

# EVANSTON PARK CODE AMENDMENT

## 550-554 MAIN NORTH ROAD, EVANSTON PARK

### WHAT IS A CODE AMENDMENT?

The Planning and Design Code (the Code) contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development proposals.

A Code Amendment is a proposal to change the policies, rules, or mapping within the Code, which can change the way that future developments are assessed.

Code Amendments must be prepared according to certain processes set out by legislation (the *Planning, Development and Infrastructure Act 2016* and associated Regulations).

Code Amendments may be undertaken by a range of entities including the State Planning Commission, the Chief Executive of the Department for Trade and Investment, local councils, state agencies or people who have an interest in land.

### WHAT IS THE PLANNING AND DESIGN CODE?

The Planning and Design Code contains the policies that guide what can be developed in South Australia. Planning authorities use the Code to assess development proposals.

The Code can be viewed here: <https://code.plan.sa.gov.au/>

### WHO CAN I CONTACT ABOUT THE CODE AMENDMENT?

If you have questions about the Code Amendment you can contact Belinda Monier on (08) 8221 5511 or by emailing [engagement@futureurban.com.au](mailto:engagement@futureurban.com.au).

If you require translation services, please follow the link or scan the QR Code • Se hai bisogno di servizi di traduzione, segui il link o scansiona il codice QR • إذا كنت بحاجة إلى خدمات الترجمة ، فيرجى اتباع الرابط أو مسح رمز الاستجابة السريعة ضوئيًا ('iidha kunt bihajat 'iilaa khadamat altarjamat, fayurjaa aitibae alraabit 'aw mash ramz aliaistijabat alsarieat dwyyan)



### THIS DOCUMENT PROVIDES INFORMATION ON:

» The Affected Area .....	1	» Protecting residential amenity .....	6
» The current and proposed zoning .....	2	» Noise	
» Why the Code Amendment is being proposed .....	3	» Overshadowing	
» Visual appearance .....	4	» Privacy	
» Trees .....	5	» Light spill	
		» Stormwater and Flooding .....	7
		» Traffic .....	7
		» Next Steps .....	8

### WHERE WILL THE CODE AMENDMENT APPLY?

The Code Amendment will apply to 550 – 554 Main North Road, Evanston Park (Affected Area), shown below.



**CURRENT ZONE** | **LEGEND**  
— Affected Area Boundary    **—** Zone Boundary

# WHAT IS BEING PROPOSED?

## CURRENT ZONING

The land is currently in the General Neighbourhood Zone.

## WHAT COULD BE DEVELOPED UNDER THE CURRENT ZONING?

The General Neighbourhood Zone envisages low and medium density housing as well as some employment and community facilities. Land uses which are anticipated within the current Zone include:

- » Community facility
- » Consulting room or office
- » Dwellings
- » Educational establishment, including a school, college, university or technical institute
- » Office
- » Place of Worship
- » Pre-school
- » Recreation area
- » Residential flat building
- » Retirement facility
- » Shop
- » Student accommodation

If it was developed for low density residential purposes under the current Zoning, the land could accommodate 60 to 70 allotments.

## WHAT ARE THE KEY CHANGES?

- » Rezone to the Employment Zone
- » A building height policy which anticipates development up to 13 metres
- » Apply a Concept Plan with:
  - » signalled access location from Main North Road
  - » building exclusion zone
  - » landscaping
  - » location of acoustic treatments
- » Separate commitment not to develop a fast food restaurant or retail fuel outlet on the Affected Area
- » Separate commitments in relation to developer contributions in respect to external stormwater/flood management infrastructure.

## WHAT IS BEING PROPOSED AND WHAT DOES THIS MEAN?

The Code Amendment seeks to rezone the land from the General Neighbourhood Zone to the Employment Zone. If approved, this would change the types of land uses which are anticipated on the Affected Area.

Some of the land uses that are anticipated in the Employment Zone are:

- » Consulting room
- » Indoor recreation facility
- » Place of Worship
- » Research facility
- » Service trade premises
- » Shop, including bulky goods outlets
- » Store
- » Office
- » Training facility
- » Warehouse

The Designated Entity has committed not to develop the Affected Area with a fast food restaurant or retail fuel outlet.



**PROPOSED ZONE** | **LEGEND**  
— Affected Area Boundary    **—** Zone Boundary

# WHAT IS BEING PROPOSED?

CONTINUED...

