

**OLD BULL CREEK ROAD, STRATHALBYN
CODE AMENDMENT
NEVARC DEVELOPMENT PTY LTD**

FOR CONSULTATION

Proprietary Information Statement

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Document Control

Revision	Description	Author	Date
V1	Draft	KGH	18.12.2023
V2	Review	MGO	18.12.2023
V3	Final for Consultation	KGH	8.02.2024

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HAVE YOUR SAY

This Code Amendment is on consultation from Monday, 26 February 2024 to Sunday, 21 April 2024.

During this time, the public and identified stakeholders can lodge a written submission about any of the changes proposed in this Code Amendment.

Submissions can be provided via one of the following:

- a) Online on the SA Planning Portal (URL: plan.sa.gov.au/en/codeamendments)



Use your smart phone to scan this code

- b) Via email to engagement@futureurban.com.au

- c) Via post to:

Attn: Nevarc Developments Pty Ltd
Old Bull Creek Road, Strathalbyn Code Amendment
Future Urban
Level 1/74 Pirie Street
ADELAIDE SA 5000

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 conflict 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 Technical and Numeric Variations

Different Technical and Numeric Variations (TNVs) apply spatially across various areas of the state. The data in these layers populate policies within a zone, subzone, overlay or general development policies. While a technical and numeric variation may spatially apply at a particular location, it has no work to do unless it is specifically referenced in the relevant Code policies. Assessment provisions in the Code can reference TNVs to provide for local variation in the policy.

1.7 Amending the Planning and Design Code

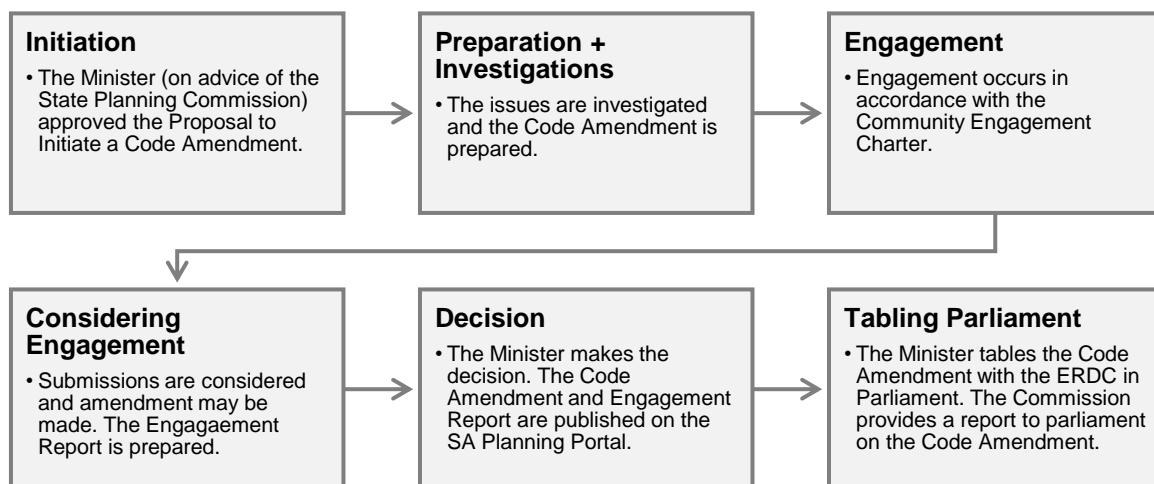
The Planning, Development and Infrastructure Act 2016 (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning (the Minister) a Council, Joint Planning Board, Government Agency or private proponent may initiate an amendment to the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

Strathalbyn is a township experiencing population growth, with strong demand driving approval and development rates.

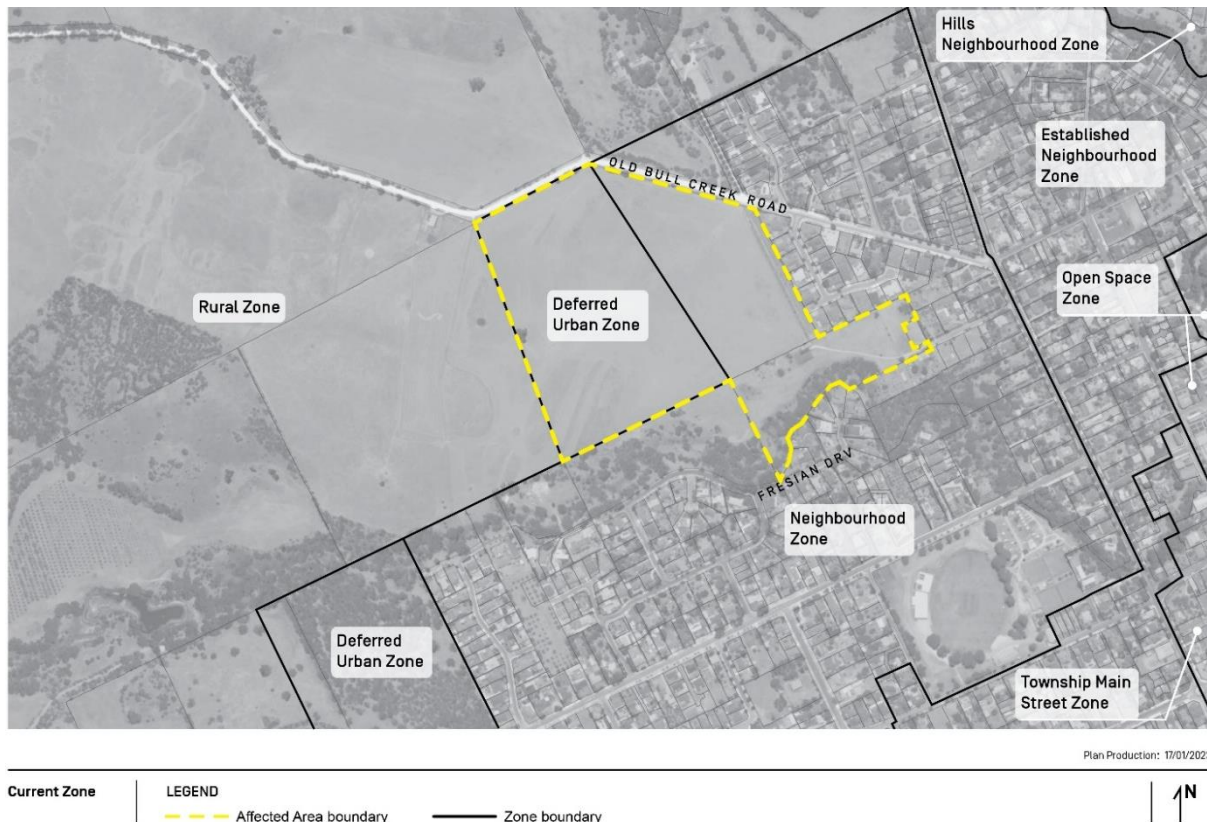
In 2014, Council worked with the Strathalbyn community to review and update the 2005 Strathalbyn Town Plan; and produced the Town Plan 2014-2024. A subsequent report was commissioned to inform the Strathalbyn Deferred Urban Development Plan Amendment (DPA) – Land Supply Analysis Strathalbyn March 2019 (Fyfe). The land supply analysis found that the actual growth in 2011-2016 was almost double the growth expected in the Strathalbyn Town Plan, and that with a preference for larger allotments, yields from residential subdivisions had been less than expected thereby putting greater pressure on existing housing stock.

