

**“SCOTTY’S CORNER” CODE AMENDMENT**  
**YS SUPER INVESTMENTS PTY LTD**

FOR PUBLICATION WITH INTERIM ENGAGEMENT REPORT

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### Document Control

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V2	Review	MO	21.07.2021
V3	Updated	EN	21.07.2021
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## CONTENTS

<b>1. WHAT IS THE PLANNING AND DESIGN CODE?.....</b>	<b>1</b>
1.1 Planning and Design Code Framework .....	1
1.2 Overlays.....	1
1.3 Zones .....	1
1.4 Sub zones .....	1
1.5 General Development Policies .....	1
1.6 Amending the Planning and Design Code .....	1
<b>2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?.....</b>	<b>3</b>
2.1 Need for the Amendment .....	3
2.2 Affected Area.....	3
2.3 Summary of Proposed Policy Changes.....	5
2.3.1 Current Code Policy .....	5
2.3.2 Proposed Code Policy .....	8
<b>3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT? .....</b>	<b>10</b>
3.1 Decision on the Code Amendment .....	10
<b>4. ANALYSIS.....</b>	<b>11</b>
4.1 Strategic Planning Outcomes.....	11
4.1.1 Summary of Strategic Planning Outcomes.....	11
4.1.2 Consistency with the State Planning Policies .....	11
4.1.3 Consistency with the Regional Plan.....	11
4.1.4 Consistency with other key strategic policy documents .....	12
4.2 Infrastructure planning.....	12
4.3 INVESTIGATIONS.....	13
4.3.1 Investigations undertaken .....	13
4.3.2 Recommended policy changes.....	33

## APPENDICES

APPENDIX 1.	MAPPING AFFECTED AREA AND LOCALITY
APPENDIX 2.	MAPPING PROPOSED ZONE, OVERLAYS AND TNVS
APPENDIX 3.	CURRENT CODE POLICY
APPENDIX 4.	PROPOSED CODE POLICY
APPENDIX 5.	STRATEGIC PLANNING OUTCOMES
APPENDIX 6.	INVESTIGATIONS – TRAFFIC
APPENDIX 7.	INVESTIGATIONS – SOIL SAMPLING

- APPENDIX 8. INVESTIGATIONS – PRELIMINARY SITE INVESTIGATION*
- APPENDIX 9. INVESTIGATIONS – INFRASTRUCTURE*
- APPENDIX 10. INVESTIGATIONS – ENVIRONMENTAL NOISE*
- APPENDIX 11. INVESTIGATIONS – MASSING*
- APPENDIX 12. INVESTIGATIONS – OVERSHADOWING*
- APPENDIX 13. INVESTIGATIONS – SIGNIFICANT DEVELOPMENT SITE POLICY*
- APPENDIX 14. INVESTIGATIONS – HERITAGE AND CHARACTER*

## HAVE YOUR SAY

This Code Amendment was on consultation from Monday, 9 August 2021 to Sunday, 19 September 2021.

During this time stakeholders were welcomed to lodge a written submission about any of the changes proposed in the Code Amendment.

Submissions could be provided via one of the following:

- a) Online on the SA Planning Portal (URL: [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations));
- b) Via email to [info@futureurban.com.au](mailto:info@futureurban.com.au);
- c) Via post to:  
  
Attn: Emily Nankivell  
Scotty's Corner Code Amendment  
Future Urban  
Level 1/74 Pirie Street  
ADELAIDE SA 5000
- d) In person at the public meeting to be held at the Walkerville RSL & Community Centre, 98 Walkerville Terrace, Walkerville, on 8 September 2021 at 6pm.

Registrations for the public meeting will be open from 8:30am on 9 August 2021 and can be made via Eventbrite at the following link <https://www.eventbrite.com.au/e/scottys-corner-code-amendment-public-meeting-tickets-164057549547>. Due to Covid-19 the public meeting is subject to change. Registrations to attend the public meeting are essential. Online access to the public meeting can be made available. Please contact [info@futureurban.com.au](mailto:info@futureurban.com.au) for further information. This public meeting will be substituted for an on-line forum pending Covid-19 restrictions applicable at the time. Further details regarding the public meeting can be found at the event page on Eventbrite.

## **1. WHAT IS THE PLANNING AND DESIGN CODE?**

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

### **1.1 Planning and Design Code Framework**

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the SA Planning Portal.

### **1.2 Overlays**

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk. They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy overrides the zone policy.

### **1.3 Zones**

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

### **1.4 Sub zones**

Sub zones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

### **1.5 General Development Policies**

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

### **1.6 Amending the Planning and Design Code**

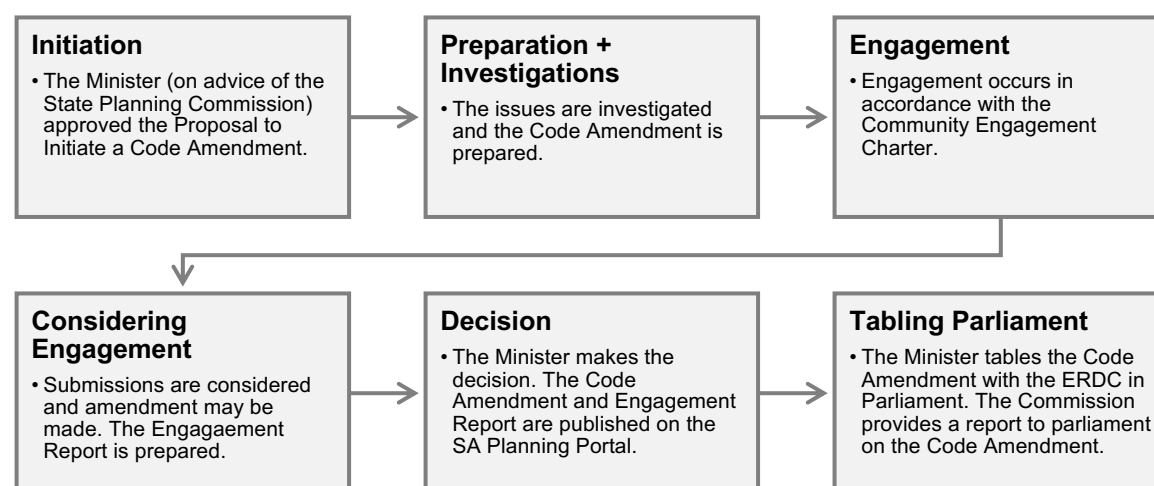
*The Planning, Development and Infrastructure Act 2016* (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint Planning Board, Government Agency or private proponent may initiate an amendment to the Code and undertake a Code Amendment process.

An approved Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form.

The State Planning Commission (the Commission) is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

The Commission provided independent advice to the Minister for Planning and Local Government on the Proposal to initiate this Code Amendment. The Commission will also provide a report on the Code Amendment (including compliance with the Community Engagement Charter) at the final stage of the Code Amendment process. A summary of this process is provided in Figure 1 below.

**Figure 1.1** *Summary of the Code Amendment Process*



## 2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

### 2.1 Need for the Amendment

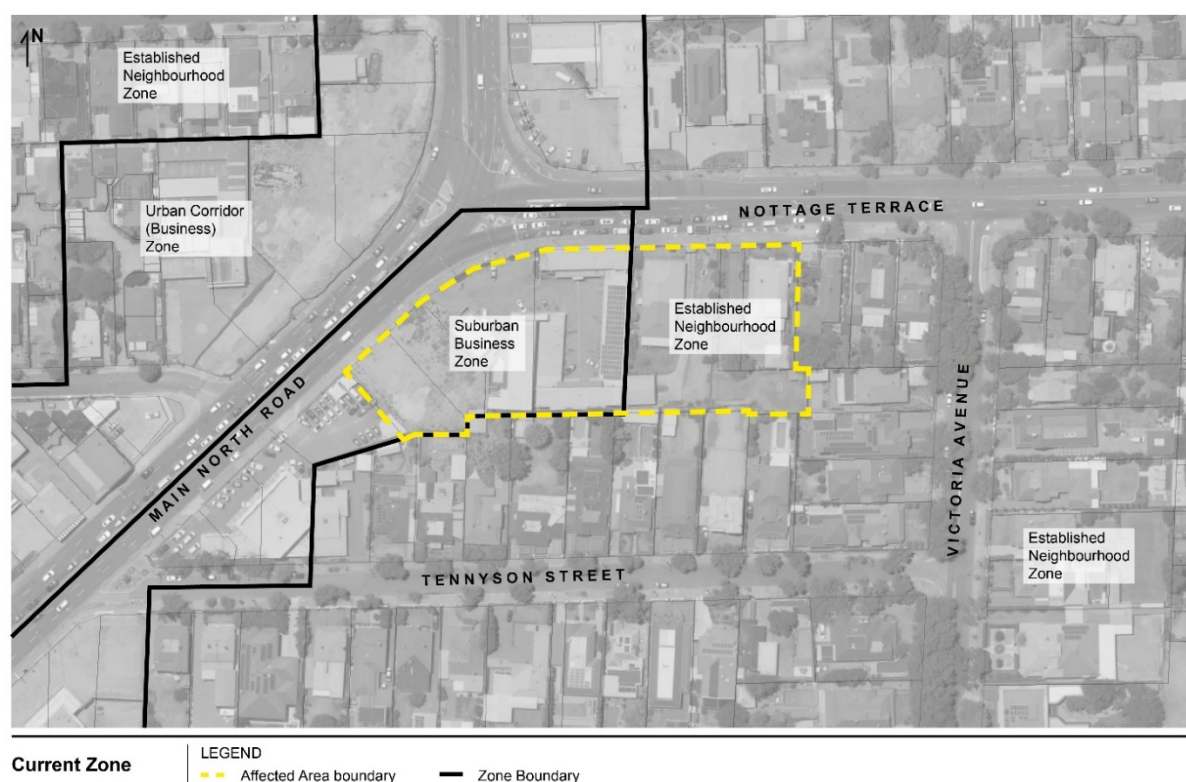
YS Super Investments Pty Ltd proposes a Code Amendment in relation to the land comprising seven contiguous allotments located at 1-5 Nottage Terrace, Medindie and 43 Main North Road, Medindie – more particularly described as Allotment 98 on Certificate of Title 5761/575, Allotment 99 on Certificate of Title 5761/569, Allotment 8 on Certificate of Title 5106/255, Allotment 15 on Certificate of Title 5106/256, Allotment 7 on Certificate of Title 5798/222, Allotment 3 on Certificate of Title 5228/569 and Allotment 2 on Certificate of Title 5228/570 (together the 'Affected Area').

