigations to identify any potentially contaminating activities and inform an appropriate zone, policy and remediation responses.

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 Update) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<i>Principle 1: A compact and carbon-neutral city</i>	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.
<i>Principle 2: Housing diversity and choice</i>	
<i>Principle 3: Accessibility</i>	Adopting policy to encourage permeability between adjoining residential areas, adjoining lake frontage and Mariners Reserve and public transport services.
<i>Principle 4: A transit-focused and connected city</i>	
<i>Principle 8: Healthy, safe and connected communities</i>	

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Principle 9: Affordable living	The Code Amendment will investigate policy to enable the provision of the Affordable Housing Overlay over the Affected Area in a location which is serviced by public transport and established services.
Our policy themes – Transit corridors, growth areas and activity centres	
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>	The Code Amendment proposes to investigate an increase in residential density within an existing built up area near a Mass Transit Route / Corridor.
Policy 2. <i>Increase residential and mixed-use development in the walking catchment of:</i> <ul style="list-style-type: none"> ○ Strategic activity centres ○ Appropriate transit corridors ○ Strategic railway stations. 	
Policy 4 <i>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.</i>	The Code Amendment proposes to investigate low-rise (1-2 storey), low to medium density residential development as well as medium rise (3-6 storey) medium and high density residential development and supporting commercial services and facilities (subject to investigation findings) to achieve greater residential density near a Mass Transit Route / Corridor.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
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>	
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>	The Code Amendment proposes to investigate policy that envisages mix-use development including supportive retail and commercial land uses to service the proposed residential uses and provide potential employment opportunities.
Policy 10: <i>Allow for low-impact employment activities in residential areas, such as small-scale shops, offices and restaurants, where interface issues can be appropriately managed.</i>	
Our policy themes – Design quality	
Policy 26 <i>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</i>	The Code Amendment proposes to investigate the inclusion of policy that encourages a range of housing products which response to changing housing needs.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Policy 28. <i>Promote permeable, safe, attractive, accessible and connected movement networks (streets, paths, trails and greenways) in new growth areas and infill redevelopment areas that incorporate green infrastructure.</i></p>	<p>The Code Amendment proposes to investigate the inclusion of policy that encourages connected movement networks and green infrastructure with an emphasis on enhancing connectivity with the adjoining lake frontage and Mariners Reserve.</p> <p>The Code Amendment will investigate the opportunity to enhance the open space network and provide a vegetated buffer to assist to screen the current SA Water waste water re-lift facility on Lot 101.</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>By encouraging a wider range of development including higher density housing and suitable non-residential development, the Code Amendment will encourage greater activation of the streetscape.</p> <p>The Code Amendment will utilise existing Planning and Design Code policies to manage the building height interface with surrounding residential areas.</p>
<p>Our policy themes – Heritage</p>	
<p>Policy 35. <i>Encourage the innovative and sustainable reuse of heritage places and older building stock in a way that encourages activity and entices people to visit.</i></p>	<p>The Affected Area contains a Local Heritage Place recognised as the 'Port Adelaide Treatment Works' with the extent of the listing including: <i>"The original form of the administration building, main plant building and the garden area located between the original administration building and Frederick Road for a distance of 50 metres to the north and south of the original administration building. Exclude sewerage ponds, all other structures and garden areas to the north, south and fronting Frederick Road."</i></p> <p>The Code Amendment will investigate the Local Heritage listing applying to the Affected Area including the spatial application and extent of the current Local Heritage listing and its curtilage. The Code Amendment provides an opportunity to facilitate adaptive reuse of the existing Local Heritage listed buildings.</p>

<i>Our policy themes – Housing mix, affordability and competitiveness</i>	
<p><i>Policy 36. 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 transit routes and walking/cycling paths along the lake frontage.</p> <p>The Affected Area lies adjacent to an identified prime industrial land over Frederick Road and will facilitate an increase in housing supply and choice for workers.</p>
<p><i>Policy 37. Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas including:</i></p> <ul style="list-style-type: none"> ○ ancillary dwellings such as granny flats, laneway and mews housing ○ dependent accommodation such as nursing homes ○ assisted living accommodation ○ aged-specific accommodation such as retirement villages ○ small lot housing types ○ in-fill housing and renewal opportunities. 	<p>The Code Amendment will facilitate options for a diverse range of housing within an urban infill setting.</p>
<p><i>Policy 45. 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>Subject to further investigations, the Code Amendment proposes to apply to the Affordable Housing Overlay to the Affected Area, thereby facilitating the creation of affordable housing and housing diversity.</p>