Since the Strathalbyn Deferred Urban DPA, land supply has been notably reduced due to high demand and strong land sales. This Code Amendment responds to this demand by rezoning Deferred Urban land, historically identified for township growth, to the Master Planned Township Zone, which will facilitate the use of that land for residential development purposes.

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*



The Affected Area comprises:

- a portion of Lot 1000 Old Bull Creek Road, Strathalbyn, formally known as Pieces 1000 and 1001, Deposited Plan 132367, Certificate of Title Volume 6288 Folio 910; and
- 14 Abbots Lane, Strathalbyn, formally known as Allotment 501, Deposited Plan 132367, Certificate of Title Volume 6288 Folio 910.

Both allotments are wholly situated within the Alexandrina Council.

The Affected Area is approximately 19.9 hectares in size, of which approximately 9 hectares (14 Abbots Lane and the eastern portion of Lot 1000) are already zoned for residential use. The Affected Area is presently used for grazing and cropping, has gentle undulations and minimal vegetation.

That portion of Lot 1000 outside of the Affected Area is within the Rural Zone and the Environment Food Protection Area (EFPA). Rezoning of this portion of Lot 1000 is not proposed by this Code Amendment.

Lot 1000 has frontage to Old Bull Creek Road, which is an unsealed local road.

The Affected Area is surrounded by rural and primary production uses to the north and west and residential uses to the east and south. Immediately to the south is Dawsons Creek which acts as a buffer between residential dwellings and the rural area.

The proposed rezoning will facilitate the future development of approximately 275 dwellings, noting that approximately 115 dwellings could be accommodated on that portion of the Affected Area already zoned for residential purposes. The proposed rezoning will therefore increase the development potential of the land by approximately 160 dwellings.

2.3 Summary of Proposed Policy Changes

2.3.1 Current Code Policy

The Affected Area is currently located in the Deferred Urban Zone and Neighbourhood Zone and the boundaries of these Zones is shown in Figure 2.2.

The Affected Area is also affected by several Overlays in the Code. These Overlays are listed in Table 2.1.

A copy of the policies contained within the Zones and Overlays are provided in **Appendix 2**.

The intent of the Zones can be summarised as follows:

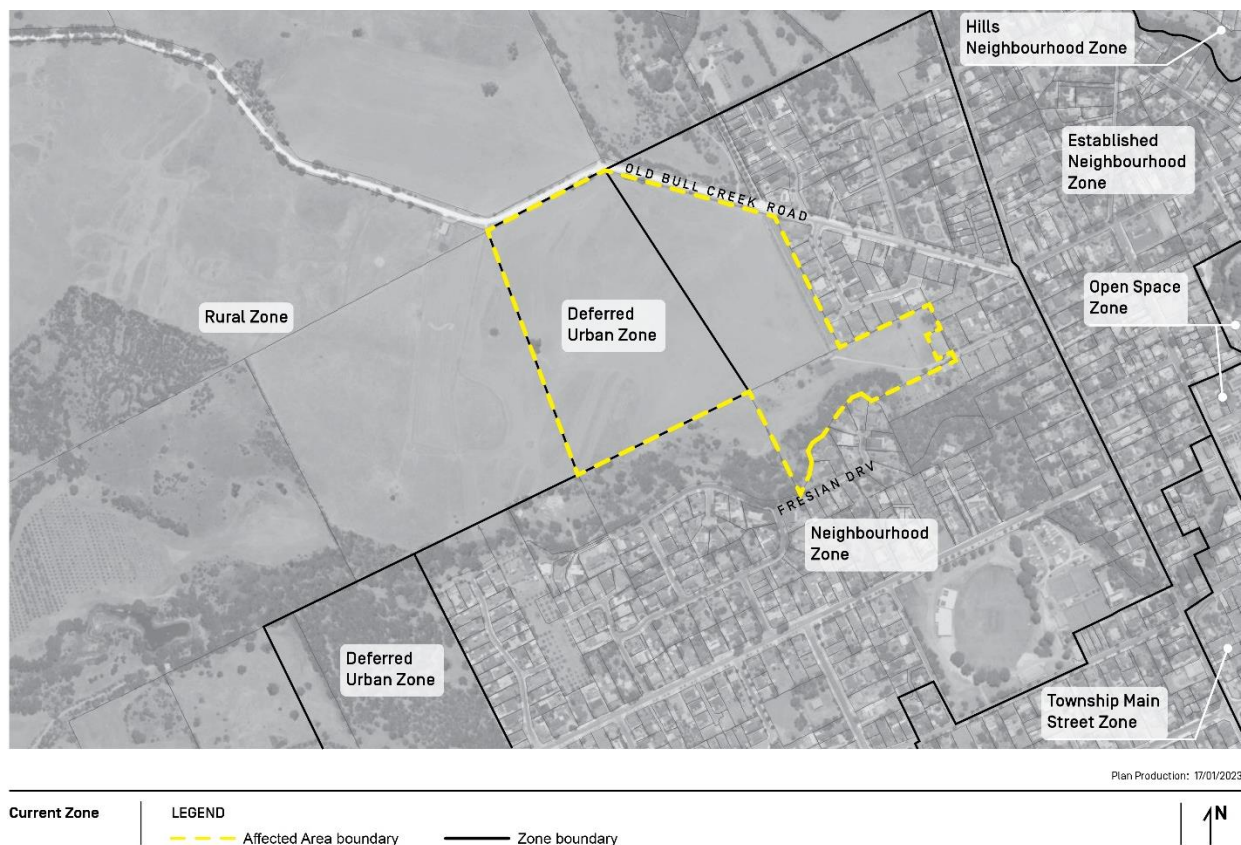
- The Neighbourhood Zone allows for housing which supports a range of needs and complements the existing local context. Services and community facilities can also be developed in the Zone provided they do not compromise the residential amenity and character of the neighbourhood; and
- The Deferred Urban Zone seeks to safeguard land for future urban growth, by limiting new development on the land.

