

PROPOSAL TO AMEND THE PLANNING & DESIGN CODE

Flemington Street Code Amendment

By Adelaide Hebrew Congregation Inc, Belljo Pty Ltd and Flemington Street Pty Ltd

Proponent: Adelaide Hebrew Congregation Inc, Belljo Pty Ltd and Flemington Street Pty Ltd

Date 29 October 2020

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.

MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date: 15.2.21

1 INTRODUCTION

- 1.1 Designated Entity
- 1.2 Rationale for Amendment

2 SCOPE OF CODE AMENDMENT

- 2.1 Affected Area
- 2.2 Scope of Proposed Amendment

3 STRATEGIC ALIGNMENT AND INVESTIGATIONS

- 3.1 Alignment of Investigations to State Planning Policies
- 3.2 Consideration of Regional Plans
- 3.3 Consideration of other relevant documents
- 3.4 Infrastructure provision

4 THE CODE AMENDMENT PROCESS

- 4.1 Engagement to Date
- 4.2 Code Amendment Process
- 4.3 Timetable

ATTACHMENTS:

- **Area Affected**

1 INTRODUCTION

Pursuant to section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act) the **Adelaide Hebrew Congregation Inc, Belljo Pty Ltd and Flemington Street Pty Ltd** are proposing a Code Amendment in relation to land located at 13 Flemington Street Glenside

The Adelaide Hebrew Congregation Inc are the owners and occupiers of the property at Unit 1/13 Flemington Street, Glenside which contains the Synagogue and associated facilities, and Belljo Pty Ltd and Flemington Street Pty Ltd are the owners of the former Massada College (Primary School) at Unit 2/13 Flemington Street, Glenside.

This proposal details the scope, relevant strategic and policy considerations, nature of investigation to be carried out and the timeframes to be followed in preparing the Amendment.

The purpose of this Proposal to Initiate is to seek the Minister for Planning's (the Minister's) agreement to commence a Code Amendment. It is understood that the Minister may also specify conditions on approving this initiation.

1.1 Designated Entity for Preparing the DPA (Private Proponent)

Adelaide Hebrew Congregation, Belljo Pty Ltd and Flemington Street Pty Ltd requests that pursuant to section 73(4)(a) it be the designated entity responsible for conducting the Code Amendment process.

The person who will retain full control over the Code Amendment process and decision making responsibilities in accordance with the Act and receive all official documents relating to this Code Amendment is:

Lou Fantasia

Lou Fantasia Planning Pty Ltd

PO Box 472 Marden SA 5070

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This person has a planning qualification (planning qualification, date achieved) and significant experience (amount of years) in the areas of planning policy preparation and land use investigations.

A separate company will be employed for the purposes of preparing the engagement and ensuring engagement accords with the Community Engagement Charter.

It is understood however, the Minister may decide that the Chief Executive of the Attorney General's Department prepare the DPA. The proponent is willing to pay for the reasonable costs associated with this.

1.2 Rationale for the Amendment

The proposed zoning under the new Planning and Design Code as Community Facilities Zone is considered inappropriate as the one of the key land uses of the land that underpinned the creation of existing Mixed Use (Glenside) Policy Area 4 ie a school, is now obsolete, and therefore the current policy area provisions are redundant.

We submit that the land should be rezoned to allow for residential development. It should note that the change from Community Facilities Zone to either Innovation Zone or more preferable the Housing Diversity Neighbourhood Zone will not compromise or erode the existing use rights enjoyed by the synagogue.

The primary school closed over 7 years ago and the congregation sought expressions of interest to reopen the school or divide and sell the school land for its existing uses as a school with the Synagogue being retained on a separate allotment. No enquiries or submissions were received for the use of the land as a school. All enquiries were for the potential use of the land from residential use since it is within a primarily residential area. The land to the north and south of the site is residential in land use. While the land to the east is institutional/commercial, and the land to the west is part of the Glenside Mental Health precinct (SA Health), itself largely residential in nature.

The Education Department, Catholic Education South Australia, Independent Schools Association and several private schools including child care and pre-school providers have been contacted to ascertain their interest in the former school site. They all indicated that there was no demand or justification for either a child care centre, kindergarten or primary school in the area, citing that the area was already well served by educational facilities both public and private, and its isolated location and poor accessibility.

The subject site is a 'land locked' with only a driveway frontage to Flemington Street and potentially totally surrounded by residential development and therefore is more suited to residential development compatible with surrounding development than community facilities.

The zoning of the entire land holding should be changed to land either the Innovation Zone or Housing Diversity Neighbourhood Zone. We acknowledge that the change of zoning to residential will not compromise the existing use rights current enjoyed by the Synagogue.

2 SCOPE OF THE CODE AMENDMENT

2.1 Affected Area

The proposal seeks to amend the Code for the area described as Glenside within the City of Burnside.

Refer to Attachment A for a location map.