## WHY IS THE CODE AMENDMENT BEING PROPOSED?

The Town of Gawler has experienced strong population growth over the last 10 years and this is expected to continue. To sustain the growing population, **land for employment generating uses and job creation is essential.**

A Land Supply Study was completed to understand:

- » how much land is available for residential and employment purposes in the Town of Gawler; and
- » consider the impact of rezoning on land supply for each of these purposes.

The Land Supply Study identified that:

- » the Town of Gawler has sufficient land for residential growth, without relying on this land;
- » all existing employment land supply will be used within the next 5 to 9.5 years and there is no planned supply for growth; and
- » this represents a shortage as the 30 Year Plan for Greater Adelaide expects a 15 year supply of land to be available to allow enough time to rezone and develop land, before releasing it for sale.

The land is currently occupied by the Vadoulis Garden Centre. Given the existing use, location and size of the land, potential exists to develop the land for additional employment generating uses, without competing with the established centres in the area, including the Murray Street precinct within the heart of Gawler.

## WHY HAS THIS LOCATION BEEN SELECTED FOR THE CODE AMENDMENT?

There is demand for large format employment generating land uses and a lack of suitable alternate land within the Town of Gawler which has access to a primary arterial road.

The land is a significant size and notwithstanding the General Neighbourhood Zoning has been used for employment generating uses for more than 50 years.

More specifically, the Vadoulis Garden Centre activities include the sale of plants, outdoor furniture, BBQs, homewares, gifts and a café, including take away food. The Code Amendment will introduce zoning in accordance with its current use and ensure that the land in this location will continue to be used for employment generating purposes.

## HAS A FINAL DEVELOPMENT/ TENANT BEEN DETERMINED?

The Code Amendment is not a development application and hence there is no specific end occupier of the land confirmed.

Any proposed future development will be required to obtain development approval. In the Employment Zone, any proposed shop where the site of the shop is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone will be subject to public notification. Therefore, if a shop is proposed as part of a development application, the application will undergo public notification and you will have an opportunity to comment on the proposal at that time.

## 550-554 MAIN NORTH ROAD, EVANSTON PARK

### POPULATION GROWTH

2011 - 2021:  
**4,452**

2021 - 2036:  
**12,258**

### EMPLOYMENT LAND



**Current:**  
Employment land will run out in **5 - 9.5 years**



**Rezoning:**  
Employment land will be secured for **9.5 - 15.5 years**

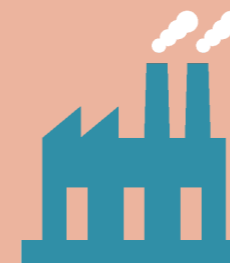
### POSITIVES OF REZONING



Increasing existing employment land supply within the Town of Gawler



Redevelopment of the land is estimated to ensure 175 ongoing jobs



Retain land currently used for employment purposes<sup>1</sup>



Attract and retain the working age population

<sup>1</sup> Based on the study completed by Ethos Urban, available here: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments) and <https://www.futureurban.com.au/engagement>

# VISUAL APPEARANCE & AMENITY

## WHAT WILL A FUTURE DEVELOPMENT LOOK LIKE IF THIS CODE AMENDMENT IS APPROVED?

The Employment Zone includes planning policies that any future development on the Affected Area will be expected to meet. These include the following:

*Development achieves distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.*

*Building facades facing a boundary of a zone primarily intended to accommodate residential development, public roads, or public open space incorporate design elements to add visual interest by considering the following:*

- using a variety of building finishes*
- avoiding elevations that consist solely of metal cladding*
- using materials with a low reflectivity*
- using techniques to add visual interest and reduce large expanses of blank walls including modulation and incorporation of offices and showrooms along elevations visible to a public road.*

## WHAT HEIGHT MIGHT THE FUTURE DEVELOPMENT BE?

The Code Amendment allows for buildings up to 13 metres in height. The current zone allows for buildings up to 9 metres in height.