The Neighbourhood Zone also contains policies that allow for building heights, frontages and site areas to be specified. These are referred to as Technical and Numeric Variations or TNVs.

The TNVs that currently apply within the Neighbourhood Zone for the Affected Area are:

- Maximum building height is 8m;
- Minimum frontage is 15m;
- Minimum site area is 450 sqm;
- Maximum building height is 1 level.

Figure 2.2 *Current Zone Boundaries*



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

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

Overlay	Desired Outcome	Impact on Development
Affordable Housing	Affordable housing is integrated with residential and mixed use development.	Anticipates that development including 20 or more allotments includes a minimum of 15%. Provides incentives for building height and car parking, where a development includes affordable housing.
Hazards (Bushfire – Medium Risk)	Development, including land division responds to the medium level of bushfire risk and potential for ember attack and radiant heat by siting and designing buildings in a manner that mitigates the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change.	Ensures land division and habitable buildings are designed to mitigate bushfire risk, particularly in relation to access, vegetation and water supply.
Hazards (Flood – Evidence Required)	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.	Seeks that habitable buildings are suitably elevated above the road level.
Heritage Adjacency	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.	Seeks to ensure that development does not dominate, encroach on or unduly impact on the setting of the Local Heritage Place at 1 Abbotts Lane, Strathalbyn
Murray-Darling Basin	Sustainable water use in the Murray-Darling Basin area.	Seeks to ensure that development has a current water license or does not involve the taking of water for which a license is required under <i>Landscape South Australia Act 2019</i>
Native Vegetation	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.	Seeks to protect native vegetation and ensures the involvement of the Native Vegetation Council where significant clearance (Level 3 or 4 clearance) is proposed

Overlay	Desired Outcome	Impact on Development
Prescribed Water Resources Area	Sustainable water use in prescribed water resources areas maintains the health and natural flow paths of surface water, watercourses and wells.	Seeks to ensure that development has a current water license or does not involve the taking of water for which a license is required under <i>Landscape South Australia Act 2019</i>
River Murray Tributaries Protection Area	Sustainable water use and conservation of riverine environments within the River Murray Tributaries area.	Land division protects the health and flow path of watercourses
Traffic Generating Development	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.	Seeks to ensure that development that generates large volumes of traffic, directs this towards a State Maintained Road
Water Resources	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.	Seeks to ensure that development does not alter watercourses and includes design techniques to protect the health of watercourses

2.3.2 Proposed Code Policy

The Code Amendment proposes the following changes:

- Rezone the whole of the Affected Area to the Master Planned Township Zone, as shown on Figure 2.3;
- Expand the Affordable Housing Overlay over the whole Affected Area;
- Introduce the Interface Management Overlay to a 30 metre wide strip of land along the western boundary of the allotment adjacent to the Rural Zone; and
- Remove existing minimum building height, frontage and site area TNVs from the Affected Area;
- Introduce a Concept Plan for the Affected Area, and apply the Concept Plan TNV. The content of the Concept Plan is shown in Figure 2.4.

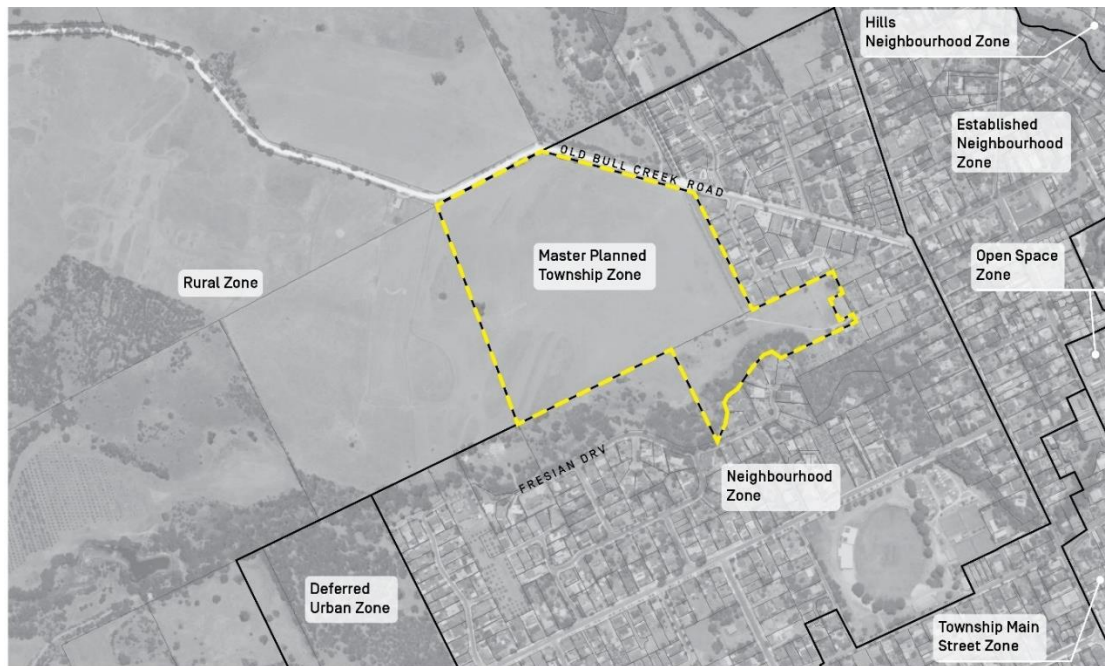
The Master Planned Township Zone allows for the expansion of an existing township with a range of housing that caters to prevailing and emerging housing needs and lifestyles within easy reach of services, facilities and open space. It expects that development is complementary to existing township settlement patterns, adjacent rural landscapes and natural features.

The proposed Zone, Affordable Housing Overlay and TNV boundaries are shown in **Appendix 3**.