2.2 Scope of Proposed Amendments

Site 1- Name

Current Policy¹	<p>Burnside Development Plan <i>Mixed Uses (Glenside) – Mixed Uses (Glenside) Policy Area 2 and Mixed Uses (Glenside) Policy Area 4</i></p> <p><u>Draft Phase 3 (Urban Areas) Code</u> Community Facilities Zone and Innovation Zone)</p> <p><u>Overlays</u></p> <ul style="list-style-type: none"> • Heritage Adjacency • State Heritage Place • Airport Building Heights (regulated) • Regulated Trees • Prescribed Wells Area • Hazards (Flooding- General)
Amendment Outline	<i>Medium density residential</i>
Intended Policy / Amendment Outline	<p><i>Rezone Community Facilities Zone to Housing Diversity Neighbourhood Zone. TNVs envisaged at this stage subject to further consideration</i></p> <p><i>Building Heights Maximum metres 9.0 metres</i></p> <p><i>Building Heights (Storeys) – 2 storeys</i></p> <p><i>Min Site area/dwelling 250m²</i></p> <p><i>Minimum Frontage</i></p> <p>Consideration of applicability to other overlays:</p> <ul style="list-style-type: none"> • Affordable housing

3 STRATEGIC ALIGNMENT AND INVESTIGATIONS

Proposed Code Amendments occur within a state, regional and local strategic setting and are

Refer to the *Amending the Planning and Design Code – Scope by Proponent Type* for guidance on the parameters for amending the Code

https://plan.sa.gov.au/data/assets/pdf_file/0006/679173/Guide_to_the_online_Planning_and_Design_Code.pdf to understand the criteria for each layer.

grouped as follows:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents

¹ Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

For more complex proposals, it is recommended that you meet with Departmental representatives. In order to determine the strategic alignment, it may be necessary for investigations to occur at this stage.

Where there are significant government agency issues that may require investigation and discussion with other Government departments, the Attorney-General’s Department (AGD) may assist in convening these meetings.

3.1 ALIGNMENT OF INVESTIGATIONS TO STATE PLANNING POLICIES

The State Planning Policies (SPPs) set out the State’s overarching goals and requirements for the planning system. Pursuant to section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

This proposal should be initiated because it seeks to implement the following SPPs:

Relevant State Planning Policies (SPP)	How this proposed Code Amendment is aimed at achieving these SPPs:
<i>List 3-5 principles of the SPPs that are a key strategic objective for the Amendment.</i>	<i>What evidence do you have to demonstrate the demand or need?</i>
Urban renewal principles <ul style="list-style-type: none"> • Preference should be given to accommodating the expected growth of cities and towns through the logical consolidation and redevelopment of existing urban areas • Urban renewal should seek to make the best use (as appropriate) of underlying or latent potential associated with land, buildings and infrastructure. 	<i>The site of the former school is now underutilised since as there is no appetite or no demand for a school in the location since the school has been vacant for over 7 years. The surrounding land uses are predominantly residential in nature and the rezoning will enable infill housing in the short and medium term.</i>
High-quality design principles <ul style="list-style-type: none"> • Development should be designed to reflect the local setting and context, to have a distinctive identity that responds to the existing character of its locality, and strike a balance between built form, infrastructure and the public realm. • Cities and towns should be planned and designed to be well connected in ways that facilitate the safe, secure and efficient movement of people within and through them. 	<i>The character of the locality is predominately low to medium density residential with a mixed of single and two storey dwellings, The site has a hammerhead configuration with the existing buildings not be readily visible to Flemington Street The site provides an opportunity to further add to the residential mix of housing in the immediate areas and it will not negatively impact on local services and infrastructure.</i>
Activation and liability principles <ul style="list-style-type: none"> • Planning and design should promote mixed use neighbourhoods and buildings that support diverse economic and social activities. • Urban areas should include a range of high quality housing options with an emphasis on living affordability. 	<i>The site will provide the opportunity to further expand the range and scale of housing in the local area that will assist in maintaining the viability of the nearby shopping, businesses and services along Glen Osmond Road and Fullarton Road.</i>
Investment facilitation principles <ul style="list-style-type: none"> • Planning and design should be undertaken with a view to strengthening the economic prosperity of the state and facilitating proposals that foster employment growth. 	<i>The development of the site will provide employment opportunities during the construction phase of the housing and ongoing through the servicing of that housing</i>

Identifying Investigations

To ensure that investigations meet the requirements of the State Planning Commission and government agencies, use the standard investigation table in the Code Amendment. This reference table will assist in identifying the investigations required to inform the proposal to amend the Code.

The table is divided into three parts to help guide the user in identifying relevant planning considerations:

- PART 1: Principles of Good Planning & State Planning Policies (SPPs)
- PART 2: Regional Plans
- PART 3: Other Planning Documents & Relevant Legislation.

Note: if an Overlay applies to the area that you are seeking to amend, this must be addressed as an investigation and will need to be identified as a relevant SPP.

In addition, the table below outlines what SPP principles are relevant to the proposed Amendment and the investigations that will be undertaken, or have been undertaken, to ensure the issue has been addressed and is consistent with the SPPs.

