

INTERIM ENGAGEMENT REPORT

**APPENDIX 4. QUESTION AND ANSWER**

# LOCKLEYS CODE AMENDMENT

## QUESTIONS FROM PUBLIC CONSULTATION



### 1. What is a Code Amendment?

A Code Amendment is the process of amending planning and development policies that apply to land which guide future development. Code Amendments are not development proposals, although they may include information that shows in a general sense how land may be developed in the future. This information is often indicative only and included to represent the policy changes in a visual way.

The policies proposed within the Code Amendment will be used to guide the future development of the land, if the Code Amendment is approved.

A development proposal is quite different to a Code Amendment and requires consideration of development policy, consultant reports and detailed design. Where development does not adequately achieve relevant development policy it is unlikely to be granted approval.

For example, the massing investigations prepared for this Code Amendment are indicative only to demonstrate overall height and mass of structures applying the proposed Zone, Overlays and TNVs. It is not representative of a final development outcome for the Affected Area, which would need to have regard to a number of factors and would include more detailed information.

### 2. What will happen to existing uses currently on the Affected Area?

The Affected Area contains the Westpac Mortgage Centre and Early Learning Centre ('ELC'). These uses can continue to operate on the Affected Area, as existing uses, regardless of the rezoning.

At this time there is no immediate plan to remove these uses from the Affected Area, only to rezone it.

Redevelopment of the Affected Area would include opportunities to investigate a range of land uses for the Affected Area in addition to residential, this could include child care centres and uses that support the local community.

### 3. Will there be any changes to the River Torrens Linear Park as a result of the rezoning or future redevelopment of the Affected Area?

No changes are proposed to the River Torrens or Linear Park as part of this Code Amendment. If the Code Amendment is approved and the Affected Area redeveloped, the interface with the River Torrens/Linear Park will be an important feature to the layout and design. To improve the interface with the Linear Park, the Designated Entity also undertakes to setback any future buildings from the northern boundary of the Affected Area (adjoining the River Torrens/Linear Park) with a view to improving/strengthening the connection and quality of the Linear Park in this location adjacent the Affected Area. The proposed setback from the northern boundary will also ensure that all existing habitat/wildlife of the River Torrens Linear Park is maintained.

### 4. What is the difference between medium net density and high net density?

Dwelling densities are defined in the Planning and Design Code. Medium net residential density means 35 to 70 dwellings per hectare. High net density means anything over 70 dwellings per hectare.

**5. What is the process if the Code Amendment is rejected?**

If the Code Amendment is rejected the Employment Zone will continue to apply as the zone for the Affected Area.

**6. Will the Designated Entity seek an alternative rezoning or retain the Employment Zone of the Affected Area?**

Whether a further Code Amendment is sought for the Affected Area will be a matter for consideration once a decision on the current Code Amendment occurs.

**7. Could you outline the process for the Code Amendment moving forward?**

The process for undertaking a Code Amendment is legislated under the [Planning, Development and Infrastructure Act 2016](#).

Following the conclusion of the public consultation period the following steps will be undertaken for this Code Amendment:

- Review submissions received during the consultation period.
- Prepare the Interim Engagement Report that sets out what we have heard from consultation and how the Code Amendment will address the matters raised during consultation.
- The Interim Engagement Report will be made available on our website prior to the final version being prepared. During this time people will be invited to provide feedback on the engagement by completing an online survey.
- The final Engagement Report and Final Code Amendment Report will be prepared. Note the Engagement Report will include a summary and copy of the submissions received during the consultation period.
- The final Engagement Report and Final Code Amendment Report will be provided to the Attorney-General's Department.
- The documents may be presented to the State Planning Commission to make a recommendation on the Code Amendment. This will depend on the internal procedures of the Attorney-General's Department.
- The documents will then be provided to the Attorney-General for determination.

NOTE: The Engagement Report and Code Amendment Report will be made publicly available on the PlanSA website and the Future Urban website. There are no legislated timeframes to complete the above steps or for the Attorney-General to make a decision on the Code Amendment.