There will be no changes to the following Overlays:

- Hazards (Bushfire – Medium Risk)
- Hazards (Flooding – Evidence Required)
- Heritage Adjacency
- Murray-Darling Basin
- Native Vegetation
- Prescribed Water Resources Area
- River Murray Tributaries Protection Area
- Traffic Generating Development
- Water Resources

Figure 2.3 *Proposed Zone Boundaries*

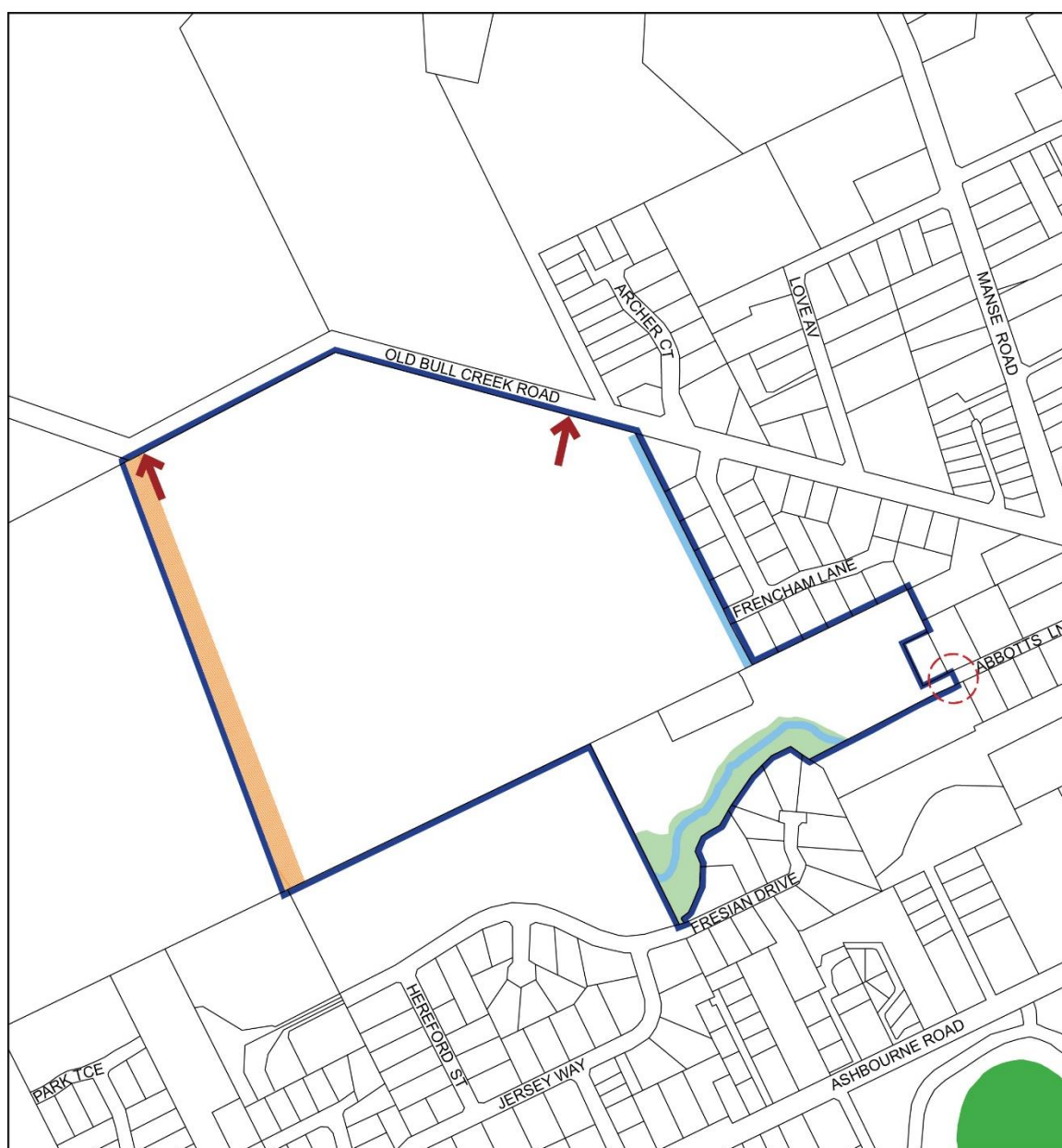


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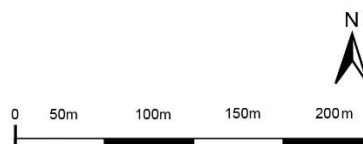
Proposed Zone | **LEGEND**
 - - - - - Affected Area boundary ——— Zone boundary



Figure 2.4 *Proposed Concept Plan*



- Concept Plan Boundary
- Existing Stormwater Infrastructure/ Watercourse
- Access to Old Bull Creek Road
- Limited Vehicle Access
- Interface Management Area (30m)
- Open Space



**Concept Plan #
STRATHALBYN**

In relation to the TNVs, it is important to note that some Zones include policies which allow for TNVs to be considered when assessing a proposed development. These policies do not apply within the Master Planned Township Zone and therefore, if the Code Amendment is approved, the current TNVs could not be considered when assessing a proposed development. As a result, this Amendment proposes to remove them to avoid confusion. A comparison between the current TNVs and proposed Policies is provided in Table 2.2.

Table 2.2 *Comparison between Current TNV Policies and Proposed Policies*

Technical and Numeric Variation (TNV)	Current Policy	Proposed Policy
Maximum building height	8 metres and 1 building level	9 metres and 2 building levels
Minimum site area	450 square metres	<p>Future allotments will need to deliver a 'low density neighbourhood'.</p> <p>Low density is defined as less than 35 dwellings per hectare (excluding land used for roads, public open space and services). This translates to a maximum of 1 dwelling per 285 square metres.</p>
Minimum frontage	15 metres	<p>No minimum.</p> <p>Future allotments will need to be 'of a suitable size and dimension and accommodate a diverse range of housing choices.'</p>

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

3.1 Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which require that:

- engagement is genuine;
- engagement is inclusive and respectful;
- engagement is fit for purpose;
- engagement is informed and transparent;
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter. For more information on the Community Engagement Charter go to the SA Planning Portal at (www.plan.sa.gov.au).

A summary of the engagement that is occurring for this Code Amendment is as follows:

- Letters will be sent to adjacent owners and occupiers, the Council, relevant State agencies, utility providers and the local Member of Parliament;
- Information will be provided to the public generally via the Plan SA Have Your Say website;
- Information drop-in sessions will be held so that members of the community can seek further information on the Code Amendment; and
- Interested parties will have the opportunity to provide a written submission via the Plan SA Have Your Say website or by email or post to Future Urban.

3.2 How can I have my say on the Code Amendment?

There are several ways in which you can provide feedback on the Code Amendment. This includes:

- a) Online on the SA Planning Portal (URL: plan.sa.gov.au/en/codeamendments)



Use your smart phone to scan this code

- b) Via email to engagement@futureurban.com.au;

- c) Via post to:

Attn: Nevarc Developments
 Old Bull Creek Road, Strathalbyn Code Amendment
 Future Urban
 Level 1/74 Pirie Street ADELAIDE SA 5000

3.3 What changes to the Code Amendment can my feedback influence?

Aspects of the Code Amendment which stakeholders and the community can influence are:

- Whether the Master Planned Township Zone is the most appropriate Zone for the Affected Area;
- Whether the investigations undertaken as part of the Code Amendment are sufficient to consider the impact of the rezoning on the surrounding area; and
- Whether the Overlays applied address key matters stakeholders would like to see future development meet.