Investigation to be/has been undertaken.	Further explain the issue, particularly where the issue may significantly influence the proposal's consideration e.g. native vegetation cover.	Relevant State Planning Policies
Review of infrastructure service provisions to ensure that future low to medium density residential development can be appropriately serviced.	<i>The site is well served with all infrastructure and services required for future housing. Further investigations are needed to ascertain if they are adequate or require upgrading</i>	1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities
Investigation of potential vehicle traffic impacts arising from increased development potential and any access/road network improvements required	<i>The local road network is well established with access to local connector Conningham Street and arterial road Glen Osmond Road being through narrow local street. Traffic impact assessment need to ensure the local network can accommodate the additional traffic.</i>	1.8 Mixed-use development around activity centres, public transport nodes and strategic transit corridors to encourage greater use of active transport options such as walking, cycling and public transport.

Investigation of potential pedestrian and cyclist needs and connections arising from the residential development of the land.	<i>Accessibility to and from nearby shopping, services and community facilities for pedestrians and cyclists within be investigated</i>	1.9 Plan neighbourhoods to support walking and cycling, particularly in Greater Adelaide and regional townships.
Review of the locality's stormwater capacity and determine if any specific policy guidance is required for the affected area arising from the residential development of the land	<i>The additional internal roads and housing will increase the impermeability of the site and stormwater runoff. Review to include incorporation of water sensitive design principles</i>	14.5 Development should incorporate water sensitive urban design principles that contribute to the management of risks to water quality and other risks (including flooding) to help protect people, property and the environment and enhance urban amenity and liveability. 14.6 Support development that does not adversely impact on water quality. 14.7 Improve the alignment between urban water management and planning by adopting an integrated water management approach.
Identification of the location and capacity of social infrastructure to accommodate the future residential development of the land.	<i>Review of the location of community services and facilities within the surrounding area and the new Glenside development</i>	
Identification of the location and capacity of public open space.	<i>Mapping of existing and proposed public open space</i>	2.10 Facilitate development that positively contributes to the public realm by providing active interfaces with streets and public open spaces.
Identification of any Significant and Regulated Trees on the affected area	<i>Need to understand if there are any Significant or regulated trees on the site and whether they will impact on the redevelopment for housing</i>	
Investigations associated with possible land contamination and subsurface water contamination from past, present and surrounding uses.	<i>Site history review is necessary as a precautionary measure even though the land was used for a sensitive land use ie primary school.</i>	15.2 Locate and design development in accordance with a risk hierarchy of 'avoid', 'accommodate' and 'adapt'. 15.3 Avoid locating sensitive developments and communities in areas at high risk of hazards – namely hospitals, telecommunication towers, major transport infrastructure, energy base stations and water services – or ensure that these developments are subject to a higher level of assessment. 15.2 Locate and design development in accordance with a risk hierarchy of 'avoid', 'accommodate' and 'adapt'.

		15.3 Avoid locating sensitive developments and communities in areas at high risk of hazards – namely hospitals, telecommunication towers, major transport infrastructure, energy base stations and water services – or ensure that these developments are subject to a higher level of assessment.
Consideration of potential interface issues that may arise	<i>Review of the possible further use of non-residential buildings along Conningham Street to the east</i>	16.1 Protect communities and the environment from risks associated with industrial emissions and hazards (including radiation) while ensuring that industrial and infrastructure development remains strong through: <ul style="list-style-type: none"> a) supporting a compatible land use mix through appropriate zoning controls b) appropriate separation distances between industrial sites that are incompatible with sensitive land uses c) controlling or minimising emissions at the source, or where emissions or impacts are unavoidable, at the receiver.
<i>SPP 1 Integrated Planning</i>	<i>Integrated planning will assist to align local services and</i>	1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.
<i>SPP 2 Design Quality</i>	<i>The incorporation of good design principles to create an environment and sense of place to meet the needs of future residents.</i>	2.1 Promote best practice in the design of buildings, places and the public realm by applying the principles of Good Design (Figure 3). 2.2 Promote best practice in access and inclusion planning in the design of buildings and places by applying the principles of Universal Design (Figure 4), Crime Prevention Through Environmental Design and Access and Inclusion. 3 The development of environmentally sustainable buildings and places by applying Water Sensitive Urban Design and energy efficiency design solutions 2.8 Recognise the unique character of areas by identifying their valued physical attributes in consultation with communities.