The overall intent and purpose of the Code Amendment is to rezone the Affected Area to the Urban Corridor (Business) Zone, currently located within the Suburban Business Zone and the Established Neighbourhood Zone. The proposed Urban Corridor (Business) Zone will enable the orderly and economic development of the Affected Area consistent with outcomes anticipated for adjacent land located on the northern and north-west corners of the Main North Road and Nottage Terrace intersection, that are also located within the Urban Business (corridor) Zone. The rezoning will also facilitate a mixed use development outcome for the Affected Area comprising medium density residential together with small scale commercial / retail uses.

### 2.2 Affected Area

The Affected Area is shown in the map at **Appendix 1** and in Figure 2.1 below.

**Figure 2.1** *Affected Area and Current Zoning*



The Affected Area comprises seven (7) contiguous allotments that are located on the southern side of Nottage Terrace and Main North Road. The Affected Area currently contains an existing motel ('Scotty's Motel'), two detached dwellings and vacant land.

The Affected Area has a frontage to Nottage Terrace of 107.46 metres, a frontage to Main North Road of 52.64 metres and a total area of approximately 7,300 square metres.

Both Main North Road and Nottage Terrace are State Maintained Roads. The intersection of Main North Road and Nottage Terrace is a prominent site in metropolitan Adelaide with this area forming a gateway to North Adelaide and the Adelaide CBD. Main North Road is also a major transport corridor in the State providing access from and to the north of metropolitan Adelaide.

The immediate locality comprises a mix of commercial and residential land uses. The land immediately to the south and east of the Affected Area is zoned Established Neighbourhood and comprises residential development. The land immediately to the south and south-west of the Affected Area is zoned Suburban Business. The land on the opposite side of Main North Road and Nottage Terrace is zoned Urban Corridor (Business) Zone.

The boarder locality also comprises a mix of commercial, residential and educational land uses. Commercial uses are generally situated along main transports corridors such as Walkerville Terrace, Prospect Road, Main North Road and North East Road. The northern Parklands are located approximately 800 metres to the south of the Affected Area. The locality is shown in the map at **Appendix 1** and Figure 2.2 below.

**Figure 2.2** *Locality*



## 2.3 Summary of Proposed Policy Changes

### 2.3.1 Current Code Policy

The Affected Area is currently located in the Suburban Business Zone and Established Neighbourhood Zone (refer Figure 2.1).

The Affected Area, or parts thereof, is also located within the Aircraft Noise Exposure (ANEF 20) Overlay, Airport Building Heights (Regulated) Overlay (all structures over 45 metres), Advertising Near Signalised Intersections Overlay, Future Road Widening Overlay, Historic Area Overlay (Walk2), Hazards (Flooding - Evidence Required) Overlay, Major Urban Transport Routes Overlay, Prescribed Wells Area Overlay, Regulated and Significant Tree Overlay, Stormwater Management Overlay, Traffic Generating Development Overlay and Urban Tree Canopy Overlay in the Code

The existing zoning and overlays that apply to the Affected Area are provided in **Appendix 2**.

The Suburban Business Zone is a business and innovation precinct that seeks a range of emerging businesses that have low level off-site impacts and residential development that is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.

The Established Neighbourhood Zone is a residential zone that encourages neighbourhood type development that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns in the locality that maintains the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

A summary of the Overlays that apply to the Affected Area, their Desired Outcome and their impact on the development of the Affected Area are summarised in Table 2.1 below.

**Table 2.1** *Summary of Overlays relating to the Affected Area*

Overlay	Desired Outcome	Impact on Development
Aircraft Noise Exposure (ANEF 20) Overlay	Development sensitive to aircraft noise is designed and located to manage noise intrusion to reduce land use conflict and protect human health.	Buildings and development accommodating activities sensitive to aircraft noise (i.e. sensitive receivers) are designed and located to minimise aircraft noise intrusion and provide appropriate interior acoustic amenity.  Land division does not involve the creation of additional allotments for sensitive receivers.
Airport Building Heights (Regulated) Overlay	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.	Development should be an appropriate height so as not to pose a hazard on the operation of a certified aerodrome and exhaust stacks are designed to minimise plume impacts on aircraft movements.  Development will require referral to the relevant airport-operator where

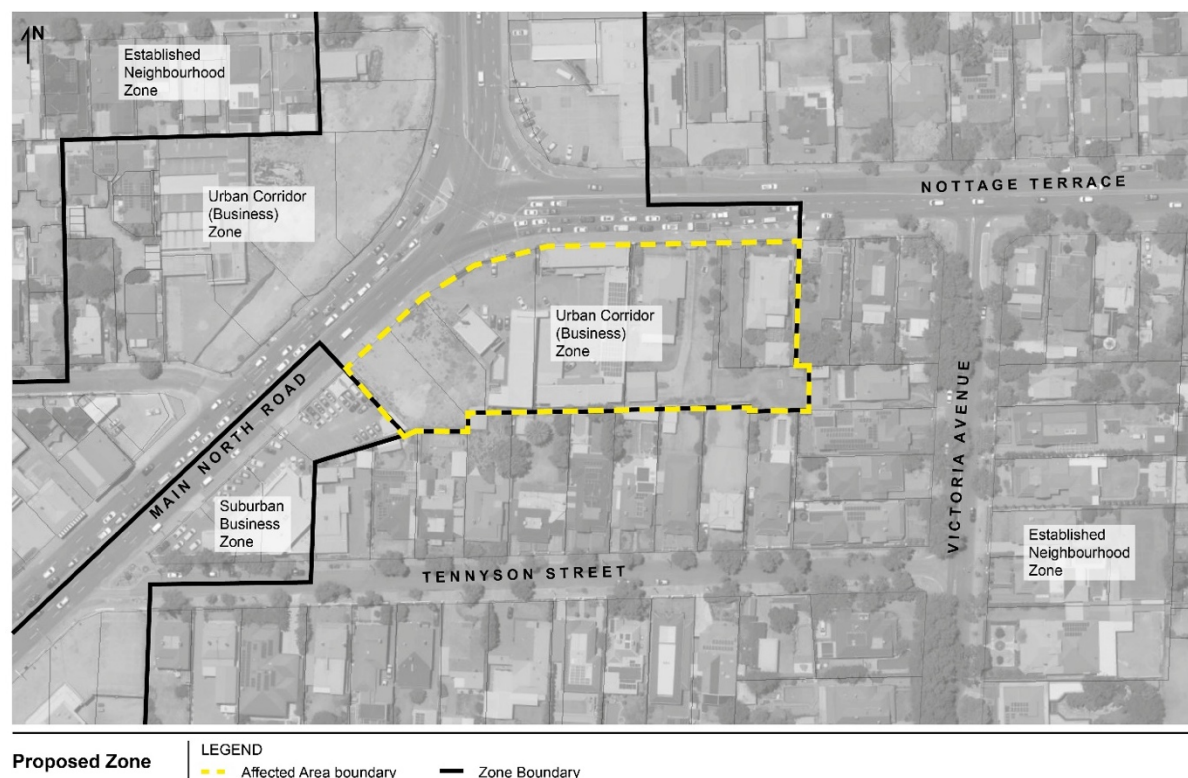
		is exceeds the applicable height or comprises exhaust stacks.
Advertising Near Signalised Intersections Overlay	Provision of a safe road environment by reducing driver distraction at key points of conflict on the road.	Advertising does not cause unreasonable distraction to road users by way of illumination, flashing lights, moving, changing displays or messages.  Development may require referral to the Commissioner of Highways.
Future Road Widening Overlay	Development which is consistent with and will not compromise efficient delivery of future road widening requirements.	Development should be located and designed to minimise its impacts on future road widening requirements. Development should be located outside of land identified for future road widening in the Metropolitan Adelaide Road Widening Plan.
Historic Area Overlay (Medindie Historic Area Overlay (Walk2))	Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement (being the Medindie Historic Area Statement (Walk2)).	Development is undertaken having regard to the historic area, streetscape and built form expressed in the Historic Area Statement.  Development is consistent with the prevailing character of historic areas.  Development incorporates materials and finishes consistent with those within the historic area.
Hazards (Flooding – Evidence Required) Overlay	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.	Development should include measures to prevent the entry of water, noting that the land is not within an identified flood plain.
Major Urban Transport Routes Overlay	Safe and efficient operation of Major Urban Transport Routes for all road users.  Provision of safe and efficient access to and from Major Urban Transport Routes.	Development designed to incorporate access points that allow safe entry and exit to a site to meet the needs of the associated development and minimise traffic flow interference on traffic movements along State Maintained Roads. Including (but

		<p>not limited to) space for appropriate onsite queuing, sight lines and space between access points.</p> <p>Development may require referral to the Commissioner of Highways.</p>
Prescribed Wells Area Overlay	Sustainable water use in prescribed wells areas.	Development involving horticulture, forms of agriculture, industry and forestry are provided with a lawful, sustainable and reliable water source that does not place undue strain on water resources.
Regulated and Significant Tree Overlay	Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.	Development ensures the retention of regulated and significant trees. Tree damaging activity is only undertaken in specific circumstances, including where required to ensure the reasonable development of land.
Stormwater Management Overlay	Development incorporates water sensitive urban design techniques to capture and re-use stormwater	Residential development is designed to capture and reuse stormwater to conserve water, manage peak stormwater run-off flows and manage stormwater run-off quality.
Traffic Generating Development Overlay	<p>Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.</p> <p>Provision of safe and efficient access to and from urban transport routes and major urban transport routes.</p>	<p>Development designed to minimise potential impacts on the safety, efficiency and functional performance of a State Maintained Road.</p> <p>Access points for development designed to accommodate the anticipated type and volume traffic generated by the development.</p> <p>Development may require referral to the Commissioner of Highways.</p>
Urban Tree Canopy Overlay	Residential development preserves and enhances urban tree canopy through the planting of new trees and retention of existing mature trees where practicable.	Development includes tree planting or retains trees to contribute to the urban tree canopy.