Aspects of the project which stakeholders and the community cannot influence are:

- The geographic extent of the Code Amendment (i.e. the Affected Area);
- The residential intent of the Master Planned Township Zone; and
- The policy wording within the Planning and Design Code.

3.4 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 will be considered by the Designated Entity when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register and you will receive an email acknowledging receipt of your submission. 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 will consider the feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the SA Planning Portal.

3.5 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 key strategic planning considerations include (but are not limited to):

- Ensuring adequate land supply for Strathalbyn and the Fleurieu region;
- Infrastructure and services to support the future residential population;
- Identification of potential hazards, including bushfire and flooding, and the introduction of appropriate measures to mitigate risk;
- Potential traffic management interventions to support the additional traffic movements arising from future development; and
- Interface between different land uses.

The investigations undertaken for this Code Amendment address these matters. These investigations are discussed further in section 4.3.

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 considered to be consistent with the State Planning Policies 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 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. The Greater Adelaide Regional Plan is currently being prepared by the State Planning Commission. 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 4**.

4.1.4 Consistency with other key strategic policy documents

This Code Amendment aligns with other key policy documents in the following manner:

Table 4.1 *Other strategic documents relevant to the Code Amendment*

Other Relevant Documents	Code Amendment Alignment with Other Relevant Documents
Strategic Management Plan Alexandrina 2040 (Alexandrina Council)	<p>Key indicators from the Strategic Plan that are relevant to this Code Amendment are:</p> <ul style="list-style-type: none"> • Liveable – distinctive villages, places, spaces and transport networks to support active lifestyles, vibrant cultures and productive enterprise • Green – nature is valued and resources are managed sustainably • Connected – safe, healthy and enjoy accessible infrastructure and services <p>The Code Amendment investigations will ensure that the Affected Area, currently in the Deferred Urban Zone, is suitable for residential purposes, with the resulting zone to support an urban form and density consistent with the Council's Strategic Plan.</p>
Strathalbyn Town Plan 2014 – 2014	<p>The following Guiding Principles and corresponding actions are relevant to this Code Amendment:</p> <p><i>Guiding Principle 6: Residential growth will be managed within the existing township boundaries, so that good quality primary production is retained.</i></p> <p><i>Action 1: Recognise that there is currently in excess of a 10 year rolling supply of residentially zoned land in Strathalbyn.</i></p> <p><i>Action 2: In order to maintain this level of supply, undertake investigations on the current Deferred Urban Land resulting in an approved Residential Development Plan Amendment by 2018.</i></p> <p><i>Guiding Principle 10: Physical infrastructure will be designed and delivered in a timely manner to meet the needs of a growing community.</i></p> <p><i>Action 1: Undertake a Flooding Study prior to rezoning any of the Deferred Urban land for residential purposes.</i></p> <p>This Code Amendment does not expand the township boundaries, as defined by the 'Planned Urban Lands by 2045' boundary or the EFPA boundary, ensuring the retention of primary production land to the west.</p> <p>Since this Plan was adopted (2014), the Council has rezoned other land for residential purposes.</p> <p>In relation to flooding, the Designated Entity has arranged for a flood study which confirms that flooding in a 1 in 100 year event is confined to Dawson Creek.</p>

4.2 Infrastructure Planning

An Infrastructure and Servicing Report has been prepared by WGA, which is included at **Appendix 7**.

A summary of the infrastructure planning relevant to this Code Amendment is provided in Table 4.2.

Table 4.2 *Infrastructure Planning Relevant to this Code Amendment*

Council Infrastructure Planning	Response/Comment
Stormwater	Any future development of the Affected Area will need to manage stormwater in a manner consistent with the Planning and Design Code and the Council's requirements.
Wastewater	<p>Council have confirmed that the following works will be required to manage wastewater resulting from any future development within the Affected Area:</p> <ul style="list-style-type: none"> • A new pump station; and • A new rising main to the existing main on the corner of Mill Street and West Terrace.
Roads	<p>An upgrade of Old Bull Creek from Archer Court to the western boundary of the Affected Area will be necessary.</p> <p>In addition, the speed limit will need to be reviewed for this portion of Old Bull Creek Road, with a view to extend to the 50 km/hr area.</p> <p>No access will be provided to Frencham Lane and limited access will be provided to Abbotts Lane.</p>
Government Agency Infrastructure Planning	Response/Comment
N/A	<p>No State Agency infrastructure needs to be augmented to support the rezoning of the Affected Area.</p> <p>The traffic investigations have confirmed that no upgrade works are required to the intersections with West Terrace (a State Maintained Road).</p>
Other Infrastructure	Response/Comment
Water Supply (SA Water)	SA Water have confirmed that extensions to the existing water mains will be required to service the Affected Area. No concerns have been noted with respect to servicing the land.
Electricity (SA Power Networks)	SA Power Networks (SAPN) have confirmed the extent of works required in order to provide electricity to the Affected Area. No concerns have been noted with respect to servicing the land.
Communications (NBN)	NBN have confirmed that there is an abundance of infrastructure in the area and have not raised any concerns with respect to servicing the Affected Area.

Other Infrastructure	Response/Comment
Gas (APA Group)	There is no existing gas transmission infrastructure within the vicinity of the Affected Area. The Affected Area may need to be serviced by a standard household tank arrangement.

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 following investigations have been undertaken to inform this Code Amendment:

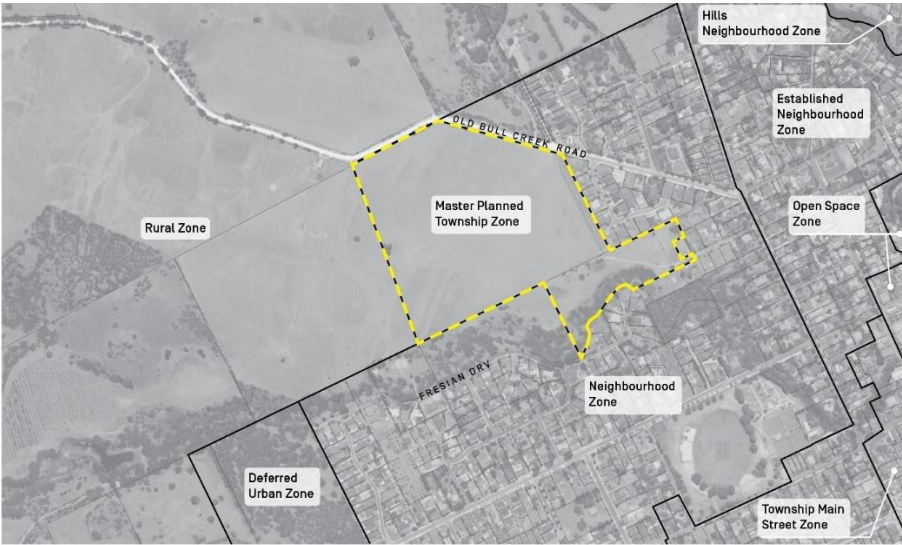
- Land Supply Analysis, prepared by Fyfe in March 2019, included as **Appendix 5**;
- A Residential Supply and Demand Analysis, prepared by Future Urban in December 2023, included as **Appendix 6**;
- Infrastructure and Servicing Report prepared by WGA, included as **Appendix 7**;
- Traffic Investigations prepared by MFY, included as **Appendix 8**;
- A review of the interface between the future residential uses in the proposed Zone and the agricultural uses in the Rural Zone;
- A review of the Land Management Agreement (LMA) to the east of the land;
- A desktop review of flora and fauna on the site, including the map which shows the location of nationally rated species in the vicinity of the site at **Appendix 9**;
- Consider the application of policy to ensure the character of the existing township is maintained/enhanced;
- Strathalbyn Deferred Urban DPA potential site contamination assessment; and
- Taa wika – Cultural Heritage Database and Register Search.

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

Investigation	Outcomes/Recommendations
<p><i>Land Supply Analysis Strathalbyn March 2019 (Fyfe)</i></p>	<p>The report considers the potential role of land at Strathalbyn in helping to meet future housing demand for the local region and the greater Adelaide area.</p> <p>The land supply analysis concluded that a prudent estimate of annual allotment demand in Strathalbyn township is 72 to 82 allotments per annum.</p> <p>At the time of the assessment (2019), the analysis concluded that there was 12.5 to 14.3 years of zoned residential land supply within Strathalbyn, which is less than the 15-year benchmark.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>An additional Residential Supply and Demand Analysis has been undertaken to review and update the findings from this analysis, noting that additional land has been rezoned for residential purposes since this analysis was undertaken. The findings of the new analysis are summarised below.</p>
<p><i>Residential Supply and Demand Analysis</i></p>	<p>An updated residential land supply and demand analysis has been undertaken to build on the findings of the 2019 Land Supply Analysis, utilising more recent data.</p> <p>The analysis confirmed that the Strathalbyn township has experienced strong population growth between 2011 and 2021, increasing by 1417 people in this time (an annual rate of 2.2%) and it is expected that the population will continue to grow between 1.4% and 2.3% over the next 20 years.</p> <p>Accordingly, residential land supply will need to accommodate between 110 and 181 additional people per annum for the next 20 years. At an average number of 2.3 to 2.4 people per household, there will be demand for between 46 and 79 dwellings per annum to 2041.</p> <p>There is currently capacity to accommodate up to 623 dwellings on vacant or approved allotments within the township. In addition, should land owners decide to develop their land, there may be capacity to accommodate a further 400 to 564 dwellings on proposed or potential allotments. Cumulatively, this results in a total capacity of 1,023 to 1,187 allotments within Strathalbyn.</p> <p>Based on the forecast demand of up to 79 dwellings per annum, the existing residential land supply is likely to be exhausted within 12.9 to 15.0 years.</p> <p>The strategic documents reviewed in section 3 of this report confirm that there should be at least 15 years residential land supply and it is evident that the existing residential land supply is currently at risk of being exhausted in less than 15 years.</p> <p>Rezoning the Affected Area will allow for the potential development of a further 107 to 168 allotments (in addition to the 92 to 128 potential allotments that could be accommodated on the land already zoned for residential purposes). This will extend the residential land supply by 1.4 to 2.1 years based on the above consumption rates.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>The Code Amendment is rezoning land for residential purposes to meet demand for housing within Strathalbyn.</p>

Investigation	Outcomes/Recommendations
	<p>Recommended Policy Change</p> <ul style="list-style-type: none"> • Apply the Master Planned Township Zone to the Affected Area which enables the development of the land for residential purposes. • Apply the Affordable Housing Overlay to the Affected Area.
<p><i>Infrastructure and Servicing Report</i></p>	<p>The Infrastructure and Servicing Report confirms that the Affected Area can be serviced with respect to stormwater, wastewater, water supply, electricity and communications. However, there is no existing gas transmission infrastructure within the vicinity of the Affected Area. The Affected Area may need to be serviced by a standard household tank arrangement.</p> <p>For more information, a copy of the Infrastructure and Servicing Report was included as Appendix 7.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>Table 3 of the Master Planned Township Zone identifies which policies apply to the assessment of land division applications. These policies include the following with respect to infrastructure provision:</p> <ul style="list-style-type: none"> • Zone Policies: <ul style="list-style-type: none"> ○ Coordinated and Orderly Development PO 2.1, PO 2.2 ○ Open Space PO 4.1, PO 4.2 ○ Concept Plans PO 14.1 • General Development Policies <ul style="list-style-type: none"> ○ Land Division [All land division [Infrastructure]] PO 4.1, PO 4.2, PO 4.3, PO 4.4, PO 4.5, PO 4.6 ○ Land Division [Major Land Division (20+ Allotments) [Open Space]] PO 9.1, PO 9.2, PO 9.3 ○ Land Division [Major Land Division (20+ Allotments) [Water Sensitive Design]] PO 10.1, PO 10.2. <p>The above policies work together to ensure that infrastructure provision occurs within the Affected Area. In addition, Part 9 of the <i>Planning Development Infrastructure (General) Regulations 2017</i> enforces minimum standards for some infrastructure associated with land division applications.</p> <p>The above policies do not wholly enforce the delivery of infrastructure external to the Affected Area. As a result, separate Infrastructure Agreements and/or alternative funding arrangements are required for the delivery of infrastructure external to the land. The above investigations indicate that no upgrades will need to occur for stormwater, wastewater, water supply, electricity and communications external to the land. Accordingly, no Infrastructure Agreement is required for these purposes.</p> <p>Recommended Policy Change</p> <p>No policy change required.</p>