Policy 46. <i>Ensure an adequate land supply is available to accommodate housing and employment growth over the longer term (at least a 15 year supply).</i>	The Code Amendment will investigate a rezoning to facilitate the release of additional land to support the City of Charles Sturt's projected growth in population.
Target 5 - Urban green cover <i>is increased by 20% in metropolitan Adelaide by 2045</i>	<p>The Code Amendment will investigate the application of the 'Urban Tree Canopy Overlay' to the Affected Area and investigate the location and composition of existing surrounding public open space and determine the requirements and need for public open space within the Affected Area.</p> <p>The investigation of a vegetated buffer area surrounding the current SA Water waste water re-lift facility on Lot 101 provides the opportunity for deep soil plantings and increased urban tree canopy.</p>
Our policy themes – Health, Wellbeing and Inclusion	
Policy 48. <i>Create greenways in transit corridors, along major watercourse linear parks, the coast and other strategic locations to provide walking and cycling linkages.</i>	The Code Amendment proposes to investigate the inclusion of policy that encourages connected movement networks and green infrastructure with an emphasis on enhancing connectivity with the adjoining lake frontage and Mariners Reserve. The Code Amendment will also explore the opportunity to facilitate a future vegetated buffer around the current SA Water facility on Lot 101.
Policy 50. <i>Provide diverse areas of quality public open space in neighbourhoods (especially in higher density areas) such as local parks, community gardens, playgrounds, greenways and sporting facilities to encourage active lifestyles and support access to nature within our urban environment</i>	The Code Amendment enables the creation of a policy framework which supports the provision of high-quality public open space that is accessible to the local community.
Policy 53. <i>Encourage the integration of green infrastructure in the public and private realms to support positive physical, mental and social health outcomes.</i>	

<i>Our policy themes – The economy and jobs</i>	
<i>Policy 56.</i> <i>Ensure there are suitable land supplies for the retail, commercial and industrial sectors.</i>	The Code Amendment proposes policy that envisages mix-use development including supporting retail and commercial land uses to service the proposed residential uses and provide potential employment opportunities.
<i>Policy 73.</i> <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>	The likely mixed-use zone provisions will enable a range of existing and new residential and non-residential land uses to co-exist within a mixed-use environment
<i>Our policy themes – Transport</i>	
<i>Policy 77.</i> <i>Ensure that new housing (and other sensitive land uses) permitted in locations adjacent to airports and under flight paths or near major transport routes (road, rail and tram) mitigates the impact of noise and air emissions.</i>	Subject to further investigations, the Code Amendment may apply the 'Noise and Air Emissions Overlay' and the 'Interface Management Overlay.'
<i>Policy 78.</i> <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 Affected Area as well as improved connections to public transport services and adjoining lake frontage.
<i>Our policy themes – Infrastructure</i>	
<i>Policy 86.</i> <i>Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community</i>	The Affected Area is suitably located in proximity to a vast array of public and community infrastructure. This social and environmental infrastructure includes water courses, walking trails, mature trees, public open space and schools.

<p><i>and green infrastructure, including:</i></p> <ul style="list-style-type: none"><i>○ walking and cycling paths and facilities</i><i>○ local stormwater and flood management including water</i><i>○ sensitive urban design</i><i>○ public open space</i><i>○ sports facilities</i><i>○ street trees</i><i>○ community facilities, such as child care centres, schools, community hubs and libraries.</i>	<p>The Code Amendment may support the provision of additional public open space as well as walking and cycling paths to strengthen connectivity.</p>
<p><i>Our policy themes – Biodiversity</i></p>	
<p><i>Policy 92.</i> <i>Support the enhancement of the urban biodiversity of metropolitan Adelaide through the development of greenways in transit corridors, along major watercourses, linear parks and the coast and in other strategic locations.</i></p>	<p>The Code Amendment enables the creation of a policy framework which supports the provision of high-quality public open space that is accessible to the broader local community and opportunities to provide greater linkages to the adjoining Marines Reserve.</p>
<p><i>Policy 95.</i> <i>Support the enhancement of the urban biodiversity of metropolitan Adelaide through a connected and diverse network of green infrastructure.</i></p>	
<p><i>Our policy themes – Open Space, Sport and recreation</i></p>	
<p><i>Policy 104.</i> <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></p>	<p>The proposed Code Amendment is aligned with Council's <i>Open Space Strategy 2025 Directions Report (2015)</i> identifies a priority to strengthen the walkability and accessibility of West Lakes through continuous pathway connections around and near the Lake.</p>

Our policy themes – Climate Change	
<p>Policy 105. <i>Deliver a more compact urban form to:</i></p> <ul style="list-style-type: none"> ○ <i>conserve areas of nature protection areas</i> ○ <i>reduce vehicle travel and associated greenhouse gas emissions.</i> 	<p>The Code Amendment provides an opportunity to address each of these matters through future development endeavours.</p> <p>The Code Amendment will investigate the impact of sea level rise modelling on future development over the Affected Area.</p>
<p>Policy 107. <i>Increase the proportion of low-rise, medium-density apartments and attached dwellings to support carbon-efficient living.</i></p>	
<p>Policy 111. <i>Create a more liveable urban environment through establishing a network of greenways, bicycle boulevards, tree-lined streets and open spaces, which will have a cooling effect on nearby neighbourhoods and buildings.</i></p>	<p>The Code Amendment proposes to investigate the inclusion of policy that encourages connected movement networks and green infrastructure with an emphasis on enhancing connectivity with the adjoining lake frontage and Mariners Reserve.</p>
Our policy themes – Water	
<p>Policy 115. <i>Incorporate water-sensitive urban design in new developments to manage water quality, water quantity and water use efficiency and to support public stormwater systems.</i></p>	<p>The Code Amendment proposes to investigate stormwater management to inform the adoption of policies including the consideration of stormwater management systems and Water Sensitive Urban Design Techniques for future development proposals specific to the Affected Area.</p>
<p>Policy 117. <i>Increase the provision of stormwater infrastructure (including water sensitive urban</i></p>	