### 2.3.2 Proposed Code Policy

The proposed rezoning of the Affected Area is shown in Figure 2.3 below.

**Figure 2.3** *Affected Area and Proposed Zoning*



The Code Amendment proposes the following changes:

- Rezone the Affected Area to the Urban Corridor (Business) Zone (refer Figure 2.3). Replacing the Suburban Business Zone and Established Neighbourhood Zone (refer Figure 2.1).
- Apply the Urban Corridor Business Retail Subzone to the Affected Area.
- Retain the following Overlays to the Affected Area:
  - » Aircraft Noise Exposure (ANEF 20) Overlay;
  - » Airport Building Heights (Regulated) Overlay – All structures over 45 metres;
  - » Advertising Near Signalised Intersections Overlay;
  - » Future Road Widening Overlay;
  - » Hazards (Flooding - Evidence Required) Overlay;
  - » Major Urban Transport Routes Overlay;
  - » Prescribed Wells Area Overlay;
  - » Regulated and Significant Tree Overlay; and
  - » Traffic Generating Development Overlay.
- Apply the following Overlays to the Affected Area:
  - » Affordable Housing Overlay;

- » Design Overlay; and
- » Noise and Air Emission Overlay.
- Remove the following Overlays from the Affected Area:
  - » Historic Area Overlay (Medindie Historic Area Statement (Walk2));
  - » Stormwater Management Overlay; and
  - » Urban Tree Canopy Overlay.
- Apply the following Technical and Numeric Variations (TNVs) to the Affected Area:
  - » Maximum Building Height (Levels) 5 levels. TNV generated from maximum height in levels in DTS/DPF 3.1 of the Urban Corridor (Business) Zone;
  - » Maximum Building Height (Metres) 18.5 metres. TNV generated from maximum height in metres in DTS/DPF 3.1 of the Urban Corridor (Business) Zone;
  - » Minimum Primary Street Setback 0 metres. TNV generated from the minimum primary setbacks in DTS/DPF 2.3 of the Urban Corridor (Business) Zone; and
  - » Building Envelope. Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment. TNV generated from the interface height in DTS/DPF 4.1 of the Urban Corridor (Neighbourhood Zone).
- Remove the following TNVs from the Affected Area as follows:
  - » Portion of the Affected Area within the Suburban Business Zone:
    - Maximum Building Height (Levels) 3 levels.
  - » Portion of the Affected Area within the Established Neighbourhood Zone:
    - Maximum Building Height (Metres) 9 metres;
    - Maximum Building Height (Levels) 2 levels;
    - Minimum Frontage (for a detached dwelling) is 15 metres;
    - Minimum Site Area (for a detached dwelling) is 500 square metres; and
    - Minimum Side Boundary Setback 1.5m for the first building level and 3m for any second building level or higher.

The proposed Zone, Overlays and Technical and Numeric Variation boundaries are shown in **Appendix 2** and the proposed Zone and Overlay policy are provided in **Appendix 4**.

Please note that the TNVs are applied through policy contained within the Zone and editorial notes are included in **Appendix 4** to identify where these TNVs will be applicable. For clarity, the above TNVs will be applicable to the development of the land through the following Zone Deemed-to-Satisfy/Designated Performance Features (DTS/DPF):

- Zone DTS/DPF 2.3 (minimum primary setback);
- Zone DTS/DPF 3.1 (maximum building height); and
- Zone DTS/DPF 4.1 (building envelope).

### **3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?**

#### **3.1 Decision on the Code Amendment**

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister, at the Minister's request, if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the SA Planning Portal.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

## 4. ANALYSIS

### 4.1 Strategic Planning Outcomes

#### 4.1.1 Summary of Strategic Planning Outcomes

The Code Amendment will achieve the strategic outcomes of the State and the Council in the following ways:

- Enable the full development potential of the Affected Area to be recognised;
- Enable the Affected Area to be brought under the same zoning that is consistent with the zoning of the land on adjacent corners of the Main North Road and Nottage Terrace intersection;
- Facilitate future development of the Affected Area that represents its location as a prominent gateway location in the Adelaide Metropolitan Area;
- Facilitate future development of the Affected Area that will be consistent with development potential recognised through the planning policy for development on adjacent land (i.e. the opposite side of Main North Road and Nottage Terrace) that together will enable the area to be developed in a way that provides a corridor and supports redevelopment that recognises this area and intersection as a prominent gateway in the State;
- Provide for an appropriate mix of land uses, including medium density residential and commercial land uses, that add to housing options/diversity and economic opportunities;
- Provide opportunities for the concentration of higher density residential development that is in close proximity to a main transport routes and the Adelaide CBD. In turn providing opportunities for greater connectivity and alternative access options (walk, bike and bus); and
- Will appropriately manage the interface with the Established Neighbourhood Zone and Suburban Business Zone by mitigating impacts of future development.

#### 4.1.2 Consistency with the State Planning Policies

State Planning Policies define South Australia's planning priorities, goals and interests. They are the overarching umbrella policies that define the state's interests in land use. There are 16 State Planning Policies and six special legislative State Planning Policies.

These policies are given effect through the Code, with referral powers assigned to relevant Government Agencies (for example, the Environmental Protection Agency for contaminated land). The Code (including any Code Amendments) must comply with any principle prescribed by a State Planning Policy.

This Code Amendment is consistent with the State Planning Policies as shown in **Appendix 5**.

#### 4.1.3 Consistency with the Regional Plan

The directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993* being the 30-Year Plan for Greater Adelaide – 2017 amendment (30-Year Plan), will apply until such time as the new Regional Plans are prepared and adopted. Refer to the SA Planning Portal for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Appendix 5**.

#### 4.1.4 Consistency with other key strategic policy documents

The Town of Walkerville: a strategic community plan (2020-2024) (Community Plan) and A Connected Community: The Town of Walkerville Urban Masterplan (Urban Masterplan) are also relevant to the Code Amendment as these documents contains key strategic objectives for the Council.

This Code Amendment is considered to be consistent with the relevant objectives in the Community Plan and Urban Masterplan as shown in **Appendix 5**.

## 4.2 Infrastructure planning

The following infrastructure planning is relevant to this Code Amendment:

Council Infrastructure Planning	Response/Comment
Stormwater	Existing stormwater infrastructure is located adjacent the Affected Area. On-site detention is likely to be required to manage stormwater resulting from the future development of the Affected Area.
Waste Water	Waste water management infrastructure (sewer) is available adjacent the Affected Area. Some augmentation to sewer infrastructure may be required for future development of the Affected Area.
Government Agency Infrastructure Planning	Response/Comment
SA Water	SA Water has sufficient water supply to cater for the future development of the Affected Area. Some augmentation and booster may be required for future development of the Affected Area.
Commissioner of Highways/Department of Infrastructure and Transport	<p>Main North Road and Nottage Terrace are State Maintained Roads under the care and control of the Commissioner of Highways.</p> <p>The Affected Area is subject to future road widening. The Code Amendment will ensure that the relevant policies regarding road widening are retained for the Affected Area.</p> <p>The Code Amendment also ensures that the relevant policies managing future traffic movements, carparking and the like are provided for the Affected Area to guide future development and manage impacts on the State Maintained Roads.</p>

Other	Response/Comment
Electricity	Electricity infrastructure is available adjacent the Affected Area. Some augmentation of the electricity infrastructure may be required for future development.
Telecommunications	Services and coverage is available to the Affected Area. Limited augmentation to existing telecommunication services is expected if required for future development.
Gas	Gas is available to the Affected Area. Some augmentation to existing infrastructure may be required for future development.

The above upgrades to infrastructure can be economically provided to the Affected Area by the Proponent through future development, as such no further agreements or other arrangements are required to fund the infrastructure. Infrastructure assets that will ultimately be vested with the Council will be subject to further agreement with the Council to ensure that relevant infrastructure is consistent with Council requirements.

Water, electricity and gas will be provided by the relevant service providers with associated costs for connections to be met by the Proponent.

## 4.3 INVESTIGATIONS

### 4.3.1 Investigations undertaken

The extent of investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister in the Proposal to Initiate. In addition to this, the Commission has also specified certain investigations to be undertaken to support the Code Amendment.