		<p>2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.</p> <p>2.10 Facilitate development that positively contributes to the public realm by providing active interfaces with streets and public open spaces.</p> <p>2.11 Manage the interface between modern built form of different scales with more traditional dwelling forms, including through the management of streetscape character, access to natural light, visual and acoustic privacy, massing and proportions.</p> <p>2.12 Create design solutions for infill development that improves the relationship between buildings and public spaces, and the interface with neighbours.</p>
<i>SPP 3 Adaptive Reuse</i>	<i>The existing school building is obsolete and dilapidated and cannot be economically be adapted or redeveloped for an alternative use. It required demolition to facilitate the redevelopment of the underutilised</i>	3.1 Remove barriers and encourage innovative and adaptive reuse of underutilised buildings and places to inspire urban regeneration, stimulate our economy and unlock latent investment opportunities.
<i>SPP 5 Climate Change</i>	<i>The design and layout of the road will consider trees and landscaping and water sensitive design with housing design and built to meet minimum 6 Star energy standards.</i>	<p>2. 1 Create carbon-efficient living environments through a more compact urban form that supports active travel, walkability and the use of public transport.</p> <p>5.3 Facilitate climate-smart buildings to reduce our demand for water and energy</p>
<i>SPP 6 Housing Supply and Diversity</i>	<i>The provision of new housing will need to consider designs and layouts that improve the range of diversity of accommodation to increase wider housing choices in the area.</i>	<p>6.1 A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.</p> <p>6.2 The timely supply of land for neighbourhoods.</p> <p>6.3 Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and</p>

		<p>infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities.</p> <p>6.6 A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.</p> <p>6.7 Facilitate the provision of Affordable Housing through incentives such as planning policy bonuses or concessions (e.g. where major rezonings are undertaken that increase development opportunities).</p> <p>6.8 Ensure a minimum of 15% of new housing in all significant developments that meets the criteria for affordable housing.</p> <p>6.9 Apply universal and adaptable housing principles in new housing stock to support changing needs over a lifetime, including the needs of those who are less mobile.</p>
<i>Spp 11 Strategic Transport Infrastructure</i>	<i>Consideration of the density of the new development balanced between the desired and existing character of the area, and close proximity to public transport on Glen Osmond Road.</i>	11.11 Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn and high frequency bus routes
<i>SPP14 Water Security and Quality</i>	<i>Consideration of internal roads and dwellings to minimise the potential for off- site impacts such as flooding, and provide a high living amenity for future residents.</i>	14.5 Development should incorporate water sensitive urban design principles that contribute to the management of risks to water quality and other risks (including flooding) to help protect people, property and the environment and enhance urban amenity and livability.
<i>SPP15 Natural Hazards</i>	<i>Ensure no risk to health and safety of future residents.</i>	<p>15.2 Locate and design development in accordance with a risk hierarchy of 'avoid', 'accommodate' and 'adapt'.</p> <p>15.3 Avoid locating sensitive developments and communities in areas at high risk of hazards – namely hospitals, telecommunication towers, major transport infrastructure, energy base stations and water services – or ensure that these developments are subject to a higher level of assessment</p>

3.2 CONSIDERTATION OF REGIONAL PLANS

As with the SPPs the directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development in a region and include consideration of land use integration, transport infrastructure and the public realm.

What are the current Regional Plans?

The State Planning 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 ‘*What are Regional Plans?*’ on the Regional Plans and Joint Planning Arrangements page of the PlanSA Portal.

Note: where there is conflict between a Regional Plan and an SPP, the SPP will prevail.

The 30-YEAR PLAN FOR GREATER ADELAIDE volume of the Planning Strategy is relevant for this Code Amendment.

Relevant Regional Plan and Priorities Identified Notes: <ul style="list-style-type: none"> • do not need to identify priorities that repeat an SPP • focus on any spatial information. 	How will this proposed Code Amendment achieve the priorities identified in the relevant Regional Plan?
<p><i>Transit corridors, growth areas and activity centres</i></p> <p>P1 Deliver a more compact urban form by locating the majority of Greater Adelaide’s urban growth within existing built-up areas by increasing density at strategic locations close to public transport. (Map 2).</p> <p>P2 Increase residential and mixed use development in the walking catchment of:</p> <ul style="list-style-type: none"> · strategic activity centres* · appropriate transit corridors · strategic railway stations <p>P3 Increase average gross densities of development within activity centres and transit corridor catchments from 15 to 25 dwellings per hectare to 35 dwellings per hectare.</p> <p>P4 Ensure that the bulk of new residential development in Greater Adelaide is low to medium rise with high rise limited to the CBD, parts of the Park Lands frame, significant</p>	<p>The new zoning will provide for a built form that underpins activity and will complement the existing character of the area.</p> <p>The greater population and visitors to the area will support the retail, commercial and community facilities and services in the area.</p> <p>It will provide an increased residential population to support community activities and vibrancy</p>