<p><i>design) to manage and reduce the impacts of:</i></p> <ul style="list-style-type: none"> ○ <i>run-off from infill development</i> ○ <i>urban flooding from increased short-duration intense rainfall events associated with climate change</i> ○ <i>pollution from roads and other developed areas.</i> 	
<p><i>Our policy themes – Emergency management and hazard avoidance</i></p>	
<p><i>Policy 121. Ensure risk posed by known or potential contamination of sites is adequately managed to enable appropriate development and safe use of the land.</i></p>	<p>A Preliminary Site Investigation (PSI), Detailed Site Investigations (DSI) and Site Contamination Audit Report (SCAR) has already been undertaken and has confirmed the presence of Cadmium and PFAS within soils within the Affected Area.</p> <p>The SCAR has confirmed that the Affected Area is suitable for commercial/industrial use in its current configuration</p> <p>The Code Amendment proposes to undertake additional environmental investigations to direct remediation works required to make the Affected Area suitable for residential land use. An Environment Protection Authority (EPA) Accredited Site Contamination Auditor will be engaged to review these investigations.</p> <p>Environmental investigations will also review the suitability of existing policy within the Planning and Design Code to ensure land is suitable for its proposed intended use (i.e. General Development Policies – Site Contamination)</p>
<p><i>Policy 122. Mitigate the impact of extreme heat events by designing development to create cooler communities through the use of green infrastructure.</i></p>	<p>The Code Amendment proposes to investigate the inclusion of policy that encourages the use of green infrastructure.</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.

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

City of Charles Sturt – Community Plan 2020-2027	Code Amendment Alignment with other Relevant Documents
<i>Our Liveability – A liveable city of great places</i>	
<ul style="list-style-type: none"> ○ <i>A well-designed urban environment that is adaptive to a diverse and growing city</i> 	<p>The Code Amendment proposes to investigate the rezoning of an area of land that is located within the Infrastructure Zone to take advantage of its location near the lake frontage, western beaches and proximity to the Urban Activity Centres of West Lakes, Port Adelaide and Arndale.</p>
<ul style="list-style-type: none"> ○ <i>Drive an integrated, responsive transport system and well-maintained network of roads and paths that facilitate safe, efficient and sustainable connections.</i> 	
<ul style="list-style-type: none"> ○ <i>Enhance the quality and diversity of open and public spaces.</i> 	<p>The Code Amendment enables the creation of a policy framework which supports the provision of public open space that is accessible to the broader local community and opportunities to provide greater linkages to the adjoining Marines Reserve.</p>
<i>Our Environment – An environmentally responsible and sustainable city</i>	
<ul style="list-style-type: none"> ○ <i>Our city is greener to reduce heat island effects and enhance our biodiversity</i> 	<p>The Code Amendment proposes to investigate policy that will facilitate increased public open space and urban green cover. It is proposed to introduce the 'Urban Tree Canopy Overlay' over the Affected Area.</p>
<i>Our Economy – An economically thriving city</i>	
<ul style="list-style-type: none"> ○ <i>Businesses and industry sectors continue to grow and diversify</i> 	<p>The Code Amendment proposes policy that envisages mix-use development including supporting retail and commercial land uses to service the proposed residential uses and provide potential employment opportunities.</p>

Attorney General's Department – Land Supply Report for Greater Adelaide	Code Amendment Alignment with Other Relevant Document
Part 2 – Urban Infill Land Supply	
<ul style="list-style-type: none"> ○ <i>Estimated dwelling requirements within the Adelaide West region of 10,600 dwellings for medium growth and 15,700 dwellings for high growth over the next ten (10) years</i> 	The Affected Area is considered to be a Strategic infill site in the Adelaide West region that has the potential to provide for dwelling growth, with likely yield anticipated in the order of 200-300 dwellings over the Affected Area.
<ul style="list-style-type: none"> ○ <i>Strategic Infill land supply within the Greater Adelaide region is estimated to comprise 41,900 allotments from existing, proposed and future strategic sites</i> 	The Affected Area is considered to be suitable as a future strategic site for infill land supply within the Adelaide West region.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. 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)	<p>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.</p> <p>Whilst the Affected Area does not comprise industrial land the Royal Park -North West Precinct Industrial Area is located directly over Frederick Road.</p>	<p>The Urban Employment Land Review (2019) identified the Royal Park Industrial Precinct as a prime employment area and identified a good interface on its northern and western boundaries from sensitive land uses.</p> <p>The Code Amendment will facilitate mixed use zoning along a portion of the Frederick Road interface and will investigate appropriate interface buffering to ensure future development of the Affected Area does not compromise the viability of the adjoining prime industrial area.</p> <p>The Code Amendment will also provide housing options within close proximity of key employment land.</p>
Environmental (Contamination) Assessment	<p>A Preliminary Site Investigation (PSI) and Detailed Site Investigations (DSI) as well as a Site Contamination Audit Report (SCAR).</p>	<p>Existing PSI and DSI investigations have confirmed the presence of Cadmium and PFAS within soils within the Affected Area.</p> <p>The SCAR has confirmed that the Affected Area is suitable for commercial/industrial use in its current configuration.</p>

