

LOCKLEYS CODE AMENDMENT
PIERSON PTY LTD
FOR CONSULTATION

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HAVE YOUR SAY

This Code Amendment was on consultation from Monday, 13 September 2021 to Sunday, 24 October 2021.

During this time, the public and identified stakeholders were welcomed to submit a written submission about any of the changes proposed in this 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)



Use your smart phone to scan this code

- b) Via email to info@futureurban.com.au
- c) Via post to:

Attn: Emily Nankivell
Lockleys Code Amendment
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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, subzones 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 Subzones

Subzones 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

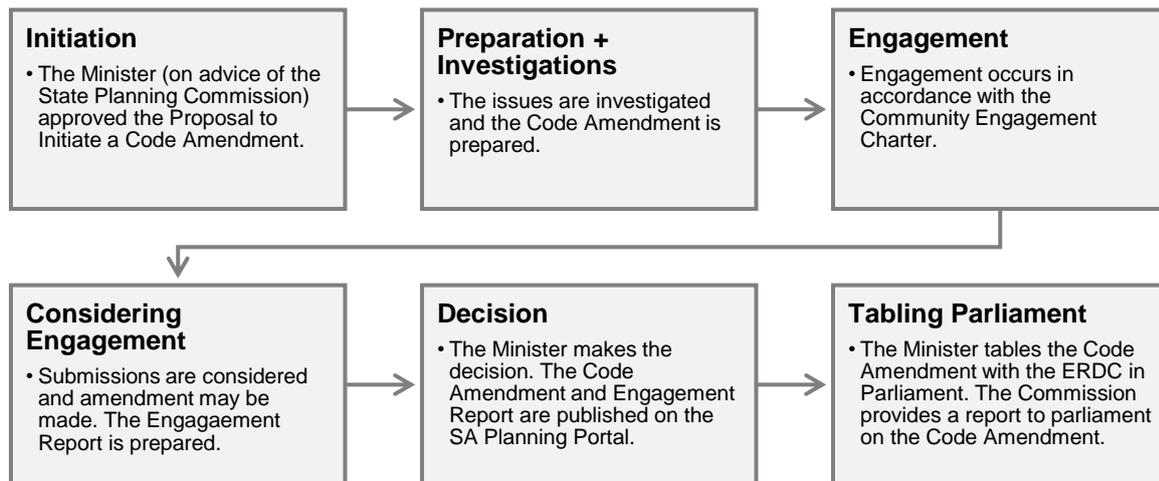
The Planning, Development and Infrastructure Act 2016 (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint Planning Board, Government Agency or private proponent may initiate 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 1.1 below.

Figure 1.1 Summary of the Code Amendment Process



2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

2.1 Need for the Amendment

Pierson Pty Ltd (Designated Entity) proposes a Code Amendment in relation to the land located at 25 Pierson Street, Lockleys and is comprised in Certificate of Title Volume 6153 Folio 97 (the Affected Area).

The Affected Area is presently within the Employment Zone and contains the Westpac Mortgage Centre and the Lockleys Child Care and Early Learning Centre. The Designated Entity has a vision to establish medium scale residential development on the Affected Area. This vision necessitates the Affected Area being rezoned from the Employment Zone to an alternate and appropriate neighbourhood-type zone. The Urban Neighbourhood Zone has been identified as an appropriate zone for the purposes of the Code Amendment.

The rezoning will facilitate the redevelopment of the Affected Area from an intensive commercial use to a primarily medium density residential use with smaller low scale non-residential uses that provide services to support the local community. The future redevelopment of the Affected Area in this way will provide opportunities to significantly improve the amenity of the locality and pedestrian linkages to the River Torrens Linear Park. Future redevelopment will also enable opportunities for a reduction in hard paved surfaces, an increase in impervious surfaces and opportunities to provide public open space.

In addition, the proposed rezoning aligns with a number of relevant State Planning Policies (SPPs) in relation to:

- integrated planning (including housing density, diversity and affordability);
- design quality;
- employment lands;
- strategic transport infrastructure (including opportunities for non-car dependent travel);
- natural hazards; and
- water quality.

The proposed rezoning also aligns with a number of relevant policies within the 30 Year Plan for Greater Adelaide. In particular, the Code Amendment correlates with the 30 Year Plan policies in respect to:

- transit corridors;
- growth areas and activity centres;
- design quality;
- housing mix, affordability and competitiveness;
- health, wellbeing and inclusion;
- the economy and jobs; and
- transport.

2.2 Affected Area

The area affected by the proposed amendment 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 has a total size of 4.87 hectares and direct frontage to Pierson Street, Azalea Drive, Tracey Crescent and the Torrens River Linear Park.

The immediate locality to the west, east and south of the Affected Area is within the Suburban Neighbourhood Zone the desired outcome of which is to provide low density housing consistent with the existing local context and complimentary non-residential uses that are compatible with the low density residential character. Land to the north of the Affected Area is within the Open Space Zone and comprises the Torrens River Linear Park that provides a connected pedestrian/cycling path between the Adelaide CBD and Henley Beach South.

The Affected Area is located within the City of West Torrens (Council) council area and is approximately 300 metres east of Holbrooks Road. The Affected Area is located immediately to the south of the River Torrens which is the boundary between the Council and the City of Charles Sturt.