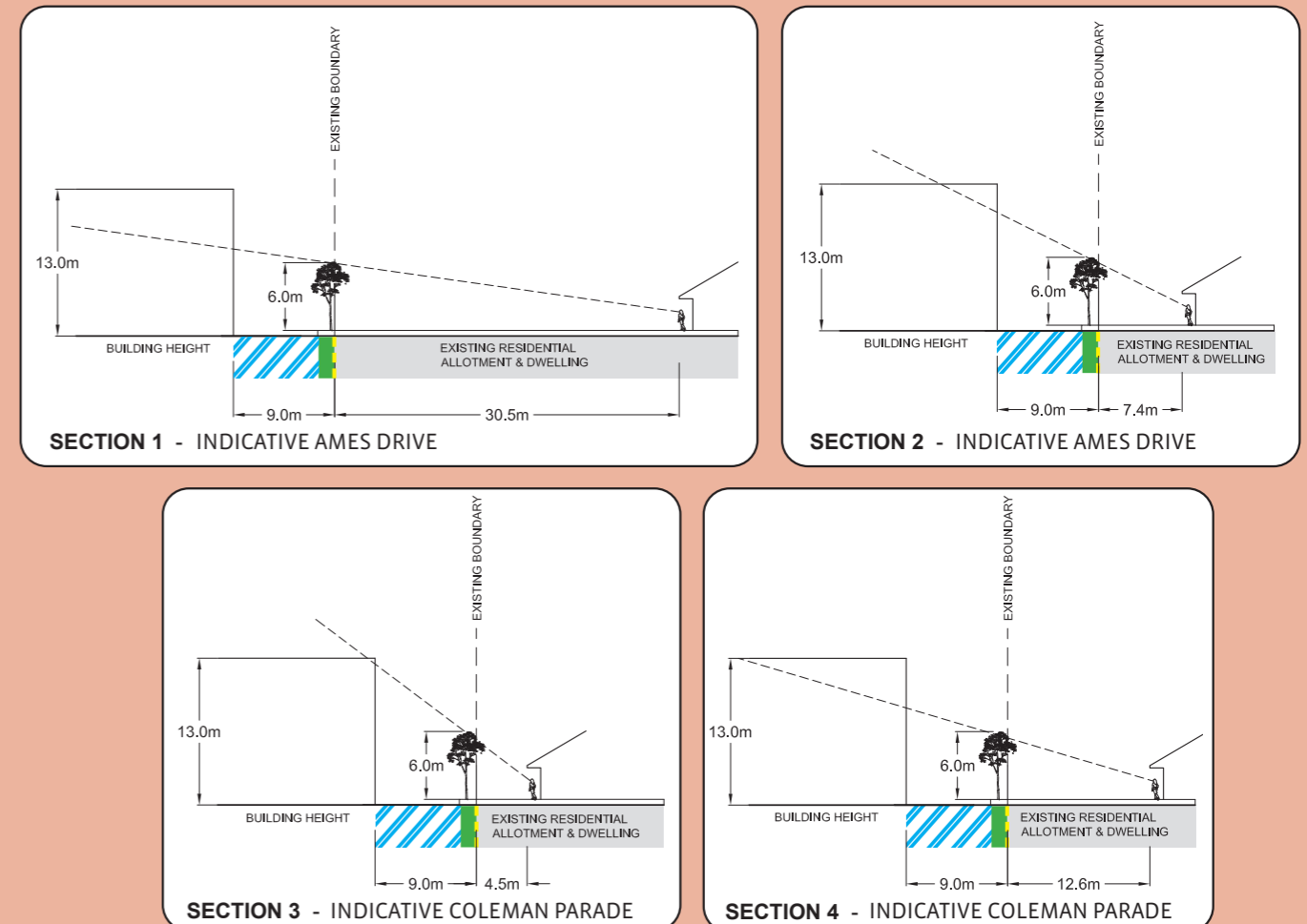
## WILL FUTURE BUILDINGS BE VISIBLE FROM MY HOME?

The Code Amendment includes a Concept Plan that includes a landscaping area and 'building exclusion area' to **minimise** the visibility of any future development from neighbouring properties. This Concept Plan is shown on page 5.

The size of the landscaped area and 'building exclusion area' shown on the Concept Plan is based on high level investigations of the likely visibility of future built form building from neighbouring properties.

The investigations use the policy criteria to plot building height, landscaping and 'building exclusion zone' on the Affected Area and the relationship to neighbouring dwellings through section drawings.

## SECTIONS DEMONSTRATING INTERFACE WITH ADJOINING RESIDENTIAL:



These investigations suggested that the following measures would minimise the visibility and visual impact of a 13 metre building from neighbouring properties:

- » a 3 metre wide landscaping buffer with 6 metre tall landscaping;
- » an acoustic barrier on the boundary; and
- » a 9 metre 'building exclusion area'.