4.2. Further Investigations Proposed

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

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Traffic Impact Assessment	<p>Identify the impact of the proposed Code Amendment on the road and bicycle networks and the scope and timing of road upgrades required to support future development (if any).</p> <p>Assessment of internal road design and access to encourage walking and cycling linkages from Frederick Road, Lochside Drive and the Lake.</p>
Infrastructure Assessment	<p>Identify the capacity and augmentation capability of existing service infrastructure networks including an analysis of the impact of the proposed Code Amendment on existing network capacity as well as the timing of any network upgrades required to support future development (if any). Service infrastructure networks to be investigated will include:</p> <ul style="list-style-type: none"> ○ SA Water (for potable water, recycled water and sewer); ○ Stormwater (including potential for flooding due to sea level rise forecasts); ○ SA Power Networks (for electricity); ○ APA Group (for gas reticulation); and ○ National Broadband Network (NBN) (for telecommunications).
Interface Assessment	<p>Identify and provide an assessment of:</p> <ul style="list-style-type: none"> ○ Existing and potential land uses, including noise impact investigations and any requirements to apply the 'Noise and Air Emissions Overlay and Interface Management Overlay;' ○ Visual impact of higher built form from the Lake frontage and adjacent land uses. ○ EPA Licenced activities in the locality (including any buffering requirements) with a particular focus on the remaining adjoining SA Water treatment facility (grit removal process and pump station).
Retail analysis assessment	<p>Identify and provide an assessment of retail floor area and catchments within the locality and implications for the proposed Code Amendment in terms of suitable retail floor area.</p>

Environmental (Contamination) Assessment	Additional environmental investigations will be undertaken on the site (taking into account known site contamination to determine remediation works required to make the Affected Area suitable for residential land use (and the other envisaged land uses). The additional investigations to involve the completion of interim audit advice by an Environment Protection Authority (EPA) Accredited Site Contamination Auditor to demonstrate the appropriateness (or otherwise) of the land for sensitive land uses and preliminary consultation with the EPA prior to statutory consultation.
Public Open Space	To identify the location and composition of existing surrounding public open space and to determine the requirements and need for public open space within the Affected Area.
Heritage Assessment	To review the appropriateness of the Local Heritage listing applying to the Affected Area including the spatial application and extent of the current Local Heritage listing and its curtilage.
Urban Design	Analysis of the Affected Area in terms of orientation, physical features and important vistas and preferred built form that may inform a Concept Plan.
Preliminary Tree Assessment	To identify the location and health of any Regulated or Significant Trees on the Affected Area or adjacent land and consideration of applying the Urban Tree Canopy Overlay.
GIS mapping	To analyse the extent of existing residential development, commercial development, zoning and land uses within the immediate and broader locality.
Code Policy	<p>Recommendations on the most appropriate zone(s) and overlays and specific policies (eg. Technical Numerical Variations) to apply over the Affected Area based on the outcomes of the investigations utilising the planning policies contained in the South Australian Planning and Design Code.</p> <p>Specific Overlays to consider include but, are not limited to the Noise & Air Emissions Overlay, Interface Management Overlay, Coastal Flooding Overlay, Urban Tree Canopy Overlay and the Affordable Housing Overlay.</p>
Flightpath Building Height Limits	Consider flightpath building height limitation implications for the subject land.

4.3. Engagement Already Undertaken

In accordance with Practice Direction 2, the City of Charles Sturt has endorsed the initiation of the Code Amendment during their City Services Committee meeting held on 18 October 2021.

In addition, the following engagement has also occurred on the proposed Code Amendment:

- Liaise with Environment Protection Authority (EPA) and Attorney Generals Department - Planning, Land Use Services (AGD_PLUS) in relation to the Code Amendment (28 September 2021);
- Liaise with SA Water current owners of the Affected Area on Lot 100 and owners/operators of the Waste Water re-lift facility on Lot 101.

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

- The EPA, whilst generally supportive of the Code Amendment, advised that Code Amendment investigations will need to take into consideration (refer to **Attachment C**):
 - *Any buffering requirements form EPA licenced activities both with the adjacent 'Strategic Employment Zone' and from the current SA Waste Water Treatment re-lift facility on Lot 101;*
 - *Site suitability for residential land uses given the previous potentially contaminating activities over the Affected Area.*

4.4. Further Engagement Proposed

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

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
<ul style="list-style-type: none"> ○ 8-week consultation process on a draft Code Amendment. ○ A copy of the Code Amendment in the SA Planning Portal. ○ A notice in the Advertiser Newspaper. ○ Information on Council's 'YourSay' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment and information on how to make comments. ○ A written notice to all property owners and occupiers within the Affected Area and other adjacent property owners and occupiers 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, Civil Aviation Safety Authority (CASA), 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. <p>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.</p>	<p>The broad intent of the engagement process will be to:</p> <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 comment. <p>Provide information on how to seek further information.</p>

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

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

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

- the Local Government Association must be notified in writing of the proposed Code Amendment
- if the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone 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
 - 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 on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

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

5.3. Code Amendment Timetable

The Proponent (where it is also the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined in **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