2.3 Summary of Proposed Policy Changes

2.3.1 Current Code Policy

The Affected Area is currently located in the Employment Zone and the Airport Building Heights (Regulated) Overlay, Building Near Airfields Overlay, Hazards (Flooding – Evidence Required) Overlay, Prescribed Wells Area Overlay, Regulated and Significant Tree Overlay, Traffic Generating Development Overlay and Water Resources Overlay in the Code, as shown in **Appendix 2**.

The Employment Zone seeks a diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities. Together with, distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

A summary of the Overlays that apply to the land, 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

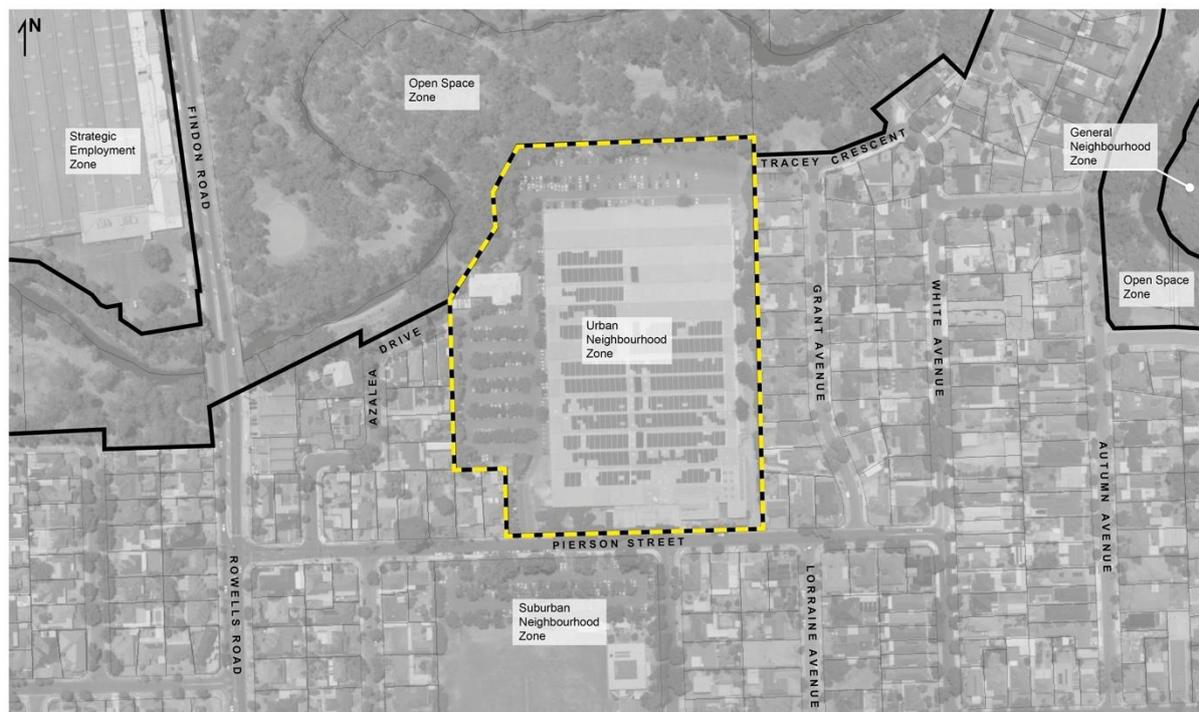
Overlay	Desired Outcome	Impact on Development
Airport Building Heights (Regulated) Overlay	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.	Development should be an appropriate height so as not to pose a risk 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 it exceeds the applicable height or comprises exhaust stacks.
Building Near Airfields Overlay	Maintain the operational and safety requirements of certified commercial and military airfields, airports, airstrips and helicopter landing sites through management of non-residential lighting, turbulence and activities that may attract or result in the congregation of wildlife.	Development that includes outdoor lighting, is wildlife attracting and/or includes buildings being appropriately separated from airfields/runways to ensure the safety of airfields and minimise risk.
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.
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.
Traffic Generating Development Overlay	Safe and efficient operation of Urban Transport Routes and	Development designed to minimise potential impacts on the safety, efficiency and functional performance of a State Maintained

	<p>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>Road. Access points for development designed to accommodate the anticipated type and volume of traffic generated by the development.</p> <p>Development may require referral to the Commissioner of Highways.</p>
Water Resources Overlay	<p>Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.</p> <p>Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.</p>	<p>Development protects existing water courses and avoids interfering with existing hydrology of water courses and water bodies, or otherwise improves existing conditions.</p> <p>Development that increases surface water run-off includes vegetation to filter run-off.</p>

2.3.2 Proposed Code Policy

The proposed rezoning of the Affected Area is shown in **Figure 2.2** below.

Figure 2.2 Affected Area and Proposed Zoning



Proposed Zone
Westpac Mortgage
Centre, Lockleys

LEGEND
 Affected Area boundary
 Zone Boundary

June 2021
Revision A
1:2000 at A3

The Code Amendment proposes the following changes:

- Rezone the Affected Area to the Urban Neighbourhood Zone. Remove the Employment Zone.
- Retain the following Overlays to the Affected Area:
 - » Airport Building Heights (Regulated) Overlay (all structures over 15 metres)
 - » Building Near Airfields Overlay
 - » Hazards (Flooding – Evidence Required) Overlay
 - » Prescribed Wells Area Overlay
 - » Regulated and Significant Tree Overlay
 - » Traffic Generating Development Overlay
 - » Water Resources Overlay
- Apply the following Overlays to the Affected Area:
 - » Affordable Housing Overlay
 - » Design Overlay
 - » Stormwater Management Overlay
 - » Urban Tree Canopy
- Apply the following Technical and Numeric Variations (TNVs) to the Affected Area:
 - » Maximum Building Height (Metres) (18.5 Metres)
 - » Maximum Building Height (Levels) (6 Levels)
 - » Interface Height/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

The Urban Neighbourhood Zone, Overlays and TNV boundaries are shown in **Appendix 1** and the Urban Neighbourhood Zone and Overlay policies are provided in **Appendix 3**.

