

INFORMATION REPORT

COUNCIL MEETING

25 October 2022

Strategy & Finance

Golden Grove Neighbourhood and Commercial Code Amendment (D22/182090)

In July 2021 Council received a request from YAS Property & Development (YAS) in collaboration with Villawood Properties requesting that Council initiate and lead a Code Amendment that would rezone the Rural Living Zone at Golden Grove (excluding 53 and 99 Crouch Road) to a Master Planned Neighbourhood Zone to enable the construction of approximately 1,500 new homes and approximately 3,900 residents over 10-15 years.

Council agreed to lead the investigations for rezoning and lodged a Proposal to Initiate a Council-led Code Amendment with the Minister for Planning for the above rezoning, to be funded by YAS. At around the same time, YAS lodged a Proposal to Initiate a developer-led Code Amendment with the Minister for Planning relating to 53 and 99 Crouch Road, Golden Grove to rezone these parcels from Rural Living Zone to a retail/commercial zone.

On 15 March 2022, YAS advised Council that they had requested the Minister for Planning to merge the two Code Amendments into one and that this would be led by YAS rather than by Council for a number of reasons.

On 22 March 2022, Council resolved to withdraw the original Proposal to Initiate the Golden Grove Rural Living to Neighbourhood-Type Zone Code Amendment if the Minister approved the developer-led Proposal to Initiate.

Over the last 13 months Council has received numerous reports and briefings from staff in relation to this Code Amendment, the latest being in August 2022.

On 6 October 2022, the Minister for Planning, the Hon Nick Champion advised Council that he had approved the Proposal to Initiate the developer-led and combined Golden Grove Neighbourhood and Commercial Code Amendment, with conditions. See Attachment 1.

Council staff have subsequently confirmed with the Minister that the original Council-led Proposal to Initiate the Golden Grove Rural Living to Neighbourhood-Type Zone Code Amendment should be withdrawn.

The key conditions imposed by the Minister are summarised as follows:

- Retention of a 300m “no development” buffer adjacent the quarry boundary. This buffer applies to both the proposed commercial and residential zones and its approximate location is shown in Figure 1.
- Air quality and noise monitoring on land within 300-500m of the quarry boundary to the satisfaction of the EPA
- Public engagement in relation to rezoning of land within the 300-500m radius can only occur with approval from Planning & Land Use Services (PLUS)
- Public engagement for rezoning of land beyond 500m of the quarry boundary may be undertaken at any time from now without the approval of PLUS
- Prior to approval of the Code Amendment all deeds and agreements regarding infrastructure have been executed to the satisfaction of all parties
- YAS to withdraw the developer-led Commercial/Retail Code Amendment
- Consultation with specified stakeholders and in accordance with the Community Engagement Charter.