Figure 1 – Affected Area

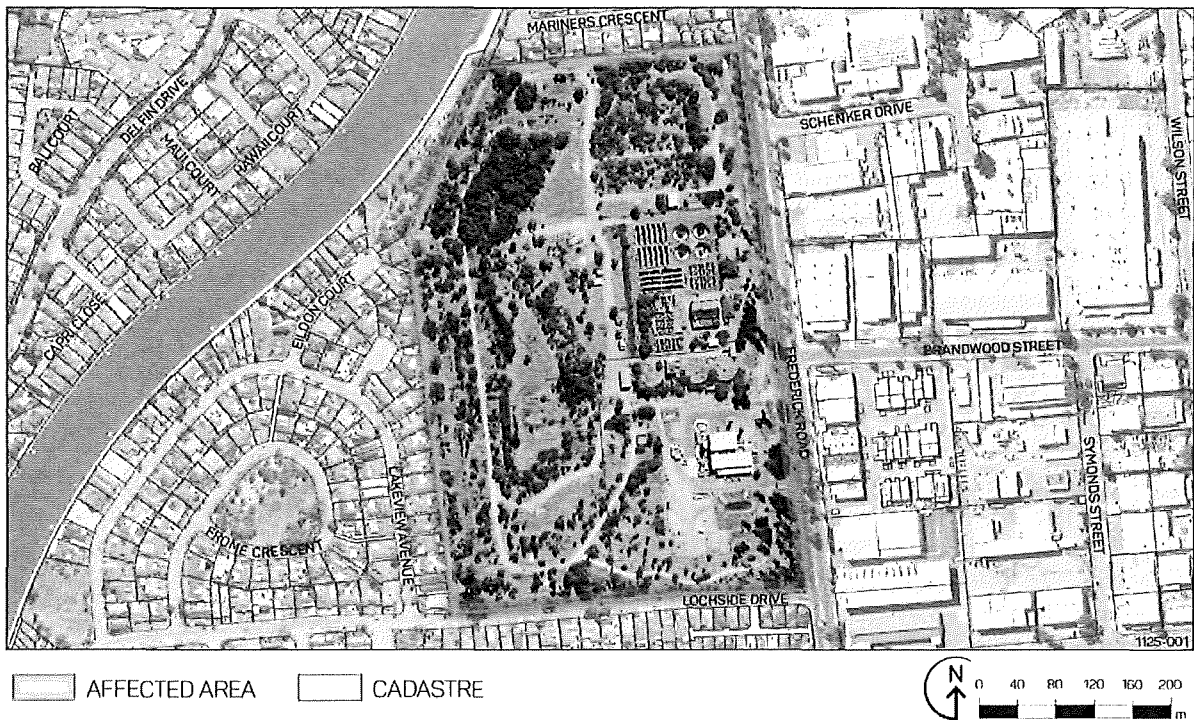


Figure 2 – Current Zone (Code Version 2021.14 – dated 23 September 2021)