Please note that the TNVs are applied through policy contained within the Urban Neighbourhood Zone and editorial notes are included in **Appendix 3** to identify where these TNVs will be applicable. For clarity, the above TNVs will be applicable to the development of the Affected Area through the following Urban Neighbourhood Zone Deemed-to-Satisfy Criteria / Designated Performance Features (DTS/DPF):

- DTS/DPF 2.2 (maximum height levels and metres)
- DTS/DPF 3.1 (building envelope)

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

3.1 What will happen with my feedback?

The Designated Entity is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions have been considered by the Designated Entity when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission is included in a register. Your submission will be published on the SA Planning Portal. Personal addresses, email and phone numbers will not be published; however company details will be.

The Designated Entity has considered the feedback received in finalising the Code Amendment and has prepared an Interim Engagement Report that outlines what was heard during consultation and how the proposed Code Amendment has been changed in response to submissions.

Following evaluation by the Designated Entity of the engagement the final Engagement Report will be prepared and will be forwarded to the Minister.

3.2 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 has had regard to the Strategic Planning Outcomes of the State and the Council, including:

- increasing opportunities for infill development, diverse housing choice and land supply within the urban area of metropolitan Adelaide;
- infill development that is accessible and provides opportunities for walkability and diverse transport options;
- a change in the use of the Affected Area from a commercial precinct to residential and non-residential (of an appropriate scale) uses with appropriate interface to existing residential development;
- opportunities for increased tree canopy through introduction of the Urban Tree Canopy Overlay;
- future development of the Affected Area that will have regard to its environmental impact; and
- the provision of infrastructure (roads, stormwater, sewer etc) that will provide for the future needs of residential use of the Affected Area.

4.1.2 Consistency with the State Planning Policies

State Planning Policies (SPPs) 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 SPPs and six special legislative SPPs.

The SPPs 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 the SPPs.

This Code Amendment is considered to be consistent with the SPPs as shown in **Appendix 4**.

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 30 Year Plan for Greater Adelaide (Regional Plan) in the Regional Plan considered in relation to this Code amendment.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, 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 SPPs, the SPPs will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Appendix 4**.

4.1.4 Consistency with other key strategic policy documents

In February 2021 the Council published its Community Plan 2030 (Community Plan). This Code Amendment aligns with key strategic objectives of the Community Plan in relation to the built environment, that seeks:

- an attractive, safe and cohesive urban environment that supports better quality development assessment outcomes, diverse housing choice and compatible non-residential development;
- infrastructure that meets the needs of a changing city and climate; and
- neighbourhoods designed to promote safe, active travel and strengthen connections, amenity and accessibility.

This Code Amendment is considered to be consistent with the Community Plan as shown in **Appendix 4**.

4.2 Infrastructure planning

The infrastructure planning in **Table 4.1** below is relevant to this Code Amendment.

Table 4.1: Infrastructure Planning

Council Infrastructure Planning	Response/Comment
Stormwater	A level of on-site detention and retention will be required to manage stormwater resulting from anticipated future development of the Affected Area.
Roads	The surrounding road network is sufficient to support anticipated traffic movements from anticipated development of the Affected Area. New roads may be required within the Affected Area to service future development. The location and layout of new roads will be subject to future design, but will connect into the existing road network and have regard to the Council requirements.
Government Agency Infrastructure Planning	Response/Comment
SA Water	The Affected Area is currently serviced by water mains. There may be some challenges obtaining adequate water capacity for future development via Azalea Drive due to the size of the current water main. Some augmentation of existing mains along Pierson Street may be required to service future development.
Waste Water	There is existing sewer mains servicing the Affected Area. Some augmentation to the existing sewer infrastructure may be required to accommodate future development. Where required new sewer infrastructure will be provided to connect into the existing network. This will be resolved as part of the infrastructure planning for future development of the Affected Area.
Other	Response/Comment
Electricity	The Affected Areas is serviced by electricity supply. Future development of the Affected Area may require some augmentation to existing infrastructure, but this is not anticipated to be as extensive as what may otherwise be required for greenfield sites given existing and anticipated use.

Gas	There is sufficient gas supply to cater for future development of the Affected Area.
Communications	There is communications infrastructure available to the Affected Area. Some augmentation may be required to provide connections to future development.

The above upgrades to infrastructure can be economically provided to the Affected Area by the Designated Entity, as such no further agreements or other arrangements are required to fund the infrastructure. Infrastructure assets such as roads and open space 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.

Electricity, gas and water will be provided by the relevant service providers with any associated costs for connections to be met by the Designated Entity.

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 Honourable Vicki Chapman MP, Deputy Premier and Minister for Planning and Local Government (the Minister) in the Proposal to Initiate. In addition to this, the Minister has also specified certain investigations to be undertaken to support the Code Amendment.