Investigation	Outcomes/Recommendations
Traffic Investigations	<p>The Affected Area has access to both Old Bull Creek Road and Abbots Lane. The traffic investigations confirm that:</p> <ul style="list-style-type: none"> • Access to the site is proposed via Old Bull Creek Road and two access points will be required. • Upgrades to Old Bull Creek Road will be required between Archer Cour and the western boundary of the Affected Area to provide safe and convenient access. • A reduced speed limit of 50 km/h should be considered for Old Bull Creek Road to the north of the Affected Area. • Old Bull Creek is winding which limits the locations that safe access can be provided (i.e. access that meets the Safe Intersection Sight Distance). • An analysis of the traffic impact on the Old Bull Creek Road/West Terrace/Manse Road/North Parade intersection, confirmed that the increased traffic volume would not exceed the operating capacity of the intersection and therefore, no upgrade works are required to this intersection. • The increased traffic volume resulting from future development within the Affected Area (should the Code Amendment be approved) will not exceed the operating capacity of these roads and therefore, upgrades are not required to the surrounding road network (except for Old Bull Creek Road as mentioned above). • Abbots Lane has a number of constraints, including limited pavement width, no foot paths, narrow verges and sight distance constraints. Therefore, it is not desirable to increase traffic volumes on that road. <p>How are these investigations addressed by the Code Amendment?</p> <p>Table 3 of the Master Planned Township Zone identifies which policies apply to the assessment of land division applications. These policies include the following with respect to infrastructure provision:</p> <ul style="list-style-type: none"> • General Development Policies Land Division [All land division [Roads and Access]] 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 3.10 <p>The above policies work together to ensure that the provision of roads occurs within the Affected Area. In addition, Part 9 of the <i>Planning Development Infrastructure (General) Regulations 2017</i> enforces minimum standards for new roads associated with land division applications.</p> <p>The above policies do not wholly enforce the delivery of road and intersection upgrades external to the Affected Area. As a result, separate Infrastructure Agreements and/or alternative funding arrangements are required for the delivery of infrastructure external to the land. This requires ongoing discussion with Council with the Infrastructure Agreements to be finalised prior to the authorisation of the Code Amendment.</p>

Investigation	Outcomes/Recommendations
	<p>Recommended Policy Changes</p> <p>Apply a Concept Plan which shows:</p> <ul style="list-style-type: none"> • Safe and convenient access locations on Old Bull Creek Road • That vehicle access should be limited to Abbotts Lane. <p>In addition, the Designated Entity will need to enter into an Infrastructure Agreement with the Council regarding upgrades to the portion of Old Bull Creek Road directly to the north of the Affected Area.</p>
<p><i>Interface Management</i></p>	<p>The Affected Area shares a boundary with the Rural Zone to the north and west, as shown below:</p>  <p>Plan Production: 15/01/2021</p> <p>The Rural Zone seeks to protect, support and maintain the productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution. As a result, a wide range of land uses are anticipated within the Zone, including:</p> <ul style="list-style-type: none"> • Agricultural building • Brewery • Cidery • Commercial forestry • Dam • Distillery • Farming • Horse keeping • Horticulture • Industry

Investigation	Outcomes/Recommendations
	<ul style="list-style-type: none"> • Low intensity animal husbandry • Renewable energy facility • Shop • Tourist accommodation • Transport distribution • Warehouse • Winery • Workers' accommodation <p>Given the wide variety of land uses anticipated within this Zone, it is possible that a conflict may arise between the residential land uses anticipated within the proposed Master Planned Township Zone and the Rural Zone, unless the interface between these Zones is appropriately managed. Accordingly, the Code Amendment needs to ensure that the future development of the Affected Area will not encroach upon the ongoing use of the Rural Zone for farming activities and ensure that there are appropriate mechanisms are in place to manage this interface.</p> <p>The Master Planned Township Zone (the 'proposed Zone') includes the following policy:</p> <p><i>Performance Outcome 12.2: Development provides an appropriate transition with the existing township and the interface with rural land.</i></p> <p>Notwithstanding this, it is acknowledged Table 3 of the proposed Zone, does not apply this policy to the assessment of land divisions or dwellings.</p> <p>It is also noted that the Code includes an Interface Management Overlay which includes one policy to manage the interface at Zone boundaries, which states:</p> <p><i>Performance Outcome 1.1: Sensitive receivers are carefully sited and designed to mitigate adverse impacts of hazards, noise, dust, odour, light spill or other emissions from existing legally operating land uses through design techniques such as:</i></p> <ol style="list-style-type: none"> <i>a) locating residential accommodation the greatest distance practicable from the source of the impacts</i> <i>b) locating buildings containing non-sensitive receivers between the source of the impacts and sensitive receivers</i> <i>c) placing rooms more sensitive to air, noise and odour impacts (e.g. bedrooms) further away from the source of the impacts</i> <i>d) providing private or common open space adjacent a building elevation that shields the space from the source of the impacts.</i> <p>However, Table 3 of the Zone does not apply this policy to the assessment of land divisions and does apply these policies to detached dwellings.</p>

Investigation	Outcomes/Recommendations
	<p>The proposed Zone does include the following policy, which is applicable to the assessment of land divisions:</p> <p><i>Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 – Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development, provision of infrastructure and the location of new activity centres.</i></p> <p>As a result, a combination of the following policy outcomes will ensure that the interface between the Rural Zone and the proposed Master Planned Township Zone are considered as part of the assessment of any future land division or dwelling application:</p> <ul style="list-style-type: none"> • Include an Interface Management Area on the Concept Plan; and • Apply the Interface Management Overlay within 30 metres of the western boundary of the Affected Area. <p>How are these investigations addressed by the Code Amendment?</p> <p>The Code Amendment includes both an Interface Management Area on the Concept Plan and the Interface Management Overlay adjacent the Rural Zone boundary, to ensure this interface is considered as part of any future assessment.</p> <p>Recommended Policy Change</p> <ul style="list-style-type: none"> • Include an Interface Management Area on the Concept Plan; and • Apply the Interface Management Overlay within 30 metres of the western boundary of the Affected Area.
<p><i>Land Management Agreement</i></p>	<p>Land Management Agreements are registered over two areas directly to the east of the Affected Area. These LMAs have been reviewed to ensure any future development of the Affected Area does not compromise these LMAs.</p> <p>The first LMA applies to the allotments along Frencham Lane. This LMA seeks to prevent these allotments from any further subdivision.</p> <p>This Code Amendment does not change the policies that apply to these allotments and therefore, will not compromise this LMA.</p> <p>The second LMA applies to Allotments 200 to 203 Abbots Lane. This LMA includes provisions protecting private stormwater infrastructure which is situated on Allotment 200 Abbots Lane and services the remaining allotments.</p> <p>The Code Amendment will not affect this stormwater infrastructure and will be required to manage its stormwater within the Affected Area or within the capacity of the existing Council-owned stormwater infrastructure. Therefore, the Code Amendment will not compromise this LMA.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>It has been confirmed that the Code Amendment will not compromise the obligations of the LMAs that apply to adjacent land.</p>