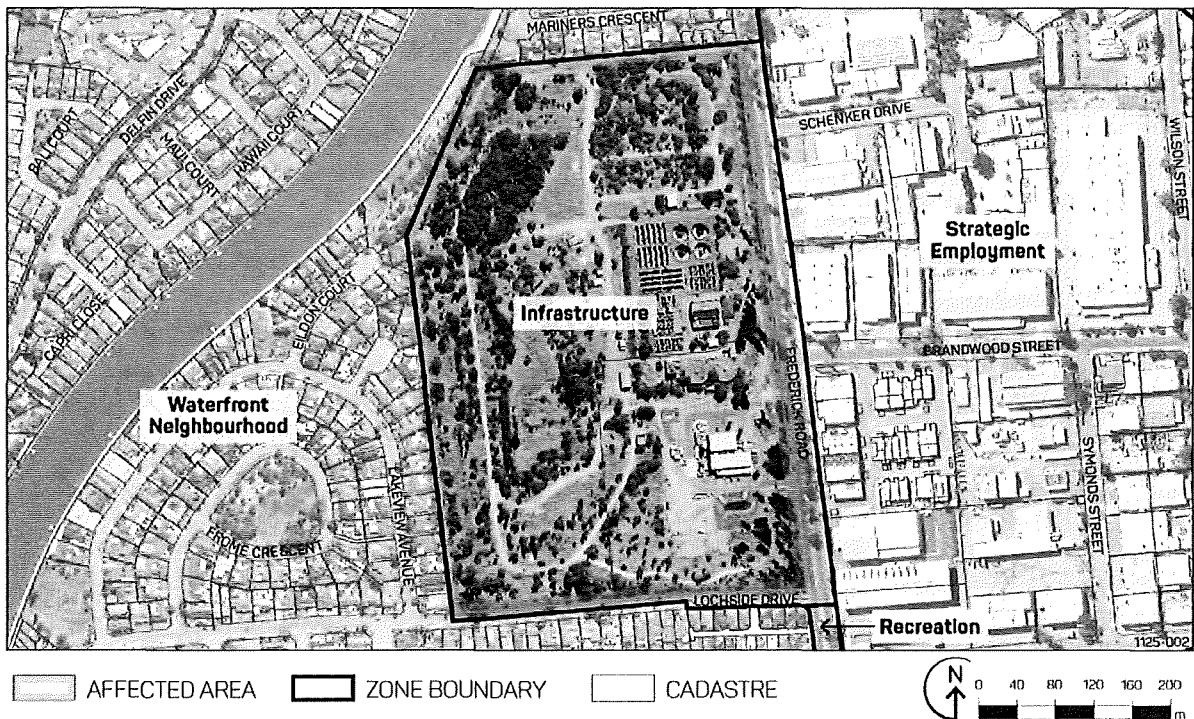


Figure 3 - Surrounding land uses

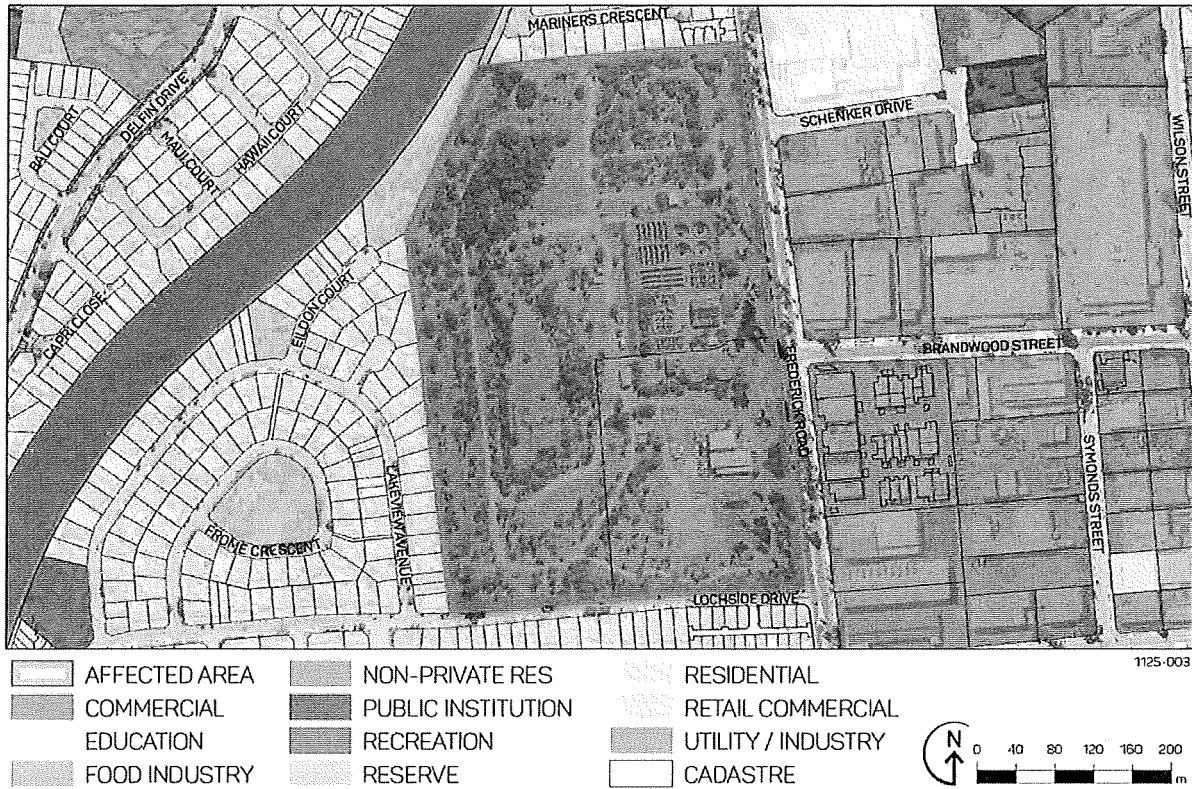


Figure 4 - Affected Area Context