The investigations undertaken for the Code Amendment include:

- Traffic (refer **Appendix 6**);
- Soil sampling 2019 (refer **Appendix 7**);
- Preliminary site investigation (refer **Appendix 8**);
- Infrastructure (refer **Appendix 9**);
- Environmental noise (refer **Appendix 10**);
- Interface between land uses (refer **Appendix 11 and Appendix 12**);
- Significant development site policy (refer **Appendix 13**);
- Review of proposed Zone and existing and proposed Overlays to the Affected Area;
- Removal of the Historic Area Overlay from the Affected Area (refer **Appendix 14**); and
- Open space, schools and other services in the Locality (refer **Appendix 1**).

The letter from the Honourable Vicki Chapman MP, Deputy Premier and Minister for Planning and Local Government, dated 22 April 2021 approving initiation of the Code Amendment confirmed that the Commission did not specify any additional investigations, to those identified in the Initiation Report, that were proposed to be undertaken for the Code Amendment.

The following table provides a summary of the investigations that have been undertaken to inform this Code Amendment:

Investigation	Outcomes/Recommendations
Traffic	<p><u>Original Investigations</u></p> <p>CIRQA has undertaken traffic and access investigations for the Code Amendment. A copy of these investigations are contained in <b>Appendix 6</b>. The outcomes of the CIRQA investigation are summarised as follows.</p> <p>The rezoning will facilitate the future redevelopment of the Affected Area for a mixture of residential and commercial development. The traffic study based its findings on anticipated future development in the order of 160 high-density dwellings plus 2,500 square metres of commercial floor area that could ultimately be developed within the overall site (noting that specific yields would be subject to future planning, design and assessment processes).</p> <p>Future development on the Affected Area can be accessed via three connections to the adjacent road network of Main North Road and Nottage Terrace, however these connections should be located away from the adjacent Main North Road/Nottage Terrace intersection (for example located at the eastern end of the frontage of the Affected Area from Nottage Terrace and the southern end of the frontage of the Affected Area adjacent Main North Road) and separated in accordance with AS/NZS 2890.1:2004. The provision of three connections will adequately accommodate anticipated movements into and out of the Affected Area (for future development) while minimising impact on through movements on the adjacent road network. Future connections can be provided as priority-controlled T-intersections but should be restricted to left-in/left-out only due to the proximity of the adjacent signalised intersection.</p> <p>The connections within the Affected Area should provide connectivity to an internal road network designed and constructed in accordance with relevant planning and design guidelines and shall ensure that adequate provisions for parking, waste collection vehicle movements and appropriate traffic control treatments within the Affected Area are provided.</p> <p>Forecasting of the Affected Area's existing and future traffic generations has been undertaken using current and maximum anticipated Code Amendment yields respectively. The assessment identifies that the proposed Code Amendment rezoning will generate in the order of an additional 110 am and 150 pm peak hour trips (approximate additional 1,050 daily trips).</p> <p>SIDRA Intersection modelling software has been used to compare the impacts of existing site volumes against the future forecast volumes. The analyses indicate that the proposed rezoning (and associated yields) will have minimal impact upon the performance of the adjacent Main North Road/Nottage Terrace intersection (i.e. no change in level of service for each movement at the intersection). Nevertheless, further detailed analysis can be prepared as part of any future development application(s) for development on the site (and also be informed by a review of conditions once the intersection upgrade has been completed).</p>

	<p>Further modelling of the three anticipated connections to the adjacent road network indicates that each will operate satisfactorily with minimal queues and delays on-site. Importantly, the modelling indicates that the connections will not impact upon through movements on Main North Road or Nottage Terrace.</p> <p><u>Additional Investigations</u></p> <p>CIRQA has undertaken additional traffic investigations for the Code Amendment in response to submissions received during community engagement, in particular CIRQA had regard to the report prepared by Santec (formally GTA) that was included in the submission from the Town of Walkerville. A copy of the additional investigations are contained in <b>Appendix 6</b>. In response to the queries raised in this submissions CIRQA has provided the following:</p> <ul style="list-style-type: none"> <li>• A link effectively exists with cyclists able to (generally) utilise relatively low volume local roads to access the associated destinations/facilities.</li> <li>• Given the site's relatively close proximity to the CBD (approximately 3 km), the short section of access required via the footpaths adjacent the site (or arterial road carriageways) to local road access routes is considered to have minimal impact on the viability of cycling for access to/from the site.</li> <li>• The Affected Area is appropriately serviced by high frequency bus routes. In addition, there are connecting services within the Adelaide CBD as well as various interchanges accessed by the existing bus routes which provide further connectivity to the Affected Area to/from other destinations within metropolitan Adelaide.</li> <li>• The carparking rates provided in the Code are rates that if achieved meet the relevant Deemed-to-Satisfy criteria. There is no maximum provision, which allows flexibility for additional parking to be proposed within a development on the site. While there are specific rates for the Deemed-to-Satisfy criteria, further flexibility is afforded within the relevant Performance Outcomes (which allows consideration of lower rates if justified based on various factors associated with a proposal).</li> <li>• Considerations regarding carparking would be assessed in more detail as part of any future development application(s) proposed for the Affected Area.</li> <li>• If a future development of the Affected Area incorporated a larger retail component, carparking for the development would need to be reviewed and considered as part of the assessment. The application would also require referral to DIT and agreement would need to be reached on traffic movements.</li> <li>• Given the forecast increase (of approximately 1,500 vehicles per day (vpd) including adoption of the higher daily rate for apartments), the additional distribution of movements to any one local street would be low.</li> <li>• The distribution of these movements would be split to the adjacent arterial roads and, to a lesser extent, surrounding local roads including those to the south/south-east of the site (such as Victoria Avenue and Tennyson Street), those north-east of the site (such as Corbin Road) and those to the west of the site (such as Penn Place). The increase on anyone non-arterial road is forecast to be below 300 vpd.</li> <li>• that the closest adjacent local roads currently have the following average weekday volumes:</li> </ul>
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	<ul style="list-style-type: none"> <li>○ Victoria Avenue - 586 vpd;</li> <li>○ Tennyson Street - 195 vpd; and</li> <li>○ Dutton Terrace - 1,560 vpd (western end) to 1,953 vpd (eastern end).</li> </ul> <ul style="list-style-type: none"> <li>• The above volumes identified for Victoria Avenue and Tennyson Street suggest these roads function as 'local roads'. Such roads are typically considered to have an upper amenity limit of 1,500 vpd. There is therefore significant capacity to accommodate the additional anticipated daily trips on these roads whilst retaining their current nature and function.</li> <li>• Similarly, the volumes for Dutton Terrace (as well as its cross section) indicate this road functions as a 'minor collector' (typically assumed to have a capacity of 1,500 to 3,000 vpd). The additional volumes associated with future redevelopment of the Affected Area would not change the current nature and function of Dutton Terrace.</li> <li>• The response provided from DIT is supportive of the Code Amendment with the recommendations in DITs submission considered to be appropriate and consistent with CIRQAs recommendations for our transport investigation report.</li> <li>• The difference between the DIT response and CIRQAs original investigations relate to the number of access points to the Affected Area. Access arrangements would be subject final design, assessment and consultation with DIT as part of a future application.</li> </ul> <p><b>Summary</b></p> <p>The investigations confirm that the Affected Area can be accessed in a safe and convenient manner, with the future anticipated traffic volumes able to be accommodated by the surrounding road network, with no implications arising in respect to the Code Amendment. Anticipated traffic volumes on the local street network are expected to be low. The site is well serviced by public transport. Pedestrian and bicycle access to the site is safe and accessible.</p> <p>The Code Amendment addresses the findings of the traffic investigations through:</p> <ul style="list-style-type: none"> <li>• PO 6.1 of the Urban Corridor (Business) Zone that seeks to minimise and rationalisation existing crossovers/access locations;</li> <li>• retention of the Future Road Widening Overlay, Major Urban Transport Routes Overlay and Traffic Generating Development Overlay to the Affected Area, these Overlays also identify when proposed development will require referral to the Department of Infrastructure and Transport; and</li> <li>• PO 1.1, PO 2.1 PO 2.2. PO 3.1, PO 3.2, PO 3.3, PO 3.4, PO 3.5, PO 3.6, PO 3.7, PO 3.8, PO 3.9, PO 4.1, PO 5.1, PO 6.1, PO 6.2, PO 6.3, PO 6.4, PO 6.4, PO 6.6, PO 6.7 and PO 10.1 in Transport, Access and Parking of Part 4 – General Development Policies of the Code.</li> </ul> <p>Many of the policies listed above will apply to forms of development identified in Table 3 – Applicable Policies for Performance Assessed Development in the Urban Corridor (Business) Zone, including residential flat buildings, offices, consulting rooms and shops.</p> <p>The application of the relevant policies to new development will ensure that matters relating to vehicle access and carparking for future development,</p>
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	<p>together with policies that protect Main North Road as a major transport route, can be addressed at the development application stage.</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Urban Corridor (Business) Zone and Urban Corridor Business Retail Subzone to the Affected Area.</p> <p>Retain the following Overlays over the Affected Area:</p> <ul style="list-style-type: none"> <li>• Future Road Widening Overlay;</li> <li>• Major Urban Transport Routes Overlay;</li> <li>• Traffic Generating Development Overlay.</li> </ul> <p>Relevant policies from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
<p>Soil Sampling and Preliminary Site Investigation</p>	<p><b>Soil Sampling 2019</b></p> <p>Soil sampling and testing was undertaken as part of the preliminary investigations for the Code Amendment initiation by Environmental Projects. The soil sampling found that:</p> <ul style="list-style-type: none"> <li>• Analysis for benzo(a)pyrene confirmed leachate concentrations in each extract were below the laboratory LOR and suggested the material complies with Low Level Contaminated Waste; and</li> <li>• Analysis for metals (arsenic, copper, lead and zinc) confirmed concentrations of these metals in several samples complied with Intermediate Waste soils.</li> </ul> <p>Based on the field observations and laboratory results of selected soil samples, the fill material across site was classified as Low Level Contaminated waste and will need to be disposed of to a licensed landfill facility in the event it is removed from the Affected Area.</p> <p>Soil cartage will need to be completed by an appropriately licensed contractor. The proposed receiving site should be provided with a copy of this report prior to transportation of soil to the site.</p> <p><b>Preliminary Site Investigation</b></p> <p>A preliminary site investigation has been undertaken for the Code Amendment by Mud Environmental. The preliminary site investigation found that:</p> <ul style="list-style-type: none"> <li>• Historical activities do not present a high risk of contamination. These will be categorized in accordance with the new planning direction so that the Site Contamination Declaration Form can be completed.</li> <li>• Apart from the former garage with groundwater contamination across Main North Road (68 Main North Road), no other adjacent land uses are considered to present a risk of contamination that would impact on the Affected Area. The groundwater contamination across the road is expected to flow in a north westerly direction (i.e. away from the site) in the direction of regional groundwater flow.</li> <li>• The soil investigations have confirmed that soils on the eastern part of the site (Lots 2, 3, 7 and 15) are clean. The fill found next door at Lots 98 and 99 is also present beneath Lot 8. These fill materials contain copper, lead, zinc and PAHs that exceed human health and ecological screening levels</li> </ul>