The letter from the Minister, dated 22 April 2021 and approving initiation of the Code Amendment, confirmed that the following additional investigations should be undertaken:

- Exploration of linkages and opportunities for improved interface with the River Torrens Linear Park, including amenity, passive surveillance and wayfinding from the broader residential area.
- Consideration of the economic potential for population serving retail, commercial or community activities.
- Exploration of the use of the Urban Neighbourhood Zone, which provides for medium density residential development up to 6 storeys, together with minor retail, commercial and community activities that would serve the local population.

The investigations undertaken to inform the Code Amendment include:

- Traffic and Carparking (refer **Appendix 5**);
- Infrastructure, Stormwater and Services (refer **Appendix 6**);
- Preliminary site investigation (refer **Appendix 7**);
- Interface between land uses, open space and opportunities for improved linkages with the River Torrens Linear Park (refer **Appendix 8**);
- Urban Neighbourhood Zone and envisaged land uses;
- Economic potential for population servicing retail, commercial and community activities, existing services and facilities and anticipated need for future services and facilities (**Appendix 9**);
- Protection of existing vegetation; and
- Operation of the Affordable Housing Overlay.

Details of the investigations, including outcomes and recommendations, are contained in **Table 4.2** below.

Table 4.2 Investigations

Investigation	Outcomes/Recommendations
Traffic and Carparking	<p>Transport investigations have been carried out by CIRQA for the Code Amendment. The traffic assessment has been undertaken assuming the higher end of dwelling density envisaged in the Urban Neighbourhood Zone (approximately 70 dwellings per hectare). The traffic assessment confirms:</p> <ul style="list-style-type: none"> • 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 subsequent redevelopment of the Affected Area would result in a positive impact on the adjacent road network; • the SIDRA analysis has been prepared for the intersection of Pierson Street and Rowells Road which confirms improved conditions would be realised as a result of the rezoning and anticipated redevelopment of the Affected Area for medium density residential use. <p>The investigations recommend that any future redevelopment of the Affected Area include:</p> <ul style="list-style-type: none"> • at least one primary intersection be provided on Pierson Street to service the Affected Area, albeit additional intersections and minor direct access may be considered (subject to appropriate analysis, design and liaison with the Council); • the access on Pierson Street should accommodate the majority of vehicle movements associated with the Affected Area (and the internal road network should be designed accordingly); • additional access may also be provided via Azalea Drive and Tracey Crescent, however should be minor (secondary) in nature; • the intersections (access points) should connect to an internal road network designed and constructed in accordance with the Council requirements; • the planning and design of the internal layout shall ensure adequate provisions for on-street parking, waste collection vehicle movements and appropriate traffic control treatments within the Affected Area; and • a high level of permeability for pedestrians and cyclists should be provided including connections to/from the adjacent Linear Park. <p>Summary</p> <p>The investigations confirm that the Affected Area can be accessed in a safe and convenient manner, with the future anticipated traffic volumes are able to be accommodated by the existing surrounding road network, with no implications arising in respect to the Code Amendment.</p> <p>The Code Amendment addresses the findings of the traffic investigations through:</p>

	<ul style="list-style-type: none"> • PO 5.1 of the Urban Neighbourhood Zone that seeks “[w]here practicable, access to buildings be provided via side street or rear laneway to provide space between buildings, minimise conflicts with pedestrians and cyclists and provide active frontages to primary streets”; • retention of the Traffic Generating Development Overlay to the Affected Area; and • 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 6.5, PO 6.6, PO 6.7 and PO 10.1 in Transport, Access and Parking of Part 4 – General Development Policies of the Code. <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 Neighbourhood Zone, including dwellings, residential flat buildings, shops and consulting rooms.</p> <p>The application of the relevant policies to new development will ensure that matters relating to vehicle access and carparking for future development, together with policies that manage and maintain vehicle movements in the surrounding road network can be addressed at the development application stage.</p> <p>Recommended Policy Change</p> <p>Apply the Urban Neighbourhood Zone to the Affected Area.</p> <p>Retain the Traffic Generating Development Overlay to the Affected Area.</p> <p>Transport, Access and Parking and other relevant development policies in Part 4 – General Development Policies of the Code will continue to apply to development of the Affected Area.</p>
<p>Infrastructure, Stormwater and Services</p>	<p>FMG has undertaken investigations in relation to stormwater, infrastructure and services for the Code Amendment. The FMG investigations confirm that the Affected Area is or can be provided with appropriate infrastructure to support a medium density residential development. In respect to various infrastructure the findings were as follows.</p> <p>Stormwater</p> <p>It is understood that the current arrangement for stormwater discharge from the Affected Area is by a large diameter pipe that discharges directly into the Torrens River.</p> <p>Volume of detention that will achieve the requirements of the Council will vary depending on the future development outcome for the Affected Area. However, some detention is likely to be required for future development. FMG have estimated this to be in the order of 500-550 cubic metres, however this would need to be confirmed at the detailed design stage of future development.</p> <p>Impact of greenery and landscaping associated with future development would reduce current peak flows by approximately 20%. Further, as the Affected Area currently discharges stormwater directly into the Torrens River there will be little impact on Council infrastructure.</p>

Anecdotal discussions with the City of West Torren’s engineer have indicated that future detention requirements may be offset through higher achievement in other areas, such as water quality or stormwater reuse. If detention was able to be offset the onsite detention requirements would reduce to an estimated amount of 200 cubic metres.