<p>urban boulevards, and other strategic locations where the interface with lower rise areas can be managed.</p> <p>Design Quality</p> <p>P25 Encourage urban renewal projects that take an all-inclusive approach to development by including streetscapes, public realm, public art and infrastructure that supports the community and responds to climate change.</p> <p>P26 Develop and promote a distinctive and innovative range of building typologies for residential housing which responds to metropolitan Adelaide's changing housing needs, reflects its character and climate, and provides a diversity of price points.</p> <p>P29 Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and provides active interfaces with streets and public open spaces.</p> <p>P31 Recognise the unique character of areas by identifying their valued physical attributes.</p> <p>P32 Encourage higher density housing to include plantable space for trees and other vegetation where possible.</p> <p>Housing mix, affordability and competitiveness</p> <p>P36 Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</p> <p>P37 Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas, including: ancillary dwellings such as</p>	<p>The rezoning will be advantageous as it will provide a new land form with an improved aesthetic</p> <p>The proposal will provide for a range of dwellings to support a diverse community</p> <p>The rezoning will provide an additional residential population to support public transport, local schools, clubs, community services and the like. This will make the entire community more sustainable, cohesive and resilient as it will have enhanced critical mass.</p> <p>The residential use of the land is compatible with the community's best interests. Increased population will add to the critical mass to support increased services and facilities, add to the vibrancy of the area generally and provide for a residential population that will contribute to the sense of community.</p>
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granny flats, laneway and mews housing

- dependent accommodation such as nursing homes
- assisted living accommodation
- aged-specific accommodation such as retirement villages
- small lot housing types
- in-fill housing and renewal opportunities.

P39 Promote universal and adaptable housing principles in new housing stock to support changing needs over a lifetime, including the needs of those who are less mobile.

P43 Increase the supply of affordable housing through the provision of 15 per cent affordable housing in all new significant developments. These developments include surplus and residential government land projects; declared major developments and projects; and rezoned land that increases dwelling yield (including all new growth areas).

P44 Enable and encourage the provision of affordable housing through linking incentives, including the benefits of rezoning such as planning policy bonuses or concessions to new affordable housing supply.

P45 Promote affordable housing in well located areas close to public transport and which offers a housing mix (type and tenure) and quality built form that is well integrated into the community.

Transport

P77 Ensure that new housing (and other sensitive land uses) permitted in locations adjacent to airports and under flight paths or near major transport routes (road, rail and tram) mitigates the impact of noise and air emissions.

The removal of school related traffic from the area will improve road safety and the amenity of the locality.

<p>Infrastructure</p> <p>P86 Ensure that new urban infill and fringe and township development are aligned with the provision of appropriate community and green infrastructure, including: walking and cycling paths and facilities</p> <ul style="list-style-type: none"> · local stormwater and flood management including water sensitive urban design · public open space · sports facilities · street trees · community facilities, such as child care centres, schools, community hubs and libraries. <p>Climate Change</p> <p>P105 Deliver a more compact urban form to: protect valuable primary production land</p> <ul style="list-style-type: none"> · reinforce the Hills Face Zone, character preservation districts and Environment and Food Production Areas · conserve areas of nature protection areas · safeguard the Mount Lofty Ranges Watershed · reduce vehicle travel and associated greenhouse gas emissions. <p>P107 Increase the proportion of low-rise, medium-density apartments and attached dwellings to support carbon-efficient living.</p> <p>P112 Provide the opportunity for neighbourhood-level alternative energy supplies, which may include embedded and distributed renewable energy, co-generation and smart grid/green grid technology.</p> <p>P113 Promote energy efficiency, the use of renewable energy sources and neighbourhood level alternative energy supplies and storage in new developments to reduce</p>	<p>The residential use of the site will reduce conflict of school related traffic in a dead-end narrow street and the local road network.</p> <p>Increase opportunity for tree planting within the internal road network</p> <p>New residential housing to be development to enhance sustainability and energy efficiency.</p>
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<p>energy costs and carbon footprint.</p> <p>Water</p> <p>P115 Incorporate water-sensitive urban design in new developments to manage water quality, water quantity and water use efficiency and to support public stormwater systems.</p>	<p>Opportunities will be created to better manage stormwater through the reuse of water on site and within dwellings.</p>
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3.3 CONSIDERATION OF OTHER RELEVANT DOCUMENTS

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment and/or directly to the Area Affected and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to this proposed initiation:

Documents	How this proposed Code Amendment will be informed by content in the relevant document:
<i>Nil</i>	

3.4 INFRASTRUCTURE PROVISIONS

A detailed overview of infrastructure provisions that may relate to the scope of the proposed Code Amendment, are provided in the Standard Investigations Table.

If infrastructure cannot be provided through standard augmentation and resolved through the development application process, the proponent will be required to undertake further investigations and negotiation with the infrastructure provider. Any Agreements entered into for infrastructure provision will need to be in place prior to approval of the Code Amendment.

The following investigations have been undertaken in regard to infrastructure provision for this rezoning:

No specific infrastructure planning (social or physical) for the Area Affected was identified in Council’s Strategic Directions Report.

The proponents have undertaken preliminary area investigations associated with the proposed rezoning. The investigations have found that physical infrastructure requirements relevant to the redevelopment of the land for dwelling are likely to be limited to any associated services/utilities and road infrastructure costs and ordinarily these costs will be borne by the developers at the time of the actual development or as agreed prior to receipt of Development Plan Consent.

The preliminary investigations involved discussions with for following authorities:

- SA Water Potable water and sewers;
- South Australian Power Networks -Electricity;
- APA Group -Gas;
- National Broadband Network – Communications; City of Burnside.