	<p>for residential land use. However, this is a common issue in metropolitan Adelaide that can easily be managed as part of any future redevelopment works.</p> <p><b>Summary</b></p> <p>The investigations confirm that the Affected Area is or will be made suitable for future intended land uses with no implications arising in respect to the Code Amendment.</p> <p>The Code Amendment addresses the findings of the preliminary site investigation through the continued application of PO 1.1 in Site Contamination in Part 4 – General Development Policies of the Code to the Affected Area, together with Part 9.1 Referral Body: Environment Protection Authority (EPA) Referrals and Practice Direction 14: Site Contamination Assessment 2021. The relevant Code policies and Practice Direction 14 set out the process for ensuring land is suitable for its intended use where land use is changing to a more sensitive use, including when referral to the EPA is required in respect of site contamination</p> <p>PO 1.1 in the Site Contamination general development policy applies to forms of development in Table 3 – Applicable Policies for Performance Assessed Development in the Urban Corridor (Business) Zone.</p> <p><b>Recommended Policy Change</b></p> <p>Site Contamination in Part 4 – General Development Policies and Part 9.1 Referral Body: Environment Protection Authority Referrals of the Code to continue to apply to the Affected Area.</p>
Infrastructure (including Stormwater)	<p>FMG has undertaken an infrastructure investigation for the Code Amendment. The findings of the FMG investigations are as follows.</p> <p><b>Stormwater</b></p> <p>A future combined commercial and residential land use on the Affected Area may increase the total stormwater discharge from the Affected Area. Council has nominated pre-development stormwater assessment shall be on the condition of limiting the runoff coefficient, suggesting that there will be a need for on-site detention storage for future development of the Affected Area to achieve Council requirements. Future development could consider the integration of stormwater detention involving the following strategies such as:</p> <ol style="list-style-type: none"> <li>1. detention storage – underground or above ground;</li> <li>2. implementation of Water Sensitive Urban Design (WSUD) principles such as raingarden and landscape, wherever possible; or</li> <li>3. upsizing of internal pipe network.</li> </ol> <p>The volume of detention storage will vary depending on future design outcomes. However, having regard to potential future development of the Affected Area, it is anticipated that onsite stormwater detention could be in the order of 80-100 cubic metres. Detention storage could be achieved above ground via storage tanks in a back of house areas, or below ground and pumped to the adjacent stormwater infrastructure in Main North Road. The detention volume is considered feasible within the anticipated future land use.</p> <p>In addition, Council also requires improvement to stormwater quality being discharged from the Affected Area. The quality of the runoff discharged from the Affected Area can be improved through the installation of proprietary water quality improvement devices. We note these devices will likely need to be a tertiary treatment device with filtration media / cartridges as there is insufficient</p>

	<p>area to achieve biofiltration / water quality improvement basins on the Affected Area. Note that the areas which create the greatest amount of polluted stormwater runoff are carparks and roads. Runoff generated from roofs are considered to be “clean” and can be directed directly to DIT / Council infrastructure in a controlled manner via stormwater detention.</p> <p><b>Water Mains</b></p> <p>A review of the Dial Before You Dig investigation indicates that the Affected Area is surrounded by large diameter water mains. A 300millimetre diameter supply main pipe (CICL) is located at both Nottage Terrace and Main North Road. The Affected Area is assumed to be currently supplied by the existing 300millimetre water main on Nottage Terrace as there are water valves and water meter supply on this water main alignment.</p> <p>As a result of future development on the Affected Area, there may be a need for booster pumps to assist with the supply demand of water. It is likely that there will not be a significant external augmentation charge for future development. It is also noted that there may be additional costs / infrastructure to meet fire code requirements for future development.</p> <p>SA Water requirements for future development would be resolved at the development application stage.</p> <p><b>Sewer</b></p> <p>Information obtained through SA Water indicates that there is an existing 150millimetre sewer main pipe along Nottage Terrace and Main North Road adjacent the Affected Area.</p> <p>Future development is likely to require new sewer mains connection into the existing main with associated earthworks and traffic control.</p> <p><b>Electrical</b></p> <p>Comments received from SAPN suggest that for a load of 1500kVA at Scotty’s (1 Nottage Terrace, Medindie) an upgrade of supply with relevant infrastructure may be required for future development of the Affected Area, including:</p> <ul style="list-style-type: none"> <li>• An existing pad mount transformer is at the Affected Area, however it not able to supply the increased load, and a new larger size transformer would be required;</li> <li>• New extension of high voltage cables from existing network would be required. Trenching required for establishing cable routes and transformer vault/pad location; and</li> <li>• Easements required for the pad mount transformer and depending on network analysis there may be requirement for a separate high voltage switching cubicle, with its own easement on the Affected Area.</li> </ul> <p>Requirements for future development to be confirmed by SAPN at the development application stage.</p> <p><b>Communications</b></p> <p>There is NBN infrastructure within the vicinity of the Affected Area. It is understood that this can be connected with new pit and pipe design to supplement the system internally. Services for Telstra, Optus, Nextgen, and Primus are also located within the vicinity of the Affected Area.</p> <p>Connection to these services for future development can provided without requiring significant augmentation works.</p>
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	<p><b>Gas</b></p> <p>There is an existing low-pressure gas main within the vicinity of the Affected Area which may be adequate to service future development. Feedback provided by APA illustrates that, at a high level there would not be an issue with gas supply to the Affected Area.</p> <p>This would be confirmed at the development application stage and as required by the developer.</p> <p><b>Summary</b></p> <p>The investigations confirm that the land can be serviced by appropriate infrastructure with no implications arising in respect to the Code Amendment.</p> <p>The Code Amendment addresses the findings of the investigations, in particular stormwater, water supply, and sewer, through application of the following policies:</p> <ul style="list-style-type: none"> <li>• PO 7.1 in Major Urban Transport Routes Overlay;</li> <li>• PO 3.1, PO 7.7, PO 22.1, PO 23.4, PO 34.2, PO 36.1, PO 36.2, PO 42.1, PO 42.2, PO 42.3, PO 43.1 in Design in Urban Areas in Part 4 General Development Policies of the Code; and</li> <li>• PO 11.1 and PO 12.1 in Infrastructure and Renewable Energy Facilities in Part 4 General Development Policies of the Code.</li> </ul> <p>The policies contained in the Major Urban Transport Routes Overlay and general development policies are captured as relevant assessment criteria for forms of development, including consulting rooms, offices, residential flat buildings and shops, in Table 3 – Applicable Policies for Performance Assessment Development in the Urban Corridor (Business) Zone.</p> <p>While it is noted that some of the infrastructure requirements are not specifically captured for all forms of development at the Planning Consent stage of a development application (for example, the requirement to connect to power) these matters must be addressed at the Building Consent stage of a development application.</p> <p>Infrastructure requirements may also be resolved through a land division application over the Affected Area with relevant policies contained within Land Divisions in Part 4 – General Development Policies of the Code.</p> <p>Consideration has been given to applying the Stormwater Management Overlay to the whole of the Affected Area (currently this Overlay exists over the allotments in the Established Neighbourhood Zone).</p> <p>However, the Stormwater Management Overlay does not exist over land currently in the Urban Corridor (Business) Zone. To apply this Overlay to the Affected Area would be inconsistent with the current application of this Overlay in the locality. In addition, the Overlay only applies to residential forms of development and does not apply to non-residential uses (i.e. would not apply to a mixed use development which is envisaged by the proposed rezoning). A number of other Code policies will continue to apply to the Affected Area (as set out above) that can be used to assess stormwater management for future development.</p>
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	<p><b>Recommended Policy Change:</b></p> <p>Retain the Major Urban Transport Routes Overlay to the Affected Area.</p> <p>Relevant polices from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
Environmental Noise	<p>Sonus have undertaken investigations into noise impacts associated with the Code Amendment. The findings of the investigations are as follows.</p> <p>The acoustic considerations for the Code Amendment are to ensure:</p> <ol style="list-style-type: none"> <li>1. The residential component of the Affected Area can incorporate acoustic treatment to provide adequate acoustic amenity (indoors) when exposed to traffic on Main North Road and Nottage Terrace;</li> <li>2. The residential component of the Affected Area does not adversely affect the ongoing development and operation of businesses in the Suburban Business Zone; and</li> <li>3. The operations at the Affected Area do not adversely affect the existing acoustic amenity of residences in the Established Neighbourhood Zone.</li> </ol> <p>Item 1 (above) is addressed and Item 2 (above) is assisted by the introduction of the Noise and Air Emissions Overlay through the Code Amendment process.</p> <p>The Noise and Air Emissions Overlay mandates the application of the Ministerial Building Standard MBS 010 Construction requirements for the control of external sound (MBS 010) to the Affected Area. In addition to the Performance Outcomes in the Noise and Air Emissions Overlay, MBS-010 will require the residential façade component of future development to be designed to reduce traffic noise. The extent of acoustic treatment will vary depending on specific building(s) design features.</p> <p>The Noise and Air Emissions Overlay and in turn, MBS-010, will:</p> <ol style="list-style-type: none"> <li>1. Mandate high levels of acoustic treatment into the façade of the residential component of future development to address the influence of traffic noise into those residences;</li> <li>2. Assist with the interface with the Suburban Business Zone by introducing acoustic treatment into the residential component; and</li> <li>3. Assist with the interface between mixed uses by introducing acoustic treatment into the residential component.</li> </ol> <p>Items 1 and 2 (above) are addressed by Part 4 General Development Policies 'Interface between Land Uses' Module Performance Outcome 4.1 (regarding activities generating noise or vibration) of the Code which references the Environment Protection (Noise) Policy 2007 (EP(N) Policy).</p> <p>The EP(N) Policy establishes goal noise levels to be achieved at existing and future residences within the Established Neighbourhood Zone and for the residential component of future residential development proposed for the Affected Area when exposed to activity in the Suburban Business Zone.</p> <p>The outcomes of applying the EP(N) Policy to the Affected Area include:</p>