Detention storage volumes could also be proportionally split if future development is delivered in stages.

Future development could consider the integration of stormwater detention involving the following strategies such as:

- detention storage – underground or above ground likely in the north western corner of the Affected Area to allow for direct connection and discharge into the Torrens River;
- implementation of Water Sensitive Urban Design (WSUD) principles such as raingarden and landscape, wherever possible;
- upsizing of internal pipe network; and
- use of permeable paving (which would increase water quality outcomes).

In addition, the Council also requires improvement to stormwater quality being discharged from the Affected Area. Quality of the runoff discharged from the Affected Area can be improved as part of a future development application through the installation of proprietary water quality improvement devices or incorporation of biofiltration and raingardens within above ground stormwater basins, which are the preferred methodology by Council’s engineers.

A review of the relevant flood data suggests that that Affected Area is not subject to known flood risk and is sited above the 1 in 500 River Torrens Study 1999.

Water Mains

A review of the Dial Before You Dig investigations indicate that the Affected Area is surrounded by water mains. A 100 millimetre to 150 millimetre main pipe (CICL) is located on Pierson Street and 100 millimetre diameter supply main pipe (100PVCU) on Azalea Drive.

Obtaining adequate capacity to service future development via Azalea Drive may be challenging considering the size of the existing water main. However, the Affected Area is assumed to be supplied by the existing 150 millimetre water main on Pierson Street.

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. Future development will also require new water mains circulation along all new internal roads with water connections. It is also noted that there may be additional costs / infrastructure needs to meet fire code requirements for future development.

SA Water requirements for future development can be resolved at the development application stage.

Sewer

Information obtained through SA Water indicates that there are two major sewer lines servicing the Affected Area. There is an existing 150 millimetre PVCU pipe

	<p>along Azalea Drive and a 150 millimetre diameter (Vitrified Clay) sewer main on Pierson Street.</p> <p>Future development is likely to require new sewer mains connection into the existing main with associated earthworks and traffic control.</p> <p>Electrical</p> <p>The property is currently serviced by above ground power lines along Pierson Street, which connect into existing transformers at the site frontage to Pierson Street in the eastern corner.</p> <p>Further information has been sought from SAPN regarding likely augmentation requirements for future development. However, based on anticipated dwelling yields and existing services future augmentation may not be as large when compared to development on other greenfield sites.</p> <p>Requirements for electrical supply to future development to be confirmed by SAPN at the development application stage.</p> <p>Communications</p> <p>NBN infrastructure exists 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 are also located within the vicinity of the Affected Area.</p> <p>Connection to these services for future development can be provided without requiring significant augmentation works.</p> <p>Gas</p> <p>There is an existing medium-pressure gas main within the vicinity of the Affected Area which may be adequate to service future development. Feedback provided by APA suggests that, at a high level there would not be an issue with gas supply to the Affected Area. This would be confirmed at the development application stage and as required by a developer.</p> <p>Summary</p> <p>The investigations confirm that the Affected Area 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"> • DO 1 and PO 1.1 of the Stormwater Management Overlay; • PO 1.1 of the Hazards (Flooding – Evidence Required) Overlay; • 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 • PO 11.2 and PO 12.1 in Infrastructure and Renewable Energy Facilities in Part 4 General Development Policies of the Code. <p>The policies contained in the Stormwater Management Overlay, Hazards (Flooding- Evidence Required) and general development policies are captured as relevant assessment criteria for forms of development, including dwellings in</p>
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	<p>Table 3 – Applicable Policies for Performance Assessment Development in the Urban Neighbourhood 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 electricity) 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 with relevant policies contained within Land Divisions in Part 4 – General Development Policies of the Code.</p> <p>Recommended Policy Change:</p> <p>The Hazards (Flooding – Evidence Required) Overlay to be retained to the Affected Area.</p> <p>Apply the Stormwater Management Overlay to the Affected Area.</p> <p>Relevant development polices from Part 4 – General Development Policies of the Code will continue to apply to the Affected Area.</p>
<p>Preliminary Site Investigation</p>	<p>Preliminary site investigations have been undertaken by JBS&G. The report identifies potential contaminants for the Affected Area and makes the following recommendations:</p> <ul style="list-style-type: none"> • undertake a ground penetrating radar survey of the western carpark to determine if there is an underground storage tank (UST) adjacent to the southern boundary of the childcare centre; • undertake a limited soil survey in the vicinity of the UST for diesel to determine if the tank or associated infrastructure has leaked; • should there be any future works in relation to the repair or replacement of the UST, a detailed soil (and potentially groundwater) investigation should be undertaken in the vicinity of the UST to determine whether it has caused site contamination. Any assessment works related to the UST (replacement, removal, validation) should be undertaken by a suitably qualified and experienced site contamination consultant in accordance with the SA EPA and other relevant guidelines; • should the Affected Area be redeveloped that includes a change to a more sensitive land use (i.e. residential), it is likely a site contamination audit will be required, based on the activities at the Affected Area (primarily storage of petroleum); and • if the land use changes to residential, further soil, groundwater and soil vapour assessment may be required by a site contamination consultant to support the site contamination audit-these works may also include remediation works (i.e. tank removal / tank pit validation works). <p>On this basis should the Affected Area be rezoned and residential development undertaken a site audit will be required through the development application process.</p> <p>Summary</p> <p>The investigations confirm that further testing of the Affected Area is required to ensure that the Affected Area is suitable or can be made suitable for future</p>