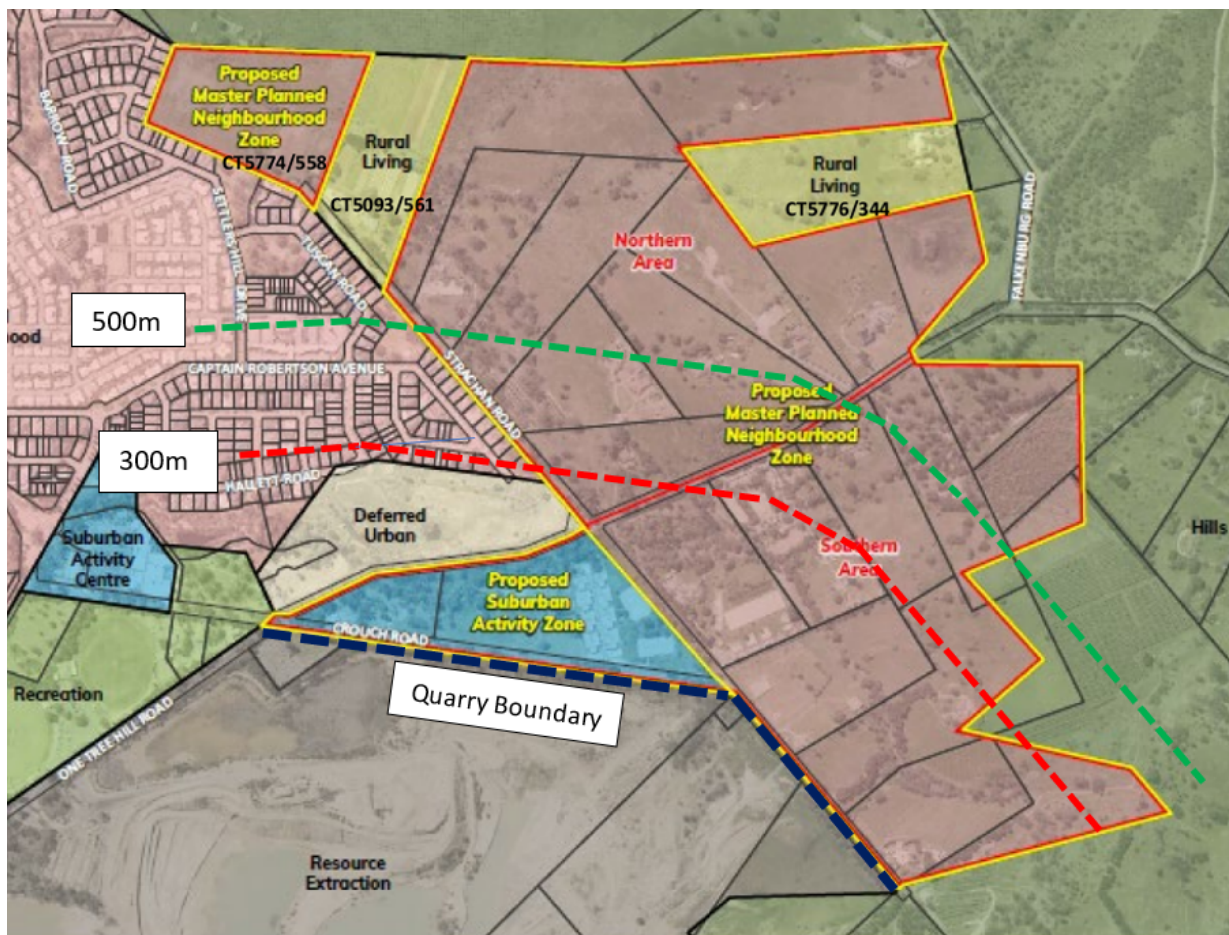


Figure 1: Approximate extent of 300m and 500m buffers from the quarry boundary

The Investigation Requirements for air quality and noise monitoring (Attachment 2) set out specific standards for modelling, testing and reporting and must include worst case scenarios to account for future mining activities that occur up to the boundary.

- Air quality testing:

- Needs to occur over a longer duration to account for the unusual weather conditions associated with the La Nina.
- Will occur over 12 months and include the summer of 2023/2024
- Will require a 90% data return rate.
- Noise modelling needs to:
 - Consider expected future operations at the quarry
 - Provide a detailed description of operations and the type and model of equipment used
 - Consider the situation where all potential extractive related activities are occurring concurrently
 - Clarify how a noise level of 50 dB(A) will be achieved outside dwellings at night if a sound mound is not granted development approval.

The Minister's condition regarding a "no development" buffer within 300m of the quarry boundary raises questions about the impact such a restriction may have on the development potential of other land located within 300m of the quarry boundary. Properties affected would include Harpers Field, 1447-87 Golden Grove Road (formerly Miller's), The Stables shopping centre, Tea Tree Gully Community Church, land owned by Fairland in the Deferred Urban Zone and existing residential properties.

Council staff will seek clarification from PLUS to better understand whether this condition is likely to impact on other land adjoining the quarry in the future.

Next steps

Council staff are currently liaising with the developers to understand how they propose to progress the investigation and meet the Minister's conditions. No further work on drafting the infrastructure deeds will occur until this has been clarified.

Attachments

1. Letter of approval from Minister for Planning
2. Air Quality and Noise Investigations Requirements

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