	<ol style="list-style-type: none"> <li>1. Addressing the interface with the Suburban Business Zone. Achieving the EP(N) Policy goal noise levels when exposed to external commercial activity will ensure the Affected Area will not adversely affect the ongoing development and operation of businesses in the Suburban Business Zone;</li> <li>2. Addressing the interface with residences in the Established Neighbourhood Zone. Operations and activity at the development will need to achieve the EP(N) Policy goal noise levels at existing residences, and in doing so, will ensure the development does not adversely affect the existing acoustic amenity of those residences.</li> </ol> <p>Finally, whilst the Affected Area is currently located within the Aircraft Noise Exposure Overlay, no further action is required to address this due to the application of MBS-010 in combination with the low level of aircraft noise exposure.</p> <p><b>Summary</b></p> <p>The investigations confirm that noise impacts arising in relation to future development of the Affected Area can be appropriately managed through introduction of the Noise and Air Emissions Overlay to the Affected Area as part of the Code Amendment.</p> <p>PO 1.1, PO 1.2 and PO 1.3 are reference as applicable policies for the assessment of dwellings and residential flat buildings in Table 3 – Applicable Policies for Performance Assessed Development in the Urban Corridor (Business) Zone.</p> <p>Policies contained in the Interface between Land Uses in Part 4 – General Development Policies are also identified in Table 3 for performance assessed forms of development (discussed in more detail in the next section of this Table).</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Noise and Air Emissions Overlay to the Affected Area.</p> <p>Relevant policies from Part 4 – General Development Policies to continue to apply to the Affected Area.</p>
Interface between land uses	<p>As part of the Code Amendment, we have undertaken further investigations in relation to the management of interface areas. The outcome of the investigation are set out below.</p> <p>The Code Amendment includes development policy that will manage and mitigate the impacts of future development in respect of the interface with the Established Neighbourhood Zone as follows:</p> <ul style="list-style-type: none"> <li>• Application of the Noise and Air Emissions Overlay, EP(N) Policy and MBS 010 to the Affected Area (refer Acoustic Report in <b>Appendix 6</b> and comments in respect of Environment Noise in this Table (above));</li> <li>• Application of the building envelope TNV over the Affected Area that will manage building height at the interface applied through PO 4.1 of the Zone;</li> <li>• Application of setback provisions applied through PO 2.5 and PO 2.6 of the Zone;</li> <li>• Application of significant development site PO 5.2 of the Zone to relevant development applications;</li> </ul>

- Application of general development policies that address interface impacts including:
  - » overlooking/visual privacy
    - PO 10.1 and PO 10.2 of the Design and Design in Urban Areas Module (for buildings up to two levels in height)
    - PO 16.1 of the Design and Design in Urban Areas Module (for buildings over 2 levels in height)
  - » overshadowing
    - PO 3.1, PO 3.2, PO 3.3 and PO 3.4 of the Interface Between Land Uses Module
  - » hours of operation
    - PO 2.1 of the Interface Between Land Uses Module
  - » land use compatibility
    - PO 1.1 and PO 1.2 of the Interface Between Land Uses Module
  - » noise and vibration
    - PO 4.1, PO 4.2, PO 4.3, PO 4.4, PO 4.5 and PO 4.6 of the Interface Between Land Uses Module
  - » air quality
    - PO 5.1 and PO 5.2 of the Interface Between Land Uses Module
  - » light spill
    - PO 6.1 and PO 6.2 of the Interface Between Land Uses Module
  - » landscaping
    - PO 3.1, 13.2 and 13.4 of the Design in Urban Areas Module

The policies will appropriately manage and mitigate impacts of future development on the interface with the Established Neighbourhood Zone. A copy of the proposed Zone and Overlays referenced above are contained in **Appendix 4** the general development policies are contained in Part 4 of the Planning and Design Code.

To assess potential impacts of development on adjoining land a massing exercise was undertaken refer **Appendix 11**. The massing exercise identifies massing of built form that could be accommodated on the Affected Area as a result of the rezoning applying the proposed building height and setbacks that would apply to the Affected Area as a result of the proposed rezoning.

The massing demonstrates that buildings utilising the maximum height limits proposed in the rezoning will be located towards the north-west (road side) boundaries of the Affected Area and away from the adjoining Established Neighbourhood Zone.

Overshadowing of the massing has also been modelled refer **Appendix 12**. This modelling demonstrates that the existing dwellings and the private open space areas to the south and east of the Affected Area will receive at least 4 hours of consecutive direct sunlight between the hours of 9am and 4pm. The extent of overshadowing demonstrated in the modelling exceeds the amount of direct

	<p>sunlight sought by Designated Performance Feature ('DPF') 3.1 and DPF 3.2 of the Interface Between Land Uses Module. Although the overshadowing modelling is indicative only, it demonstrates that acceptable levels of overshadowing can be achieved if a taller building was developed on the Affected Area without resulting in unreasonable impact on neighbouring properties.</p> <p>The building envelope applied through PO 4.1 of the Zone will also control the building height in proximity to neighbouring residential boundaries with a transition and reduction in building height from the north and west to south and east (interface boundary) on the Affected Area.</p> <p>It should be noted that the massing exercise in no way represents what may be developed on the Affected Area in the future and is simply intended to demonstrate, in a general sense, the scale of development that may be contemplated through the rezoning and how this would relate to and impact on adjoining land and the locality. Future development of the Affected Area will be subject to detailed design, the scale of which will be dictated by market demand. In this regard, development may or may not utilise the maximum building heights and dwelling yields anticipated by the rezoning.</p> <p>The proposed Code policy has been selected to provide flexibility in the way the Affected Area may be developed in the future, having regard to what is occurring in the locality, and includes appropriate policies that will manage impacts of future development to the interface.</p> <p><b>Summary</b></p> <p>The investigations confirm that the interface between adjoining land uses and future development of the Affected Area can be appropriately managed with no unreasonable implications arising in respect to the Code Amendment.</p> <p>The Code Amendment addresses the findings of the interface between land uses investigations and either retains or applies applicable policy to the Affected Area as set out above.</p> <p>The relevant policies, including the interface policies from the Zone and general development policies, apply to performance assessed forms of development identified in Table 3 – Applicable Policies for Performance Assessed Forms of Development in the Urban Corridor (Business) Zone.</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Urban Corridor (Business) Zone, Noise and Air Emissions Overlay and building Envelope TNV to the Affected Area.</p> <p>Relevant policies from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>				
Significant Development Site Policy	<p>Performance Outcome 5.1 and 5.2 of the Urban Corridor (Business) Zone provide policies where development occurs on a significant development site and provide the following:</p> <table border="1"> <thead> <tr> <th colspan="2">Significant Development Sites</th></tr> </thead> <tbody> <tr> <td> <p>PO 5.1</p> <p>Consolidation of significant development sites (a <u>site</u> with frontage over 25m to a primary road corridor and over 2500m<sup>2</sup> in area,</p> </td><td> <p>DTS/DPF 5.1</p> <p>Development on significant development sites up to 30 above the maximum building height specified in</p> </td></tr> </tbody> </table>	Significant Development Sites		<p>PO 5.1</p> <p>Consolidation of significant development sites (a <u>site</u> with frontage over 25m to a primary road corridor and over 2500m<sup>2</sup> in area,</p>	<p>DTS/DPF 5.1</p> <p>Development on significant development sites up to 30 above the maximum building height specified in</p>
Significant Development Sites					
<p>PO 5.1</p> <p>Consolidation of significant development sites (a <u>site</u> with frontage over 25m to a primary road corridor and over 2500m<sup>2</sup> in area,</p>	<p>DTS/DPF 5.1</p> <p>Development on significant development sites up to 30 above the maximum building height specified in</p>				