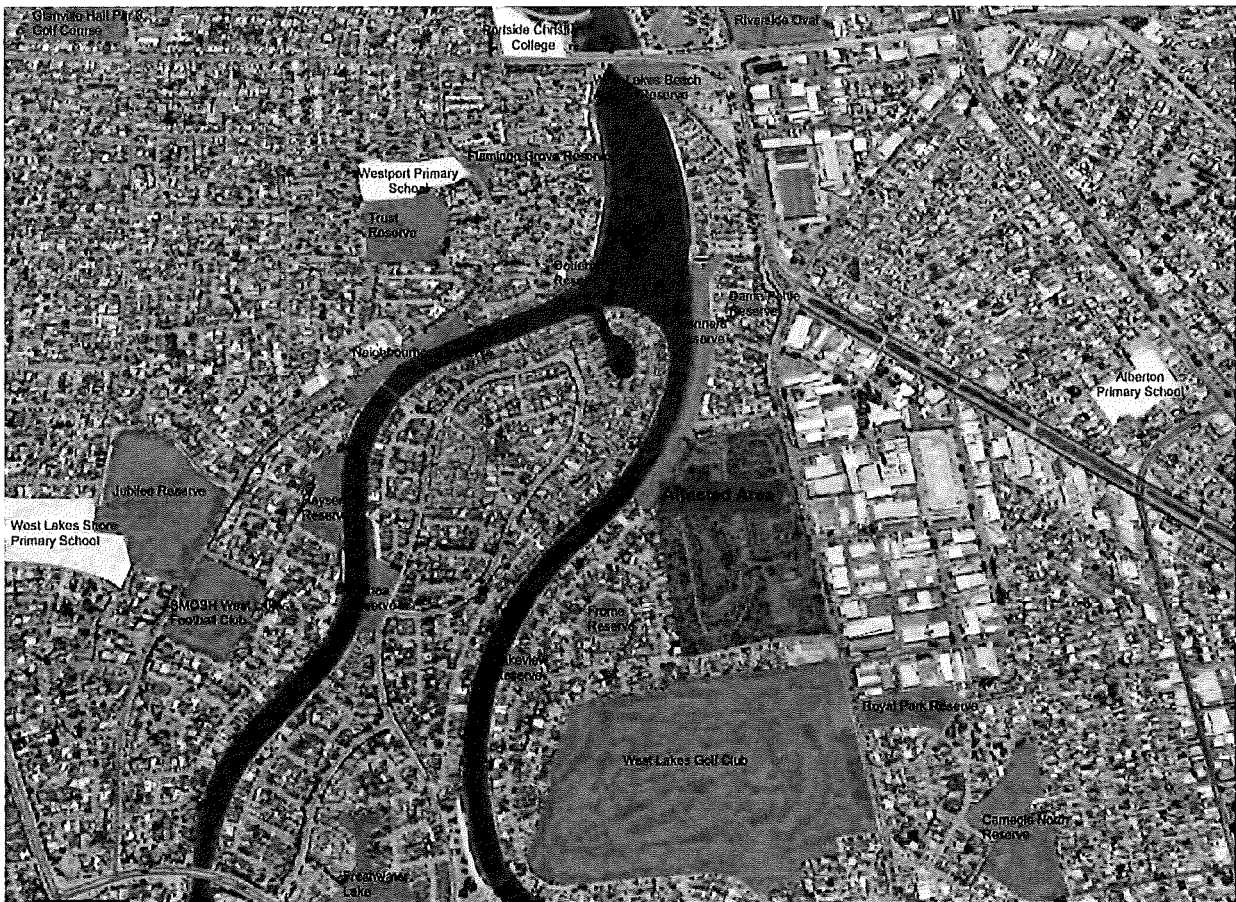
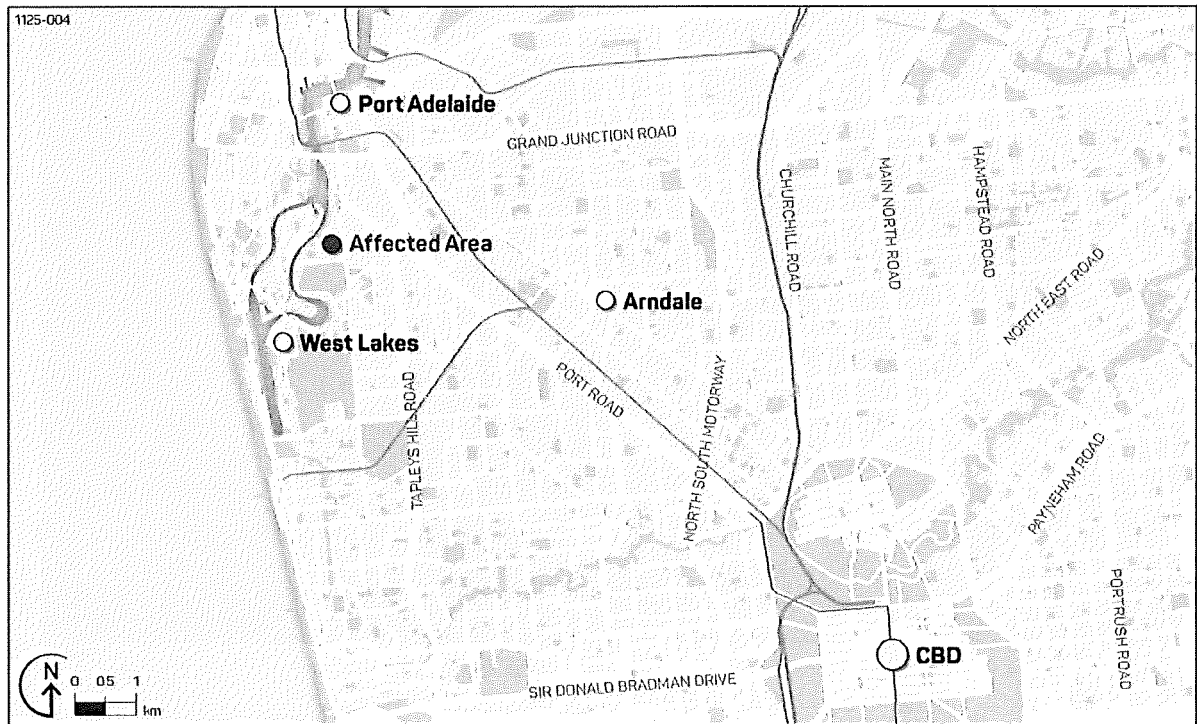
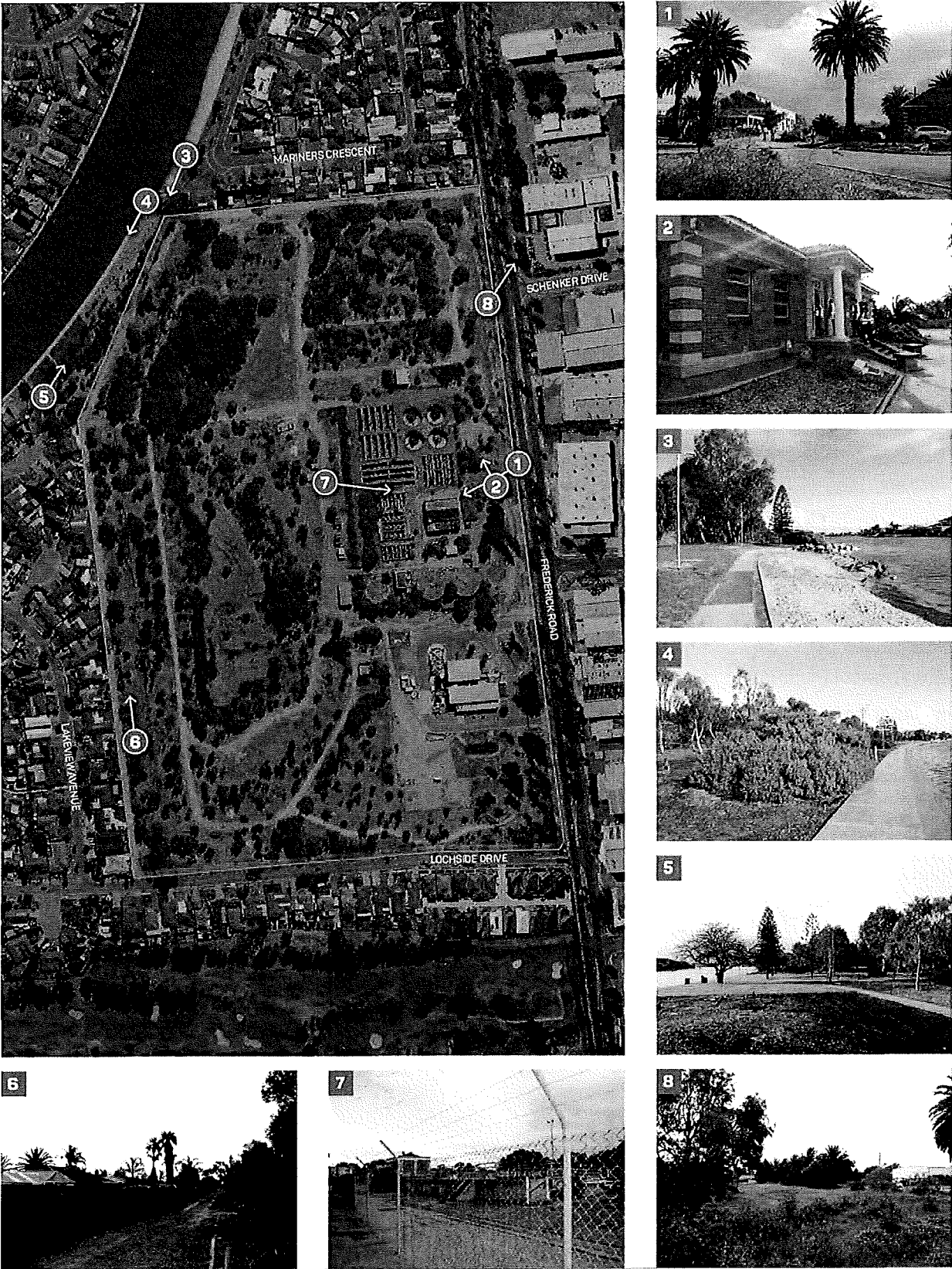