Other factors that would reduce visual impact from future development include:

- » a future building that is less than 13 metres in height; or
- » a future building setback from the boundaries further than 9 metres from the boundary.

# VISUAL APPEARANCE & AMENITY

## CONTINUED...

### WHAT WILL HAPPEN TO THE EXISTING TREES?

A review of the existing vegetation on the Affected Area has been undertaken and identified there were existing regulated and significant trees on the Affected Area.

Future development of the Affected Area will need to have regard to the existing trees and the relevant planning policies contained in the Regulated and Significant Tree Overlay in determining whether existing trees are to be retained or are suitable for removal. A Land Management Agreement has specifically nominated four trees for retention in accordance with a request from Council.

### HOW WILL FUTURE DEVELOPMENTS MANAGE NOISE IMPACTS

Technical investigations have been undertaken to consider the environmental noise criteria that would result from the proposed Code Amendment.

Establishment of an Employment Zone will result in noise criteria consistent with the recommendations of the World Health Organisation Guidelines. Compliance with these levels will prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area as part of a future development of the Affected Area.

The Code contains several policies to ensure non-residential development does not unreasonably impact the amenity of residential neighbours. This includes policies in relation to noise and hours of operation. These policies are provided below.







In addition to the policies contained in the Code, the Designated Entity has committed to several additional measures to minimise noise. An acoustic barrier will be provided on the boundary of the Affected Area where it adjoins residential uses. This noise barrier is likely to be in the form of a solid fence. A landscaped buffer and building exclusion area will also be provided in accordance with the proposed concept plan (see below).

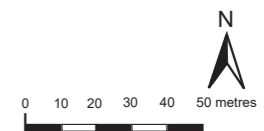
### CONCEPT PLAN

As a commitment to ensure any future development minimises amenity impacts to adjacent neighbours, a concept plan has been developed. The concept plan includes an acoustic barrier, landscaping and building exclusion area. Should the Code Amendment be approved, the concept plan will be incorporated into the Code and will be used in assessment of future development proposals.

### CONCEPT PLAN:



-  Concept Plan Boundary
-  No vehicle access
-  Landscaping (minimum depth of 1.5 metres)
-  Acoustic barrier (on boundary)
-  Building Exclusion Area (9 metres from boundary)
-  Signalised vehicle access



**Concept Plan #**  
**MAIN NORTH ROAD**

## WHAT CODE POLICIES MANAGE AMENITY IMPACTS?

There are a number of planning policies within the Code that will apply to future development<sup>2</sup> on the Affected Area the purpose of which are to manage and mitigate amenity impacts on adjoining residential development, these include, but are not limited to<sup>3</sup> (summarised):

<b>LAND USE COMPATIBILITY</b>	<i>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</i>
<b>HOURS OF OPERATION</b>	<p><i>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</i></p> <ul style="list-style-type: none"> <li><i>a) the nature of the development</i></li> <li><i>b) measures to mitigate off-site impacts</i></li> <li><i>c) the extent to which the development is desired in the zone</i></li> <li><i>d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.</i></li> </ul>
<b>OVERSHADOWING</b>	<p><i>Overshadowing of habitable room windows of adjacent residential land uses in:</i></p> <ul style="list-style-type: none"> <li><i>a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight</i></li> <li><i>b) other zones is managed to enable access to direct winter sunlight.</i></li> </ul> <p><i>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</i></p> <ul style="list-style-type: none"> <li><i>a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight</i></li> <li><i>b) other zones is managed to enable access to direct winter sunlight.</i></li> </ul> <p><i>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</i></p> <ul style="list-style-type: none"> <li><i>a) the form of development contemplated in the zone</i></li> <li><i>b) the orientation of the solar energy facilities</i></li> <li><i>c) the extent to which the solar energy facilities are already overshadowed.</i></li> </ul>

<sup>2</sup> Not all policies apply to all development, but these policies will generally apply to most development proposed for the Affected Area.