**8. Taking into account the 30 Year Plan how does the Code Amendment compliment the plan?**

The Strategic Planning Outcomes are summarised on page 10 of the Code Amendment Report (available [here](#)). Appendix 4 in the Code Amendment Report sets out how the Code Amendment addresses the State Planning Policies, the 30-Year Plan for Greater Adelaide (also referred to as the Regional Plan) and the City of West Torrens Community Plan.

**9. How does this development compliment the Neighbourhood (suburb of Lockleys) when the size of the properties will not constitute family living?**

We confirm that the Code Amendment is not a development, but rather a change to the development policies that apply to the site to guide future development. The proposed rezoning of the Affected Area to a residential type zone is consistent and complementary with the surrounding area in terms of land use.

Applying a zone to the Affected Area that enables medium and high-density residential development and housing diversity meets other strategic planning outcomes sought by the State (refer question 5).

**10. Why was the Urban Neighbourhood Zone selected for the Code Amendment over a Suburban Neighbourhood Zone?**

As part of the Code Amendment initiation it was recommended by the Attorney General's Department that the Urban Neighbourhood Zone be explored, on the basis that the policies in the Urban Neighbourhood Zone were more consistent with the building height and density being sought through the Code Amendment.

This recommendation was indicated to the Designated Entity in the letter from the Attorney General dated 22 April 2021. This information is included in the Code Amendment Report on page 12 and a copy of the letter is available [here](#).

**11. What particular need did you identify within Lockleys that would require the need for "Urban Neighbourhood Zone"?**

The rezoning seeks to apply the Urban Neighbourhood Zone to the Affected Area. The Urban Neighbourhood Zone is predominantly a residential type Zone.

The need for a rezoning of this site is supported by housing demand in metropolitan Adelaide and a lack of land supply to accommodate this demand.

**12. What other examples in Lockleys, or Adelaide, can you provide of areas which are in an "Urban Neighbourhood Zone" within an otherwise Suburban area?**

There are no other examples of the Urban Neighbourhood Zone being applied to land within the suburb of Lockleys that we are aware of.

The Urban Neighbourhood Zone applies to a number of areas in metropolitan Adelaide, including in Bowden, West Lakes, St Clair, Paradise, Morphettville, Tonsley and Edwardstown. It is usually applied in circumstances where there is a large parcel of land, strategically located that provides opportunities for residential development at higher densities than the surrounding residential areas.

Zoning across metropolitan Adelaide can be viewed on the [South Australia Property and Planning Atlas](#).

**13. What about this particular site makes it suitable for Urban Zoning?**

The Affected Area is suitable for rezoning as it is a large parcel of land that is located within 10 kilometres of the Adelaide CBD and has direct access to the River Torrens Linear Park.

**14. Will any trees need to be removed to proceed with the plans provided (e.g. on the site, or on Linear Park)?**

The Code Amendment seeks to rezone the Affected Area. In other words, the Code Amendment is seeking to change the development policies that apply to the Affected Area to guide future development of the Affected Area.

There is currently no plan to remove any trees on the Affected Area or the Linear Park. As part of a future development application for the site existing trees on the site may require removal, however, the extent of any tree removal will not be known until a development application for the Affected Area is proposed.

There is also no intention to remove any trees from the Linear Park as part of the Code Amendment. Trees on the Linear Park are the property of the owner of the Linear Park, the Department of Environment and Water. Removal of any trees on the Linear Park would require approval from the owner.

In addition, the Regulated and Significant Tree Overlay would continue to apply to the Affected Area. Any trees identified as Regulated or Significant would be protected and development approval for removal or tree damaging activity would be required.

**15. What investigations have been made into the environmental impact on Linear Park and the native flora and fauna?**

No detailed investigations into environmental impact on the Linear Park have been undertaken as part of the Code Amendment.