Figure 5 – Images of Affected Area Context



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	2 weeks 12-16 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	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	Designated Entity	8-12 weeks & estimated June 2022 or 21 weeks from Initiation [noting may be subject to change pending finalisation of Engagement Plan based on the volume and complexity of submissions received)

Step	Responsibility	Timeframe
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD	Designated Entity	4 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks
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

ATTACHMENT C

EPA preliminary advice

From: Cother, James (EPA) <James.Cother@sa.gov.au>
Sent: Tuesday, 28 September 2021 6:10 PM
To: Jim Gronthos <jgronthos@charlessturt.sa.gov.au>
Cc: Gencarelli, Nadia (AGD) <Nadia.Gencarelli@sa.gov.au>; Zoe Garnaut <zgarnaut@ekistics.com.au>
Subject: Code Amendment - Frederick Rd West Lakes [SEC=OFFICIAL]

OFFICIAL

Hi Jim,

Just a follow-up from our preliminary meeting about the proposed Code Amendment at the former wastewater treatment plant site on Frederick Road, West Lakes.

There was an early discussion during our meeting today, perhaps before you joined the meeting Jim, about the adjacent SA Water site. Richard Dwyer mentioned that the adjacent SA Water site continues to operate as a pump station, but he thought there were no other wastewater treatment activities on the site that would give rise to any significant odour/noise issues.


I just wanted to convey to you that I made some preliminary enquiries after the meeting, and can confirm that the adjacent site maintains a licence for *wastewater treatment* under the Environment Protection Act (SA Water, EPA licence #51175). In addition to the pumping station, a vital preliminary wastewater treatment process (grit removal) operates from this site. This process produces foul air. This process was the subject of odour issues in the past, however, SA Water has since invested heavily in an odour treatment unit. There may also be potential noise issues from the licensed activity.

With that information, I think it prudent that the Proposal to Initiate flags that investigations into adjacent (SA Water) and nearby EPA licensed activities (to the east) would occur to support the Code Amendment. I understand Potentia is in discussions with SA Water about a buffer zone. We would expect that in addition to all the other issues discussed today, that any potential air/noise issues from the adjacent SA Water site are investigated to support any rezoning.

Regards

James Cother
Principal Adviser, Planning Policy & Projects

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