<sup>3</sup> Relevant planning policies from the Code are contained in Appendix 13 of the Code Amendment Report, available here: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments) and <https://www.futureurban.com.au/engagement>

## NOISE

*Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*

*Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:*

- a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- c) housing plant and equipment within an enclosed structure or acoustic enclosure*
- d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.*

*External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.*

## PRIVACY

*Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.*

*Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.*

## LIGHT SPILL

*External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers.*

# STORMWATER, FLOODING & VEHICLE ACCESS

## HOW WILL STORMWATER BE MANAGED?

The Designated Entity has committed to ensuring that stormwater generated from a future development of the Affected Area will not exceed pre-development flows. This will be achieved through the provisions of onsite detention basins stimulated as part of a Land Management Agreement (LMA) to be entered into between the Town of Gawler and Designated Entity.<sup>4</sup>

## HOW WILL FLOODING BE MANAGED?

The Designated Entity has committed to contributing to the Town of Gawler's longer term flood management strategy. The nature of the contribution is being considered, but will comprise either:

- » installation of flood mitigation infrastructure; or
- » a financial contribution towards the flood management strategy / infrastructure.<sup>5</sup>

Further investigations are being undertaken to determine the nature of the contribution. Final details will form part of an LMA to be entered into with the Town of Gawler, prior to determination of the Code Amendment.

<sup>4</sup> Stormwater and flood management investigations undertaken by FMG Engineering, available here: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments) and <https://www.futureurban.com.au/engagement>

<sup>5</sup> Stormwater and flood management investigations undertaken by FMG Engineering, available here: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments) and <https://www.futureurban.com.au/engagement>

## WHAT VEHICLE ACCESS IS PROPOSED?

Traffic investigations have been undertaken for the Code Amendment. These investigations have recommended a new signalised access be provided from Main North Road to the Affected Area.<sup>6</sup> The indicative location of this signalised intersection is shown on the concept plan.

The proposed signalised access location has been negotiated in conjunction with the Town of Gawler and the Department of Infrastructure and Transport (DIT). The access arrangements seek to ensure that future development:

- » is provided with access to and from Main North Road exclusively, not the surrounding local street network;
- » is provided with safe and convenient traffic movements from Main North Road; and
- » will have minimal impact on the adjacent local street network, with no access to the land from Sherriff Street.

There is currently an access point from Sheriff Street which allows local residents to access the Vadoulis Garden Centre. This access point will be closed and formally reinforced through Code policy in the concept plan.

<sup>6</sup> Traffic investigations undertaken by MFY, available here: [https://plan.sa.gov.au/have\\_your\\_say/code-amendments](https://plan.sa.gov.au/have_your_say/code-amendments) and <https://www.futureurban.com.au/engagement>

# NEXT STEPS

## WRITTEN SUBMISSIONS.

Engagement on the Code Amendment commences on Monday, 30 January 2023 and comments are invited until 5:00pm on Sunday, 12 March 2023 through either:

- » The SA Planning Portal at [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations) (link and QR Code is also provided in the attached notice); or
- » By email to [engagement@futureurban.com.au](mailto:engagement@futureurban.com.au); or
- » By post addressed to:  
Attn: Belinda Monier  
550-554 Main North Road, Evanston Park Code Amendment  
Future Urban  
Level 1 / 74 Pirie Street  
ADELAIDE SA 5000

## WHAT CAN BE INFLUENCED IN THE CODE AMENDMENT?

Through the Code Amendment process a Designated Entity is limited in what it can influence or change ('the negotiables') and cannot influence or change ('the non-negotiables') in the Code.

## WHAT YOU CAN INFLUENCE & WHAT WE WANT TO KNOW FROM YOU?

As part of this consultation, we would like you to tell us:

- » Whether you believe the Employment Zone is the most appropriate Zone for the Affected Area.
- » Whether you believe the investigations undertaken as part of the Code Amendment are sufficient to consider the impact of the rezoning on the surrounding area.
- » Whether you believe the Overlays, 'Technical and Numeric Variations' and Concept Plan to be applied through the Code Amendment address key matters stakeholders would like to see future development on the Affected Area meet.

## WHAT CANNOT BE INFLUENCED OR CHANGED?

- » The Affected Area identified (geographic context) for the Code Amendment.
- » The employment expectations of the Employment Zone.
- » The policy wording within the Code, only existing policy wording can be utilised and we cannot draft new policy wording.

## WHAT WILL HAPPEN WITH YOUR 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 outlining what was heard during consultation and how the proposed Code Amendment was changed in response to submissions received.

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

You may also be asked to complete a short survey in relation to your engagement experience.

## DECISION ON THE CODE AMENDMENT.

Once the Engagement Report and Code Amendment Report have been finalised and provided to the Minister, the Commission may provide further advice to the Minister.

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). The Commission will provide the Committee with a report on the Code Amendment, including the engagement undertaken and its compliance with the Community Engagement Charter.