	<p>intended land uses, including residential. While site contamination will require further investigation, there are no implications arising in respect to the Code Amendment. Relevantly, if further investigations are undertaken find that the Affected Area is not suitable for sensitive land uses, remediation of the Affected Area and/or management practices will be required before development can occur.</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 Neighbourhood Zone.</p> <p>Recommended Policy Change</p> <p>No policy changes are proposed. Site Contamination in Part 4 – General Development Policies and Part 9.1 Referral Body: Environment Protection Authority Referrals of the Code will continue to apply to the Affected Area.</p>
<p>Interface between land uses and managing amenity impacts</p>	<p>Investigations have been undertaken in relation to the management of interface areas. The outcome of the investigations 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 Suburban Neighbourhood Zone as follows:</p> <ul style="list-style-type: none"> • application of the interface height TNV (building envelope) over the Affected Area that will manage building height at the interface applied through PO 3.1 and DTS/DPF 3.1 of the Urban Neighbourhood Zone; • application of setback provisions applied through PO 2.5 and PO 2.6 of the Urban Neighbourhood Zone; • application of the Design Overlay; • application of general development policies that address interface impacts including: <ul style="list-style-type: none"> » overlooking/visual privacy <ul style="list-style-type: none"> ▪ PO 10.1 and PO 10.2 of the Design Module ▪ PO 10.1, PO 10.2 and PO 16.1 of the Design in Urban Areas Module » overshadowing <ul style="list-style-type: none"> ▪ PO 3.1, PO 3.2, PO 3.3 and PO 3.4 of the Interface Between Land Uses Module » hours of operation <ul style="list-style-type: none"> ▪ 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

The policies will appropriately manage and mitigate amenity impacts of future development on the interface with the Suburban Neighbourhood Zone. A copy of the Overlays referenced above are contained in **Appendix 4**. The general policies can be viewed in Part 4 of the Planning and Design Code at this link <https://code.plan.sa.gov.au/home>.

To assess potential impacts of future development on adjoining land and the locality a massing exercise was undertaken refer **Appendix 8**. The massing exercise indicatively identifies massing of built form that could be accommodated on the Affected Area applying the proposed building height and other development policy that would apply as a result of the proposed rezoning.

The massing demonstrates that buildings utilising the maximum height limits are most likely to be located towards the northern boundary (adjacent the Torrens River) or otherwise centrally located within the Affected Area and away from the adjoining Suburban Neighbourhood Zone. This is due to the application of the building envelope applied through PO 3.1 of the Urban Neighbourhood Zone that will control the building height in proximity to neighbouring residential boundaries with a transition and reduction in building height from the northern and central parts of the Affected Area to the east, south and west (interface boundaries) with the Suburban Neighbourhood Zone.

It should be noted that the massing exercise is not intended to represent the proposed future development of the Affected Area 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 and controlled through development policy. In this regard, development may or may not utilise the maximum building height and dwelling yields anticipated by the rezoning and as generally demonstrated by the massing exercise.

The application of the The Design Overlay will also contribute to a future development outcome for the Affected Area with specific regard to design. The Design Overlay seeks for development to positively contribute to the liveability, durability and sustainability of the built environment through high-quality design.

The Design Overlay also results in:

- referral of development for buildings over four levels in height to the Government Architect (ODASA) to provide expert design advice; and

	<ul style="list-style-type: none"> the State Commission Assessment Panel being the relevant authority for the assessment of development proposed for the Affected Area where it exceeds four levels in height. <p>The application of this Design Overlay is considered to be appropriate in this instance as it will:</p> <ul style="list-style-type: none"> provide an additional level of oversight to ensure a quality-built form outcome is achieved for the Affected Area for future redevelopment where buildings over four levels in height are proposed; the Affected Area is contained within a suburb that is typically lower density and lower scale and will interface with the River Torrens Linear Park such that careful consideration should go into the design; and provides a level of assurance to existing residents in the area that the design will achieve a high-quality outcome with appropriate oversight. <p>The Urban Neighbourhood Zone, Overlays, and TNVs have 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 on interface areas.</p> <p>Summary</p> <p>The investigations confirm that the interface between existing residential 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 retaining or applying applicable policy to the Affected Area as set out above.</p> <p>The relevant policies, including the interface policies from the Urban Neighbourhood 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 Neighbourhood Zone.</p> <p>Recommended Policy Change</p> <p>Apply the Urban Neighbourhood Zone, Design Overlay and Interface Height (building envelope) TNV to the Affected Area.</p> <p>No further policy changes proposed. Relevant general development policies in Part 4 – General Development Policies of the Code will continue to apply to the Affected Area.</p>
<p>Linkages, open space and improved interface with River Torrens Linear Park</p>	<p>The rezoning of the Affected Area to enable a predominantly medium density residential development provides opportunities for additional linkages to be established and strengthened between the Affected Area and the River Torrens Linear Park.</p> <p>Relevantly, the Affected Area shares a boundary with the River Torrens. While the final development outcome for the Affected Area will need to be determined the opportunities for strengthened linkages will be created as a result of the Code Amendment through:</p>