	<p>which may include one or more allotments) to achieve increased development yield provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features.</p>	<p>DTS/DPF 3.1 (rounded to the nearest whole number) where it:</p> <ul style="list-style-type: none"> <li>(a) Incorporates the retention, conservation and reuse of a building which is a listed heritage place or an existing built form and context that positively contributes to the character of the local area</li> <li>(b) Includes more than 15% of dwellings as affordable housing or</li> <li>(c) Includes at least: <ul style="list-style-type: none"> <li>(i) three of the following: <ul style="list-style-type: none"> <li>A. high quality open space that is universally accessible and is directly connected to, and well integrated with, public realm areas of the street</li> <li>B. high quality, safe and secure, universally accessible pedestrian linkages that connect through the development site</li> <li>C. active uses are located on the public street frontages of the building, with any above ground car parking located behind</li> <li>D. a range of dwelling types that includes at least 10% of 3+ bedroom apartments;</li> <li>E. a child care centre</li> </ul> </li> <li>(ii) three of the following: <ul style="list-style-type: none"> <li>A. a communal useable garden integrated with the design of the building that covers the majority of a rooftop area supported by services that ensure ongoing maintenance</li> <li>B. living landscaped vertical surfaces of at least 50m<sup>2</sup> supported by services that ensure ongoing maintenance</li> </ul> </li> </ul> </li> </ul>
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		<p>C. passive heating and cooling design elements including solar shading integrated into the building</p> <p>D. higher amenity through provision of private open space in excess of minimum requirements by 25% for at least 50% of dwellings.</p>
	<p><b>PO 5.2</b></p> <p>Development on a significant development site (a site with a frontage to a primary road corridor and over 2500m<sup>2</sup> which may include one or more allotments) designed to minimise impacts on residential uses in adjacent zones with regard to intensity of use, overshadowing, massing and building proportions.</p>	<p><b>DTS/DPF 5.2</b></p> <p>Development that:</p> <ul style="list-style-type: none"> <li>(a) is constructed within zone's Interface Building Height provision as specified DTS/DPF 4.1</li> <li>(b) locates non-residential activities and higher density elements towards the primary road corridor</li> <li>(c) locates taller building elements towards the primary road corridor.</li> </ul>

The Affected Area, which is approximately 7,300 square metres in size, and has a frontage well in excess of 25 metres to a primary road corridor, would be classified as a significant development site.

If future redevelopment of the Affected Area was to incorporate specific design outcomes or provide affordable housing, it could take advantage of the opportunity to increase the total building height 30% above the maximum building height envisaged in the Zone.

The maximum building height sought to be applied to the Affected Area through the Code Amendment is 5 levels and 18.5 metres. A 30% increase on the maximum height equates to:

- 6.5 levels, rounding up 7 levels; and
- 24 metres.

PO 5.2 is also relevant to the assessment of development of a significant development site and seeks to manage and minimise impacts, such as overshadowing and massing, of development on adjoining residential uses. With the corresponding DTS/DPF 5.2 seeking development to be constructed within the interface building height (building envelope) and locating non-residential development, higher densities and taller building elements towards the primary road. PO 5.2 together with the other policies contained in the Code (refer to 'Interface between land uses' (above) will ensure that even if an increased building height is sought the design must have regard to relevant policies that manage and mitigate impacts on the interface.

To demonstrate the visual and overshadowing impact of the significant development site policy on future redevelopment of the Affected Area indicative

	<p>massing and overshadowing diagrams have been prepared and are contained in <b>Appendix 13</b>.</p> <p>The indicative massing and overshadowing diagrams demonstrate that if the significant development site policy is utilised as part of a future redevelopment of the Affected Area a built form outcome can be achieved that is contained within the interface height building envelope, with maximum height concentrated towards the primary road frontage and will ensure that adjoining residential land uses will be provided with a minimum 3 hours of access to sunlight at the winter solstice.</p> <p><b>Summary</b></p> <p>While the significant development policy may allow for additional building height to be achieved on the Affected Area, above the maximum building height envisaged in the Zone. PO 5.2 and DTS/DPF 5.2, together with the other development policies that seek to manage impacts at the interface will provide policies that will manage development impacts at the interface to ensure that even if increased building height is proposed on the Affected Area, it can be designed so as not to unreasonably impact on adjacent properties.</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Urban Corridor (Business) Zone to the Affected Area.</p> <p>Design, Design in Urban Areas and Interface Between Land Uses in Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
<p>Review of Proposed Zone, Subzone and Existing and Proposed Overlays to the Affected Area</p>	<p>The Urban Corridor (Business) Zone is a mixed use Zone that encourages medium rise residential development with mixed land uses together with a strong focus on employment. Development should accommodate a diverse range of employment, education and community facility land uses in conjunction with compatible medium density residential development oriented towards primary road corridors. Together with, residential development that provides a pleasant amenity for residents without diminishing business opportunities on adjacent land.</p> <p>The Urban Corridor Business Retail Subzone ('Subzone') seeks 'additional neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and weekly shopping needs of the community.' The effect of the Subzone is that it provides for an increase in the gross leasable floor area of shop, office and consulting room uses to 2000 square metres, where the Urban Corridor (Business) Zone envisages land uses of this nature as having a gross leasable floor area of 250 square metres. Allowing a larger floor area for shop, office and consulting room uses ensures that active street level uses can be incorporated into future redevelopment, particularly where such development involves a larger or multi-level building that may comprise a mix of uses. The Subzone is also applied to those properties located to the north and west of the Affected Area that are contained within the Urban Corridor (Business) Zone.</p> <p>The proposed Zone, Subzone, Overlays and TNVs provide policies to manage future redevelopment in respect of land use, intensity, noise and emissions, traffic, building height and affordable housing. In particular policies contained within the proposed Zone, Subzone, Overlays and TNVs (for example the building envelope) will mitigate impacts from new development on the interface areas between the Affected Area and the adjoining Established Neighbourhood Zone and Suburban Business Zone (see above).</p>

	<p>The proposed Overlays also provide the mechanisms by which proposed developments will be referred to appropriate referral bodies, as follows:</p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated) Overlay – All structures over 45 metres provides the referral trigger to the Adelaide Airport;</li> <li>• Advertising Near Signalised Intersections Overlay, Future Road Widening Overlay, Major Urban Transport Routes Overlay and Traffic Generating Development Overlay provides the referral triggers to the Commissioner of Highways (Department of Infrastructure and Transport);</li> <li>• Design Overlay provides the referral trigger to the Government Architect. Relevantly, development that exceeds four storeys in height will require referral to the Government Architect. This process provides an additional layer of design management with respect to future development that may be proposed for the Affected Area, especially development that seeks to maximise the maximum height limits (6 levels and 24.5 metres) proposed by the Code Amendment; and</li> <li>• Affordable Housing Overlay provides the referral trigger to the Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i>. The application of this Overlay is also essential to give effect to PO 5.1 and DTS/DPF 5.1 that provides incentives to amalgamate land for development purposes and create a 'Significant Development Site'. These incentives include a 30% increase to the maximum building height where proposed development includes, among other things, 15% affordable housing (refer DTS/DPF 5.1(b)).</li> </ul> <p>General development policies for development will continue to apply to the Affected Area. The general development policies include, but are not limited to, Design, Design in Urban Areas and Interface Between Land Use that provide development policies in relation to overshadowing, overlooking, noise etc.</p> <p><b>Summary</b></p> <p>The investigations confirm that the rezoning of the Affected Area and applicable Overlays and TNVs support the findings from the investigations including mitigating impacts from future development on the interface and consistent application of the proposed Code policy.</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Urban Corridor (Business) Zone to the Affected Area.</p> <p>Apply the Urban Corridor Business Retail Subzone to the Affected Area.</p> <p>Apply the following Overlays to the Affected Area:</p> <ul style="list-style-type: none"> <li>• Design Overlay</li> <li>• Affordable Housing Overlay</li> </ul> <p>Relevant policies from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
Removal of the Established Neighbourhood Zone and Historic Area	<p>The Code Amendment proposes the removal of the Historic Area Overlay and Medindie Historic Area Overlay (Walk2) ('Historic Area Statement') from two of the allotments that form part of the Affected Area. Specifically, those allotments at 3 and 5 Nottage Terrace, Medindie. These allotments are also within the Established Neighbourhood Zone and each contain a detached dwelling.</p>

