

Agenda Report for Decision

Meeting Date: 3 February 2022

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| Item Name | Code Amendment Initiation Advice to the Minister for Planning and Local Government – Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment |
| Presenters | Brett Steiner, Jason Bailey and Nadia Gencarelli |
| Purpose of Report | Decision |
| Item Number | 3.1 |
| Strategic Plan Reference | 5. Discharging Statutory Obligations |
| Work Plan Reference | 5.2 Advise the Minister on Code Amendments |
| Confidentiality | Not Confidential (Release Delayed). To be released following final decision by the Minister for Planning and Local Government on initiation of the Code Amendment. Anticipated by 18 February 2022 |
| Related Decisions | N/A |

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of this item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning and Local Government (the Minister) on initiation of the Code Amendment. Anticipated by 18 February 2022.
2. Advise the Minister that it:
 - 2.1 Recommends the approval of the 306 Twartz Road, Gawler Belt Code Amendment Initiation under section 73(2)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following conditions applied under section 73(5)(b) of the Act:
 - (a) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays or technical and numerical variations provided for under the published Planning and Design Code (the Code) (on the date the Amendment is released for consultation).
 - (b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
 - 2.2 Recommends that Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) be the Designated Entity responsible for undertaking the Code Amendment process.

3. Specify that the Designated Entity consults with the following nominated individuals and entities, under section 73(6)(e) of the Act:
 - Department of Primary Industries and Regions
 - South Australian Country Fire Service
 - Environment Protection Authority
 - Department for Infrastructure and Transport
 - Town of Gawler
 - Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
 - State Members of Parliament for the electorates in which the proposed Code Amendment applies
 - Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.
4. Specify the following further investigations or information requirements under section 73(6)(f) of the Act in addition to those outlined in the Proposal to Initiate:
 - Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - a. by signing up to an existing agreement; or
 - b. by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.
5. Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters with conditions (**Attachment 2**).
6. Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided at **Attachment 3**.
7. Authorise the Chair to finalise any minor amendments to the advice and attachments as required.

Background

Section 73(2)(b)(vii) of the Act provides that a proposal to amend the Code may be initiated by a person who has an interest in the relevant land with the approval of the Minister, acting on the advice of the Commission, in relation to the following matters:

- Strategic assessment against the State Planning Policies (SPPs) and *The 30-Year Plan for Greater Adelaide: 2017 Update*.
- Any person or body that must be consulted by the Designated Entity, pursuant to section 73(6)(e) of the Act
- Any investigations to be carried out or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The purpose of this report is therefore to provide the Commission with advice to be provided to the Minister in relation to the Proposal to Initiate submitted by Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) (**Attachment 1**).

Procedural matters regarding the Commission's role is provided in **Attachments 4** and **5**.