- medium rise medium density dwellings that are most likely to be located towards the northern end of the Affected Area and can take advantage of the River Torrens outlook and minimise building mass and overshadowing on existing residential development in the Suburban Neighbourhood Zone;
- setback of built form from the northern boundary of the site providing opportunities to improve this area of the Linear Park, the interface with the Linear Park, reduce visual dominance of the built form when viewed from the Linear Park and enable the retention of trees in this location;
- opportunities for windows and/or balconies to overlook the River Torrens Linear Park and provide causal surveillance;
- ground floors of multi storey buildings being able to incorporate some smaller scale non-residential uses such as offices, shops and consulting rooms, which can also take advantage of the Linear Park and/or views over the Torrens River; and
- any redevelopment of the Affected Area will incorporate open and green spaces comprising a minimum 12.5% of the Affected Area in accordance with section 198 of the *Planning, Development and Infrastructure Act 2016*. These areas, together with any future road network, can incorporate and strengthen pedestrian linkages to the Linear Park, which are already available via Azalea Drive and Tracey Crescent and are separated by less than 300 metres. As part of a future redevelopment of the site there may be opportunities to increase the open space provision, over the legislated amount of 12.5%, having regard to existing open space in the area, water sensitive urban design and future master planning of the Affected Area.

The massing study contained in **Appendix 8** demonstrates how linkages between the Affected Area, the Torrens River Linear Park and the surrounding residential area can be strengthened through the Code Amendment.

Both private open space and public open space will form part of a future redevelopment of the Affected Area for residential land uses. Private open space will be required for private residences regardless of their form. Public open space will also be required. The requirement to provide open space is set out in the Code and the Act as follows:

- PO 21.1, PO 21.2 and Table 1- Private Open Space of Design in Urban Areas in Part 4 – General Development Policies of the Code provides:
 - » Dwellings be provided with suitable sized areas of usable private open space to meet the needs of occupants;
 - » Private open space is positioned to provide convenient access from internal living areas; and
 - » Dwellings at ground level be provided with:
 - site area <301m²: 24m² located behind the building line;
 - site area >301m²: 60m² located behind the building line;
 - » Dwellings in a residential flat building (above ground level) be provided with an area of between 4m² to 15m² depending on the number of bedrooms.

	<ul style="list-style-type: none"> Section 198 of the Act requires open space to be given to the local council or payment made in lieu of this where more than 20 new allotments are proposed. Given the anticipated future size of residential redevelopment of the Affected Area section 198 of the Act will need to be met. Resulting in 12.5% of the site being provided for public open space, payment being made or a mixture of both. With the outcome to be resolved in conjunction with the City of West Torrens. <p>The relevant sections of the Code and Act will apply to future residential redevelopment of the Affected Area.</p> <p>Summary</p> <p>The investigations confirm that the Code Amendment will facilitate opportunities for greater connection and linkages between the Affected Area and the Torrens River Linear Park. These opportunities are created through the rezoning of the Affected Area to facilitate future redevelopment comprising predominantly medium density residential development.</p> <p>Recommended Policy Change</p> <p>Apply the Urban Neighbourhood Zone to the Affected Area.</p> <p>No further policy changes proposed. Relevant general development policies in Part 4 – General Development Policies of the Code will continue to apply to the Affected Area.</p>
<p>The Zone and envisaged land uses</p>	<p>Investigations regarding the Urban Neighbourhood Zone and envisaged land uses within the Zone has been undertaken as part of the Code Amendment.</p> <p>The selection of the Urban Neighbourhood Zone as the proposed zone for the Affected Area is to allow the redevelopment of the Affected Area for a medium density residential use with smaller scale non-residential uses. The future desired development of the Affected Area is supported by the Urban Neighbourhood Zone as follows:</p> <ul style="list-style-type: none"> Desired Outcome 1 of the Urban Neighbourhood Zone seeks: <ul style="list-style-type: none"> <i>A mixed use area that:</i> <ol style="list-style-type: none"> <i>provides a flexible policy framework for the redevelopment of urban areas in close proximity to high frequency public transport corridors or adjacent primary road corridors that have the potential to become activity generators</i> <i>provides for the high quality design and integration of buildings and public realm in mixed use areas with walkable urban form, excellent provision for walking and cycling and active street frontages that encourage social interaction, positively contribute to public safety and vibrancy and promote active movement and public transport use</i> <i>provides a concentration of mixed use activity close to community focal points, such as a high frequency fixed transit stop, activity centre or high quality open space</i> <i>provides adaptable and flexible buildings that can accommodate changes in land use and respond to changing economic and social conditions and</i> <i>advances in technology</i>