The following references were utilised to identify the existing services in the area:

- South Australia Property and Planning Atlas;
- Dial before you Dig;

Further investigations are planned to be undertaken on the following matters: refer to investigations listed under 3.1.

At this stage it is unlikely that an infrastructure agreement/s will be required to be entered in connection with the Code Amendment process.

4 CODE AMENDMENT PROCESSES

4.1 ENGAGEMENT TO DATE

In accordance with Practice Direction 2, the City of Burnside has been consulted on this proposal. Council by letter dated 27 February 2020 has stated it would support a change to the state Planning & Design Code to enable the residential development of the land. Refer to Attachment B

In summary the following issues were raised:

- The land encompassing the Adelaide Synagogue and the former Masada College lies within the Mixed Use (Glenside) Policy Area 4 which envisages educational establishments. It is my understanding that the existing zoning was likely written to reflect the existing uses of the land as a place of worship (the synagogue) and as an educational establishment (the former Masada College)
- The current Policy Area 4 provisions would have been beneficial for the synagogue and school as development applications would have been assessed against a zoning policy aimed towards the continuing use and protection of the place of worship and educational establishment uses of the land. However, the school use has been discontinued and there seems to be no demand for a replacement school; as such the zoning can be considered a hindrance to further avenues and future use.
- The new Community Facilities Zone does not allow for medium density residential development in a manner similar to the proposed surrounding zones.
- In the absence of the need for land for educational purposes, the most practical and sensitive use of the land would be for residential purposes. As it stands, unless there is a change in the zone, the land is essentially unable to be developed

In addition, the following engagement has also occurred on this proposal:

- ~ Education Department
- ~ Catholic Education South Australia
- ~ Independent Schools Association and
- ~ several private schools;
- ~ child care and pre-school providers

A summary of outcomes are as follows:

- There is no demand for additional educational facilities in the area especially primary school, kindergartens or child care centres

4.2 CODE AMENDMENT PROCESS

Understanding what has occurred in the consultation to date, will assist in the preparation of an Engagement Plan.

It is preferred that written advice is received from the Council and/or Regional Planning Board (emails from administration is fine) and attached to this document however it is understood that this is not always possible. If written advice has not been received then the Department may contact the Council and/or Regional Planning Board as part of assessing the proposal.

The Code Amendment process will occur in accordance with the Community Engagement Charter and Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument.

A consultant will be appointed to prepare an Engagement Plan prior to the commencement of engagement. This Engagement Plan will be considered by the State Planning Commission, together with the Section 73 Engagement Report, during the final stages of the amendment process.

The Engagement Plan will include the following:

- mandatory consultation requirements:
 - the Local Government Association must be notified in writing of the proposed rezoning and consulted.

For rezoning that have a specific impact on 1 or more particular pieces of land in a particular zone or subzone.

- The owners or occupiers of the land and owners or occupiers of each piece of adjacent land will be notified in writing of the proposed rezoning in accord with regulations 20 as follows:
 - identify the piece or pieces of land in relation to which the specific impact will apply
 - describe the impact
 - indicate where and when the relevant amendment to the Planning and Design Code may be inspected

- provide information about the consultation that is to occur under the Community Engagement Charter.

The following persons and agencies (at a minimum), would be consulted during the Code Amendment process:

- ~ City of Burnside
- ~ Education Department
- ~ Department for Infrastructure and Transport
- ~ Environment Protection Authority
- ~ Department for Communities and Social Inclusion
- ~ SA Health (Department for Health and Wellbeing)
- ~ SA Water
- ~ SA Power Networks
- ~ APA Group
- ~ NBN and other Telecommunications
- ~ Vickie Chapman MP Member for Bragg
- ~ David Pisoni MP Member for Unley
- ~ Directly adjoining property owners

All written and verbal, agency and public submissions made during the consultation phase will be recorded, considered, summarised and responses provided.

4.3 TIMETABLE

Adelaide Hebrew Congregation Inc, Belljo Pty Ltd and Flemington Street Pty Ltd are committed to achieve the timeframes outlined in the timetable below, which they believe to reasonable timeframes to complete each step. If a timeframe is exceeded an amended timetable with an explanation of the delay will be provided to the Attorney-General's Department to agree to an extension of time.

Code Amendments Timetable

Steps	Responsibility	Timeframes
Approval of the Initiation Proposal		
Assessment, and preparation of advice to Commission or delegate. Timeframe will be put on hold if further information is required.	AGD	4 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>

Steps	Responsibility	Timeframes
	Full Commission	+ 3 weeks
Proposal to Initiate agreed to by the Minister	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared The Drafting instructions and draft mapping provided to the AGD	Designated Entity	"Insert No. Weeks"
The AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	"Insert No. Weeks" [Can be left blank as it will be informed by Engagement Plan]
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	Designated Entity	"Insert No. Weeks" [[Can be left blank as it will be informed by Engagement Plan]
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD	Designated Entity	"Insert No. Weeks"
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks (includes 1 week to process through Minister's office)
	Full Commission	+ 3 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA Portal	AGD	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	AGD	8 weeks