At the present time the Affected Area disposes all of its stormwater into the Torrens River.

It is anticipated that a redevelopment of the Affected Area would manage stormwater and result in an improvement to the current conditions and quality of water being discharged into the Torrens River.

**16. What green spaces are being provided within the development (not including Linear Park which is public space)?**

As this is a Code Amendment and not a development proposal, green spaces cannot be proposed as part of the Code Amendment itself. However, if the Affected Area is rezoned and redeveloped for more than 20 dwellings allotments 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 *Planning, Development and Infrastructure Act 2016*.

**17. What provisions are being made for parking for each of the planned residences? How much on street parking will be available for visitors?**

As this is not a development proposal, details regarding carparking cannot be proposed as part of the Code Amendment itself. However, carparking details would be required as part of any future development application.

The development policies that would apply to the Affected Area as part of the rezoning would require carparking to be provided as part of a future development at the rates specified in Table 1 – Off-Street Car Parking Requirements and Table 2 – Off Street Car Parking Requirements for Designated Areas in 'Transport, Parking and Access' in Part 4 of the Planning and Design Code (accessible [here](#)).

**18. What investigations have been made into the impact of traffic on Grant Ave, White Ave, and Azalea Drive?**

A traffic assessment was undertaken as part of the investigations for the Code Amendment. A copy of the traffic report is contained in Appendix 5 of the Code Amendment Report. A summary of the traffic study is provided in Table 4.2 of the Code Amendment Report on Pages 13 and 14 of the Code Amendment Report.

The traffic assessment confirmed:

- generation of traffic associated with the rezoning of the Affected Area on the adjacent road network will be less than that associated with the current use of the Affected Area;
- the rezoning and any subsequent redevelopment of the Affected Area would result in a positive impact on the adjacent road network;
- the SIDRA analysis confirms improved conditions would be realised as a result of the rezoning and anticipated redevelopment of the Affected Area for medium density residential use.

In terms of specific traffic movements or traffic controls, this would be resolved as part of a development application for the Affected Area. As the road network surrounding the Affected Area is under the care and control of the City of West Torrens any traffic arrangements for a future development of the Affected Area would be undertaken in consultation with the Council.

**19. To what extent have you consulted the community?**

Consultation for the Code Amendment has been undertaken in accordance with the Community Engagement Charter and the Engagement Plan prepared for the Code Amendment. There is a map in the Engagement Plan that shows the properties that have been written to as part of the consultation.

We attended the public meeting on Monday, 11 October 2021.

We also held one on one information sessions on Thursday, 14 October 2021 and Friday, 15 October 2021.

**20. I note that the Development is to be done by a 'shell' company with no previous trading; who am I to speak to with concerns once the development is completed and this company is no doubt dissolved?**

The owner of the Affected Area is Pierson Pty Ltd. They are the Designated Entity for proposing the Code Amendment.

The Code Amendment is not a development proposal.

The developer may be the current owner of the Affected Area, but may also be someone else. The Applicant for a development application (i.e. the future developer) would be the relevant person to speak to should you have concerns about a development.

**21. When do you expect construction to begin, and to be completed?**

Construction on the site will not occur until such time as a development application is lodged and approved. A development application for a residential redevelopment of the site would come sometime after the Affected Area is rezoned to enable residential development to occur.

At the present time the zone of the Affected Area is an Employment Zone and does not facilitate residential development of the Affected Area.

Any redevelopment of the site is a medium to long term prospect. The Code Amendment will essentially facilitate residential redevelopment of the Affected Area.

**22. What is meant by "affordable housing"? Is this associated with the government? What is the expected asking price of each of the units?**

The Code Amendment proposes to apply the Affordable Housing Overlay to the Affected Area.

It is important to note that Affordable Housing is different to social or public housing.

The Affordable Housing Overlay allows a developer to include a percentage of housing as affordable housing as part of a development application.

Further information about developer obligations in providing affordable housing including the current price point for affordable housing can be found [here](#).