	<p>f) <i>transitions to a reduced scale and intensity at the zone boundary to maintain the amenity of residential properties located within adjoining zones</i></p> <ul style="list-style-type: none"> • Performance Outcome ('PO') 1.1 of the Urban Neighbourhood Zone that seeks: <ul style="list-style-type: none"> <i>Development of medium and high density accommodation types for living, including dwellings, supported accommodation, student accommodation, short term accommodation, either as part of a mixed use development or wholly residential development.</i> • deemed-to-satisfy/designated performance feature ('DTS/DPF') 1.1 of the Urban Neighbourhood Zone specifies the following land uses: <ul style="list-style-type: none"> » Advertisement » Carport » Consulting Room » Dwelling » Educational Establishment » Hotel » Licensed Premises » Light Industry » Office » Outbuilding » Preschool » Residential Flat Building » Retirement Facility » Shop » Student Accommodation » Supported Accommodation » Tourist Accommodation <p>While the future development of the Affected Area is anticipated to be primarily residential it is noted that non-residential uses are anticipated in the Urban Neighbourhood Zone. In this regard smaller or low impact non-residential uses such as consulting rooms, shops and offices may be proposed as part of a future development of the Affected Area. Uses such as licenced premises or light industry are less likely to occur, although it is acknowledged these uses are not restricted in the Urban Neighbourhood Zone.</p> <p>In this regard, the Urban Neighbourhood Zone seeks to manage different land uses to ensure that land uses are not incompatible or likely to result in unreasonable impacts and seeks to limit or restrain non-residential uses through development policy including:</p> <ul style="list-style-type: none"> • PO 1.3 that seeks to locate light industry or commercial uses where these uses are compatible with adjoining uses;
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	<ul style="list-style-type: none"> • PO 1.6 seeks to provide shops, offices and consulting rooms that meet the needs of the community; and • PO 1.7 seeks to locate larger scale shops, offices and consulting rooms together to provide focus for services and facilities. <p>General development policy will also manage land uses (refer to 'Interface between land uses' investigations above for applicable policies).</p> <p>Given the intended future residential use of the Affected Area large scale non-residential uses or high impact non-residential uses (i.e. light industry) are unlikely to be compatible with the existing land uses in the locality or future use of the Affected Area for residential purposes.</p> <p>Summary</p> <p>The investigations confirm that the Urban Neighbourhood Zone will provide appropriate development policy together with flexibility to accommodate future development of the Affected Area and appropriately manage land uses to ensure that any future uses of the Affected Area are compatible and will not unreasonably impact on the intended use of the Affected Area or existing uses of land in the locality.</p> <p>Recommended Policy Change</p> <p>Apply the Urban Neighbourhood Zone to the Affected Area.</p> <p>No further policy changes proposed. Relevant general development policies in Part 4 – General Development Policies of the Code will continue to apply to the Affected Area.</p>
<p>Economic potential for population servicing retail, commercial and community activities</p>	<p>Investigations regarding the economic potential for population to service retail, commercial and community activities has been undertaken.</p> <p>The investigation considered existing retail and commercial land uses in the area and opportunities for retail and commercial land uses to be incorporated into future development of the Affected Area.</p> <p>Based on a density of 70 dwellings per hectare (which is the higher end of medium-net density as defined in Part 8 of the Code), approximately 340 dwellings could be developed on the Affected Area as part of the rezoning. It is expected that future development would comprise a range of dwelling options including higher density apartment style dwellings and lower density townhouse style dwellings. The average number of people that live in a household is 2.6 (based on the '<i>average people per household</i>' from the '<i>2016 Census</i>'). Applying this number and taking into account potential reduction in household numbers for apartments, the number of people that may ultimately reside on the Affected Area is estimated to be between 700 to 900 people, including children.</p> <p>Increased residential population in this location would support existing commercial and retail development in the area. The increase population would also utilise other services in the area including schools and child care. A context plan showing existing retail, schools, child care, open space and other services in the area is contained in Appendix 9.</p>

	<p>The anticipated increase in population would also support new smaller scale non-residential uses on the Affected Area such as cafés, consulting rooms and offices. Uses that would continue to be supported by the proposed rezoning.</p> <p>Summary</p> <p>The investigations confirm that the increased population arising from the rezoning is relatively modest and therefore should be adequately supported by existing social infrastructure in the locality and would also support the introduction of new smaller scale non-residential uses as anticipated within the Urban Neighbourhood Zone. Accordingly, no unreasonable implications arise in respect to the Code Amendment.</p> <p>The Code Amendment addresses the findings in relation to economic potential in the area by applying the Urban Neighbourhood Zone to the Affected Area that envisages non-residential land uses of an appropriate scale to service the needs of the community.</p> <p>The relevant policies in the Urban Neighbourhood Zone together with 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 Neighbourhood Zone, including shops, consulting rooms and offices.</p> <p>Recommended Policy Change</p> <p>Apply the Urban Neighbourhood Zone to the Affected Area.</p> <p>No further policy changes proposed. Relevant general development policies in Part 4 – General Development Policies of the Code to continue to apply to the Affected Area.</p>
<p>Regulated and Significant Trees</p>	<p>The Regulated and Significant Tree Overlay applies to the Affected Area. The Overlay seeks the ‘conservation or regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.’</p> <p>The Overlay also ensures that where activities are proposed that may result in damage or removal of regulated or significant trees are proposed, these activities are assessed against performance outcomes through a development application.</p> <p>The proposed setback from the northern boundary of the Affected Area will also assist in enabling retention of existing trees adjacent to the River Torrens and Linear Park.</p> <p>At this time there is no proposed to remove any existing trees from the Affected Area.</p> <p>Recommended Policy Change</p> <p>The Regulated and Significant Tree Overlay to be retained for the Affected Area.</p>

Further details on investigations undertaken in support of the Code Amendment are included in **Appendix 5-9**.

Infrastructure can be economically provided to the Affected Area by the Designated Entity through future development of the land, 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.

4.3.2 Recommended policy changes

The above investigations confirm that the policy contained within the Planning and Design Code is adequate to guide future redevelopment of the Affected Area. Accordingly, this Code Amendment does not seek to change any policy contained within the Planning and Design Code and will only result in the changes to Urban Neighbourhood Zone, Overlays and Technical and Numeric Variation boundaries as described in section 2.3.2 of this report.