Lfantasia

Lou Fantasia RPIA KCHS

Registered Planner

On behalf of Adelaide Hebrew Congregation Inc,
Belljo Pty Ltd and Flemington Street Pty Ltd

ATTACHMENT A

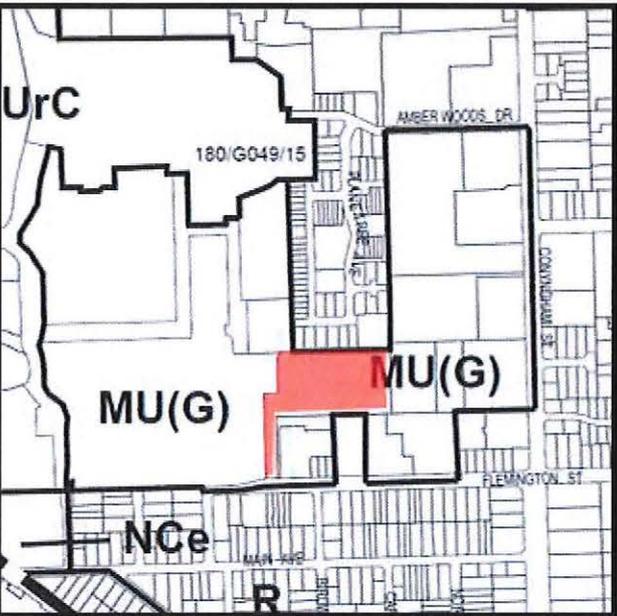
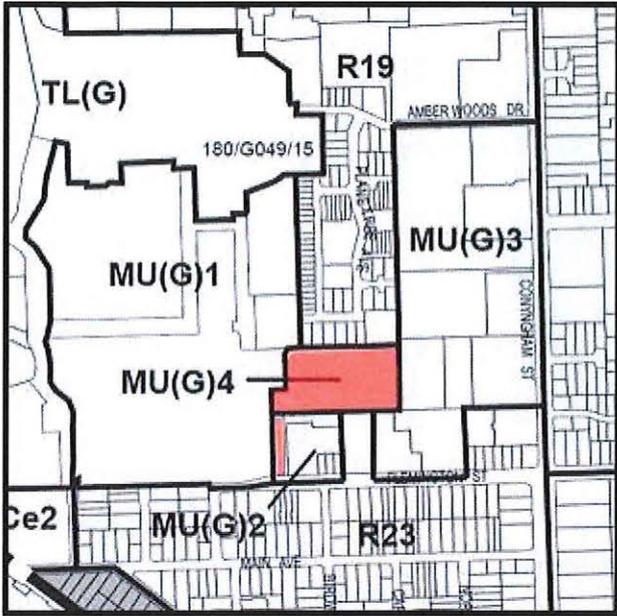
LOCATION MAP



Source SAPPA Cadastral Map

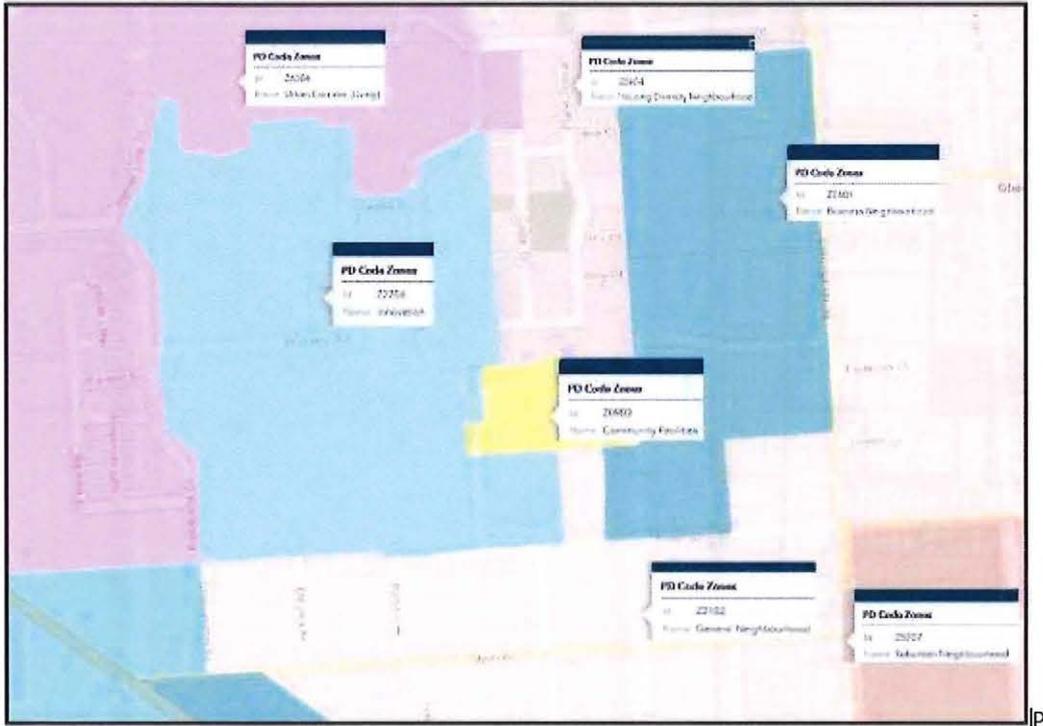


Source SAPPA Aerial photograph



Extract Zone Map/Bur/6

Extract Policy Area Map Bur/15



Planning & Design Code- Phase 3 -Zones



27 February 2020

The Honourable Stephan Knoll MP
Minister for Planning
GPO Box 1533
ADELAIDE SA 5001