<p>Overlay from the Affected Area</p>	<p>The removal of the Historic Area Overlay from this portion of the Affected Area has been investigated as part of the Code Amendment and is considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> <li>• Both of the allotments are located on the current boundary or fringe of the Historic Area Overlay (refer <b>Appendix 2</b> that demonstrates current extent of the Historic Area Overlay).</li> <li>• Removing the Historic Area Overlay from the two allotments will not significantly impact on the character of the historic area. Relevantly, the majority of the Historic Area will remain intact and its character preserved.</li> <li>• Removal of the Historic Area Overlay from these allotments has a practical application for future development of the Affected Area as this will: <ul style="list-style-type: none"> <li>» facilitate the amalgamation of the Affected Area in the future;</li> <li>» increases development outcome opportunities for the Affected Area that recognise the significance of the location as a prominent and gateway site in metropolitan Adelaide;</li> <li>» provides opportunities for improved vehicle access to the Affected Area; and</li> <li>» provides opportunities for a transition in the scale of the built form to the adjoining residential properties to the east.</li> </ul> </li> <li>• In contrast, retaining the Historic Area Overlay also has practical implications, including: <ul style="list-style-type: none"> <li>» conflict with the provisions contained within the Urban Corridor (Business) Zone proposed for the whole of the Affected Area;</li> <li>» impact on future development outcomes for the Affected Area; and</li> <li>» complication of assessment processes for any future development applications on the Affected Area.</li> </ul> </li> </ul> <p>Dash Architects have undertaken a review of the heritage and character impacts arising from the Code Amendment. A copy of the DASH report is contained in <b>Appendix 14</b>.</p> <p>In its review and impact assessment Dash considered:</p> <ul style="list-style-type: none"> <li>• removal of the Historic Area Overlay protections to 3 and 5 Nottage Terrace;</li> <li>• amending permissible building heights from 3 levels (Suburban Business Zone) to 6 levels; and</li> <li>• amending permissible building heights from 2 levels (Established Neighbourhood Zone), to 6 Levels.</li> </ul> <p>The Dash investigations found (<i>paraphrased and summarised</i>):</p> <ul style="list-style-type: none"> <li>• 3 Nottage Terrace is not identified as a representative building. The dwelling is largely concealed behind a large fence with the only position of this dwelling visible being the roof. As a result, this dwelling contributes very little to any prevailing character. The extent of probable modification to this dwelling, general poor current character contribution, and lack of consistency with the attributes identified in the Historic Area Statement, means that PO 7.1 will likely afford little demolition protection to 3 Nottage Terrace.</li> </ul>
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	<ul style="list-style-type: none"> <li>• 5 Nottage Terrace is identified as a representative building. It is also largely concealed behind a tall fence. It does retain higher integrity than 3 Nottage Terrace with a more traditional roof form, upper stonework to walls, traditional eave and verandah. Modifications to the eastern end of the dwelling have been made with an addition constructed forward of the dwelling. The dwelling retains sufficient integrity to be generally consistent with the Historic Area Statement.</li> <li>• The extent to which demolition will impact the historic character of a locality is influenced by the integrity of that existing character, and the location of the proposed demolition within an Overlay: <ul style="list-style-type: none"> <li>» demolition in an area of compromised integrity will likely have a lesser impact than an area that is highly intact;</li> <li>» demolition on the outer edge of the Overlay is likely to have lesser impact than within.</li> </ul> </li> <li>• 3 and 5 Nottage Terrace are located within very close proximity to the major intersection of Nottage Terrace and Main North Road. The character of Nottage Terrace varies along its length, and is directly influenced by the proximity to the Main North Road intersection. Further east, the character is that of a very busy road flanked by early housing on either side. This changes as you approach the Main North Road intersection to the west. Front boundary walls of the interfacing dwellings become taller to mitigate traffic noise, and ultimately obscure most views of the buildings behind. The road and intersection widen, and traffic congestion increases, to ultimately dominate the character of the locality at the western end of Nottage Terrace. The effect of this is that there is notably less overarching historic character to the western end of Nottage Terrace than the eastern end, and significantly less than the residential streets within the Historic Area Overlay itself.</li> <li>• The removal of the Historic Area Overlay will remove the demolition protections afforded to 3 and 5 Nottage Terrace, however, such protections are unlikely to presently exist for 3 Nottage Terrace, as it stands in a compromised state of integrity. Accordingly, any impacts arising from the rezoning of these two sites on the area are realistically limited to those associated with the demolition of 5 Nottage Terrace only.</li> <li>• The demolition of a dwelling that generally displays the attributes identified in the Historic Area Statement will adversely impact on the overall historic character. The extent of such impacts, however, are heavily dependent on the context of the proposed demolition. 5 Nottage Terrace is located on the outer corner of the Historic Area Overlay, with limited context to the remaining area. The dwelling is largely concealed behind a tall masonry wall, that is unlikely to be removed due to its role in buffering the acoustic and amenity impacts associated with the major nearby intersection. There is very little prevailing historic character within the immediate vicinity of 5 Nottage Terrace, with the nearby intersection dominating most physical, visual and acoustic attributes.</li> <li>• On balance, the impacts to the historic character area arising from the proposed removal of the protections to 3 and 5 Nottage Terrace are considered to be generally minimal.</li> <li>• The extent to which 'backdrop' built form can impact on the Historic Area Overlay is subjective. There are many instances where large scale development is envisaged to interface with Historic Area Overlays. The</li> </ul>
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	<p>Planning and Design Code provides policy guidance to manage and mitigate amenity impacts associated with these interfaces. None of the policies speak to future development not being visible as a backdrop to the historic area, that I would contend is an envisaged consequence to the narrow zoning along major roads, and increased scale of permissible development.</p> <ul style="list-style-type: none"> <li>• It is reasonable to assume that a development on the Affected Area to a scale of 6 storeys will likely be visible from sections of Victoria Avenue and Tennyson Street, Medindie (i.e. within the Historic Area Overlay). These views are most likely either 'glimpses' between dwellings, or as a 'backdrop'. While such 'visual impacts' are probably less likely with the current zoning (that envisages development to a 3 storey height limit), they are neither uncommon or unanticipated in many other historic areas across the inner suburbs. Do not consider such 'glimpses' or 'backdrops' to necessarily be detrimental to the historic character of an area within the Historic Area Overlay. To suggest such, or to contend that development height need be limited in such instances, is to bring into question the permissible heights of almost all of the comparable circumstances (identified in the report).</li> <li>• It is not uncommon within the inner suburban ring to have long, narrow zones along major arterial roads supporting increased development height while still interfacing with Neighbourhood Zones (including those subject to the Historic Area Overlay). The context of such taller scale development in such instances is typically the arterial road along which they are located, rather than the historic character area behind. While these developments are likely to be visible from within the Historic Area Overlay, they form a visual 'backdrop' to a zone, rather than an integral feature.</li> <li>• The Planning and Design Code seeks to manage potential impacts between zones of differing height limits with a series of Desired and Performance Outcomes that primarily speak to amenity, rather than impacts to historic character. For these reasons it is contended that the Code anticipates taller development along arterial roads to be visible as a 'backdrop' to historic areas, provided amenity and contextual design matters are appropriately managed and mitigated. A referral to the Government Architect is also triggered for development over four storeys to provide greater rigour to the assessment of these important design matters.</li> <li>• While the increase in permissible height on the Affected Land proposed by the Code Amendment will likely result in a greater visible 'backdrop' to the historic character area, such outcomes are: <ul style="list-style-type: none"> <li>» consistent with many other historic areas within close proximity to major roads;</li> <li>» consistent with the prevailing zoning and permissible building heights along Main North Road within the broader vicinity of the Affected Area, and</li> <li>» generally anticipated by the Planning and Design Code.</li> </ul> </li> </ul>
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	<p><b>Summary</b></p> <p>The Established Neighbourhood Zone and Historic Area Overlay can be removed from the relevant portion of the Affected Area and Urban Corridor (Business) Zone applied without resulting in significant or unreasonable implications on the heritage and character of the area.</p> <p><b>Recommended Policy Change</b></p> <p>Remove the Established Neighbourhood Zone and Historic Area Overlay from the Affected Area.</p> <p>Apply the Urban Corridor (Business) Zone to the Affected Area.</p> <p>Apply the Design Overlay to the Affected Area.</p> <p>Relevant polices from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
<p>Open space, schools and other facilities and services in the locality</p>	<p>Within a 1.5 kilometres radius of the Affected Area there are:</p> <ul style="list-style-type: none"> <li>• seven schools;</li> <li>• the North Adelaide Parklands and dog park;</li> <li>• Prospect oval and park;</li> <li>• Walkerville oval and sports club;</li> <li>• Adelaide Aquatic Centre;</li> <li>• River Torrens Linear Reserve;</li> <li>• Town of Walkerville and City of Prospect libraries; and</li> <li>• three supermarkets.</li> </ul> <p>A copy of a locality map showing the Affected Area and the proximity to existing public open space and schools is contained in <b>Appendix 1</b>.</p> <p>Access to open space is accessible by pedestrians and cyclists that can utilise the surrounding local street network (not limited to access on Main North Road or Nottage Terrace).</p> <p>The locality plan demonstrates that the area within a 1.5 kilometre radius of the Affected Area is well serviced to support future redevelopment including medium density residential development.</p> <p>In addition to open space being available in the local area, any residential development on the Affected Area would be required to provide private or communal open space. For example, if a development proposed residential uses these would have to include private open space in accordance with PO 21.1/DPF 21.1 and PO 21.2/DPF 21.2 and Table 1 – Private Open Space in General Development Policies 'Design in Urban Areas'.</p> <p>If more than 20 dwelling allotments were proposed on the Affected Area in the future there will be a legislated requirement that a minimum of 12.5% of the Affected Area be provided for open space or that payment be made into the open space fund (refer section 198 of the <i>Planning, Development and Infrastructure Act 2016</i>). Whether space is provided or payment is made will depend on a number of factors, which are negotiated with the relevant authority as part of the application assessment process.</p>

	<p><b>Summary</b></p> <p>A number of facilities and services, including open space and schools, are accessible to the Affected Area. Private or communal open space will be provided as part of a future development where residential land uses are proposed. A contribution to the open space fund or provision of land for use as public open space will be provided where residential land uses are proposed.</p> <p><b>Recommended Policy Change</b></p> <p>Apply the Urban Corridor (Business) Zone to the Affected Area.</p> <p>Relevant policies from Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
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Further details on investigations undertaken in support of the Code Amendment are included in **Appendices 6 – 14** (inclusive).

#### 4.3.2 Recommended policy changes

The scope of the Code Amendment does not include the creation of new planning policy, and is limited to the spatial application of Zones, Subzones and Overlays or TNVs provided for under the published Planning and Design Code. The changes to the spatial application of Zones, Subzones and Overlays and technical and numerical variations are described in section 2.3.2 of this report.

Notwithstanding, the above investigations confirm that the policy contained within the Planning and Design Code is adequate to guide the future development of the Affected Area.