Investigation	Outcomes/Recommendations
	<p>Recommended Policy Change</p> <p>No policy change recommended.</p>
<p><i>Desktop Flora and Fauna Investigations</i></p>	<p>A desktop investigation has occurred to identify any State or Nationally Rated Flora or Fauna within the vicinity of the Affected Area which may be affected by the Code Amendment. This investigation has included:</p> <ul style="list-style-type: none"> • A review of the Biological Databases of South Australia Super Tables which are maintained by the Department of Environment and Water (DEW) and have been created to deliver South Australian flora and fauna species observations; and • A review of the Statewide Native Vegetation Floristic Areas database maintained by DEW. <p>This review has confirmed that:</p> <ul style="list-style-type: none"> • There has been no State or Nationally Rated Flora or Fauna observed within the Affected Area; • There has been one Nationally Rated Fauna species identified within 70 metres of the Affected Area; • There has been one Nationally Rated Fauna species which has been observed in Dawsons Creek in the vicinity of the site; and • There was no native vegetation identified within the Affected Area within the Native Vegetation Floristic Areas database. However, it should be acknowledged that this dataset does not include all extant native vegetation present in the State due to the limitations of the mapping methodology and there may still be some native vegetation within the Affected Area. <p>The Nationally Rated Fauna species which was observed within 70 metres of the site is the Crimson Rosella (bird). This species was sighted in 1985 and whilst the Crimson Rosella does not have a national conservation rating¹, at least one of the subspecies has been given a conservation rating, which is why it has been recorded.</p> <p>The Nationally Rated Fauna species observed within Dawson Creek is the Southern Pygmy Perch (fish). The species was sighted in 2004 and is identified as a vulnerable species.</p> <p>The Code Amendment will rezone land that is in the vicinity of the habitats of the above Nationally Rated Fauna. It is also noted that there may be native vegetation on the land. Accordingly, the Code Amendment should ensure that the policies applied include protections for this habitat.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>The Native Vegetation Overlay continues to apply to the land and seeks to protect native vegetation and habitat within the Affected Area.</p>

¹ The national conservation ratings include: VU = Vulnerable, EN = Endangered, CR = Critically Endangered, EX = Extinct. Endangered Species.

Investigation	Outcomes/Recommendations
	<p>Recommended Policy Change</p> <p>No policy change proposed, noting that the Native Vegetation Overlay already applies to the whole of the Affected Area and will continue to apply to the whole of the Affected Area.</p>
<p><i>Consider the application of policy to ensure the character of the existing township is maintained</i></p>	<p>The State Planning Commission has requested the Designated Entity to consider the application of policy to ensure the character of the existing township is maintained/enhanced.</p> <p>The following policies are applicable within the Master Planned Township Zone:</p> <p><i>Desired Outcome 2: Development complementary to existing township settlement patterns, adjacent rural landscapes and natural features.</i></p> <p><i>Performance Outcome 1.1: Diverse housing choices with compatible recreational, community services and other activities to support a growing community and create a pleasant place to live that complements the established township development pattern.</i></p> <p><i>Performance Outcome 12.2: Development provides an appropriate transition with the existing township and the interface with rural land.</i></p> <p>The above policies are considered to guide future development in manner that ensures that the character of the township is maintained.</p> <p>A review has been undertaken of policies that apply to the Strathalbyn township with respect to protecting the character of the township for new residential developments:</p> <ul style="list-style-type: none"> • The Gateway Overlay has not been applied to any entries into the township; • No Character Area Overlays apply within the township, however the Historic Area Overlay applies within the Established Neighbourhood Zone and the Township Main Street Zone; • Only one Concept Plan applies within Strathalbyn (Concept Plan 113 Strathalbyn North). This Concept Plan does not contain any landscape buffers along the township edge or character maintenance techniques; and • The Master Planned Township Zone has been applied to another development within Strathalbyn (the Hickinbotham Aurora Estate). <p>How are these investigations addressed by the Code Amendment?</p> <p>The policies contained within the Master Planned Township Zone are sufficient to guide the assessment of the future development of the land, with respect to the character of the existing township.</p> <p>Recommended Policy Change</p> <p>No policy change recommended.</p>

Investigation	Outcomes/Recommendations
<p><i>Strathalbyn Deferred Urban DPA potential site contamination assessment</i></p>	<p>An assessment was undertaken as part of the Strathalbyn Deferred Urban DPA to analyse the potential risk of site contamination.</p> <p>An analysis of aerial photography taken as far back as 1947 showed that the subject land (that includes the Affected Area) has been used solely for extensive grazing and/or, to a lesser extent, cropping (likely fodder). No more intensive agricultural uses are evident and so the likelihood of contamination is very low.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>The Code Amendment will ensure that any future development for residential purposes demonstrates that the land is suitable for residential purposes through:</p> <ul style="list-style-type: none"> • Applying the Master Planned Township Zone which requires all land division applications to address Site Contamination Performance Outcome (PO) 1.1 which states '<i>ensure land is suitable for use when land use changes to a more sensitive use</i>' • The continued application Part 9.1 of the Planning and Design Code which ensures a that referral to the Environment Protection Authority (EPA) will occur for land divisions where assessment of site suitability is necessary; and • The continued application of <i>Practice Direction 14: Site Contamination Assessment</i>. <p>The relevant Code policy and practice direction 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 to site contamination.</p> <p>Given the likelihood of contamination was low, it is expected that the land is suitable for residential purposes and therefore, no further investigations are proposed as part of the Code Amendment.</p> <p>Recommended Policy Change</p> <p>No policy change is required.</p>
<p>Taa wika – Cultural Heritage Database and Register</p>	<p>A Taa Wika Cultural Heritage Database and Register Search has been undertaken and no known Aboriginal sites or objects were identified as a result of this search.</p> <p>In the event that places or items of Aboriginal significance are identified in the future, the <i>Aboriginal Heritage Act 1988</i> will continue to protect these places and items.</p> <p>How are these investigations addressed by the Code Amendment?</p> <p>No further action is required as part of the Code Amendment.</p> <p>Recommended Policy Change</p> <p>No policy change is recommended.</p>

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

4.3.2 Recommended policy changes

Following is a list of the recommended policy changes which are proposed in response to the investigations undertaken in support of this Code Amendment:

- Apply the Master Planned Township Zone to the Affected Area which enables the development of the land for residential purposes.
- Apply the Affordable Housing Overlay to the Affected Area.
- Apply the Interface Management Overlay within 30 metres of the western boundary of the Affected Area.
- Apply a Concept Plan which shows:
 - » Safe and convenient access locations on Old Bull Creek Road;
 - » That vehicle access should be limited to Abbotts Lane; and
 - » An Interface Management Area on the Concept Plan.