SENT VIA EMAIL – ministerknoll@sa.gov.au

Dear Minister

ADELAIDE SYNAGOGUE and FORMER MASADA COLLEGE LAND (GLENSIDE)

The City of Burnside has been in discussions with the current and previous owners of the land incorporating the Adelaide Synagogue and the former Masada College. The land is adjacent the existing Adelaide Synagogue, the home of the Adelaide Hebrew Congregation and located at 13 Flemington Street, Glenside.

Following discussions, this letter is intended to accompany the submission that will be made to the State Government by the land owners in the context of the new Planning and Design Code. That submission will follow shortly. However, a copy is attached for your reference. The land owners are aware of this letter and are in effect, for all intents and purposes, co-signatories.

The land encompassing the Adelaide Synagogue and the former Masada College lies within the Mixed Use (Glenside) Policy Area 4 which envisages educational establishments. It is my understanding that the existing zoning was likely written to reflect the existing uses of the land as a place of worship (the synagogue) and as an educational establishment (the former Masada College).

At the time, this would have been beneficial for the synagogue and school as development applications would have been assessed against a zoning policy aimed towards the continuing use and protection of the place of worship and educational establishment uses of the land. However, the school use has been discontinued and there seems to be no demand for a replacement school; as such the zoning can be considered a hindrance to further avenues and future use.

The land to the north and south of the site is residential in land use. The land to the east is institutional/commercial, and the land to the west is part of the Glenside Mental Health precinct (SA Health), itself largely residential in nature.

The new owners of the former Masada College site wish to develop the site for medium density residential purposes. The current zoning of the land does not allow for this. Notwithstanding this, in the absence of the need for land for educational purposes, the most practical and sensitive use of the land would be for residential purposes. As it stands, unless there is a change in the zone, the land is essentially unable to be developed.

Post PO Box 9, Glenside SA 5065

Civic Centre 401 Greenhill Road, Tasmore SA 5065

Phone (08) 8366 4200 Fax (08) 8366 4299 Email burnside@burnside.sa.gov.au
www.burnside.sa.gov.au ABN 66 452 640 504

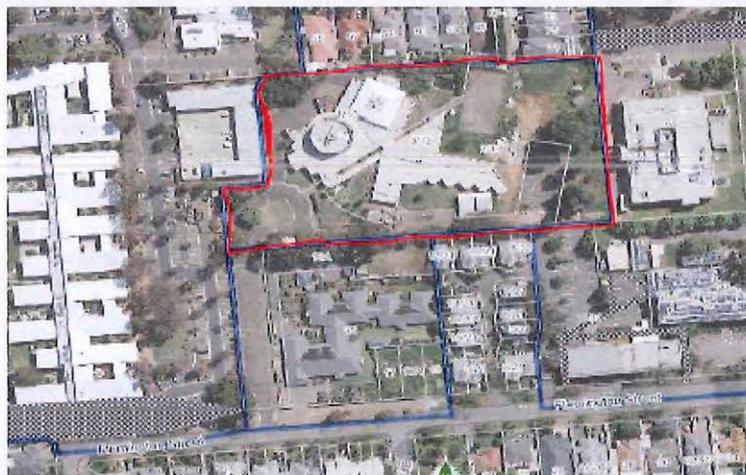
The owners of the land may seek that the Council progresses a 'developer funded' Development Plan Amendment to make the necessary changes to the zoning to facilitate residential development. This would likely take in excess of two years to effect changes to the Development Plan/ Planning and Design Code.

As a quicker alternative option, given the upcoming establishment and formalisation of the new Planning and Design Code, you may make the changes yourself, as the responsible Minister, as part of the Planning and Design Code introduction.

This change would be a 'benign' change to the planning rules and is less significant than many of the other amendments being proposed as part of the introduction of the State Planning and Design Code. This is a favoured option and the purpose of initiating this correspondence.

For the reasons outlined above, the Council would support a change to the State Planning and Design Code, allowing for the entirety of the land (incorporating the former Masada College and the Adelaide Synagogue) being rezoned for medium density residential purposes, consistent with other land in the vicinity. The graphic below shows the land in question subject to this request (bordered in red).

It would be appreciated if you could consider this request favourably in order to enable the orderly development of the land.



Thank you for taking the time to consider this matter.

Yours sincerely

Chris Cowley
Chief Executive Officer

CC: The Hon David Pisoni, Member for Unley