Discussion

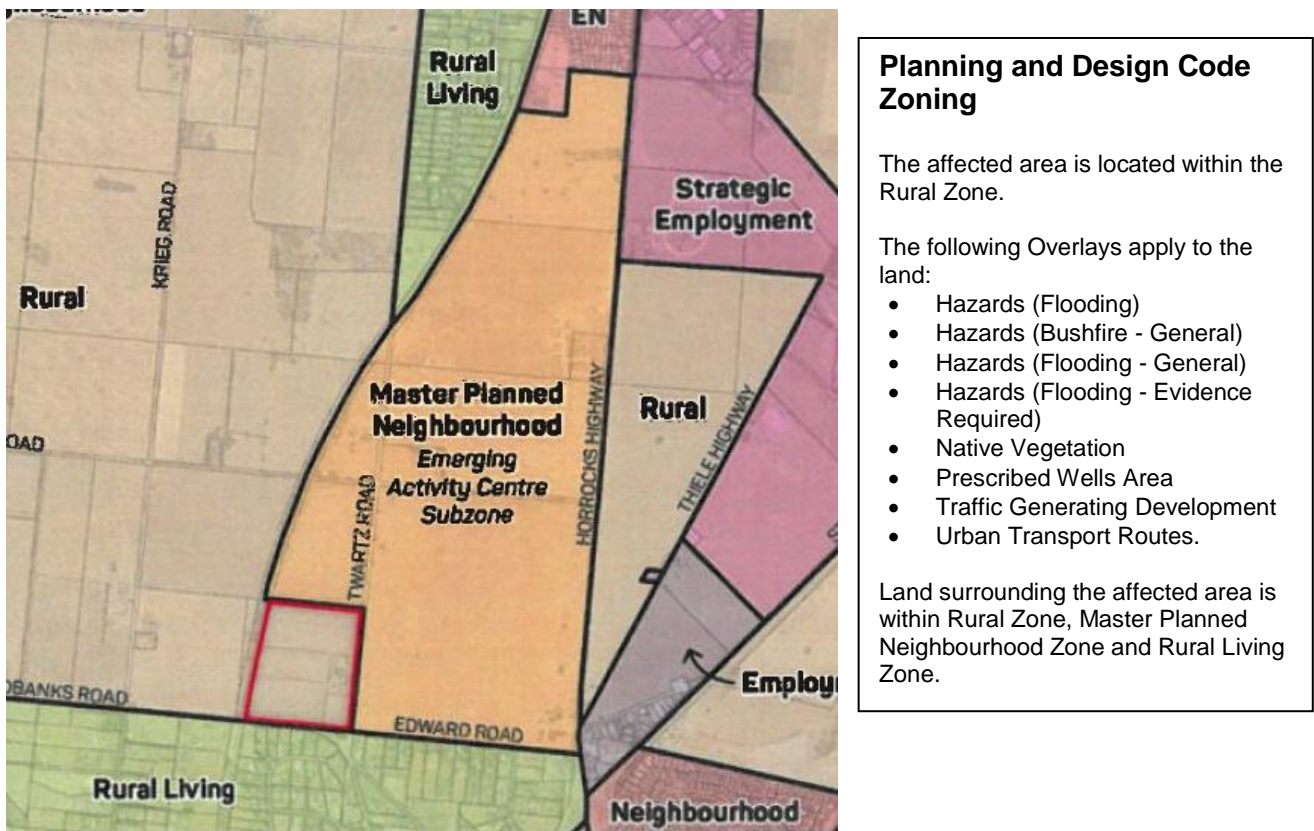
Scope of the Amendment

The Proposal to Initiate seeks to rezone a 28.81 hectare sized allotment on the corner of Twartz Road and Redbanks Road in Gawler Belt from the Rural Zone to the Master Planned Neighbourhood Zone.

The affected area was formerly identified in the 2016 Roseworthy Township Expansion Development Plan Amendment (DPA), but was subsequently removed from the DPA as a result of incomplete requirements within the prescribed time frame. In particular, infrastructure funding arrangements were not finalised, therefore the land was removed from the DPA on this basis.

A Minimum Site Area Technical and Numeric Variation (TNV) of 33 hectares and Concept Plan 50 (Roseworthy Town Expansion) currently applies over the land.

The affected area and current zoning are shown in the figure below.



Detailed discussion is provided in the advice to the Minister at **Attachment 3**.

Advice to the Minister

The advice to the Minister sets out the statutory and procedural elements that must be considered as part of the initiation of a Code Amendment (**Attachment 3**).

The advice recommends that the Minister approve the initiation of the Code Amendment for the following reasons and subject to conditions set out below.

Strategic Considerations

The Proposal seeks to rezone an allotment from the Rural Zone to the Master Planned Neighbourhood Zone primarily for the purposes of residential development. The allotment is identified in *The 30-Year Plan for Greater Adelaide: 2017 update* as a future urban growth area and is not within an Environment and Food Production Area. Although the Proposal is to add further land supply to a region with adequate land supply, it is justified on the basis that it would have been included in the former Roseworthy Township Expansion area, had requirements been met within the allocated time frame. It will also make possible coordinated delivery of infrastructure in conjunction with adjoining land in the Master Planned Neighbourhood Zone to the north (subject to adequate infrastructure agreements) to complete the Concept Plan already in place.

Further strategic considerations and discussion are provided in **Attachment 3**.

Procedural considerations

The Proposal to Initiate meets all procedural requirements, as detailed in the attached advice to the Minister (**Attachment 3**).

Conditions proposed and items specified

A number of conditions have been recommended to be specified by the Minister, pursuant to sections 73(5)(b) of the Act. In addition, it has been recommended that the Commission specify persons or bodies to be consulted with by the Designated Entity under section 73(6)(e) of the Act, as outlined in the advice to the Minister (**Attachment 3**).

Attachments:

1. Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment (#18077762).
2. Draft letters of approval to:
 - a) The Proponent (#18216229)
 - b) The Light Regional Council (#18216223).
3. State Planning Commission advice to the Minister (#18171093).
4. Procedural Matters for State Planning Commission (#18189763).
5. Process Flowchart – Code Amendments Initiated by Proponents (#18189743).

Prepared by: Belinda Monier

Endorsed by: Brett Steiner

Date: 19 January 2022

**PROPOSAL TO INITIATE AN AMENDMENT
TO THE PLANNING & DESIGN CODE**

306 Twartz Road, Gawler Belt

**By the Land Vision Group Pty Ltd *on behalf
of Platinum Property Retirement Pty Ltd
and/or Nominee (the Proponent)***



(Signature Required)

**Giuseppe Oppedisano
Director
Land Vision Group Pty Ltd
*on behalf of Platinum Property Retirement Pty Ltd and/or Nominee
(the Proponent)***

Date: 23 November 2021

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*. By signing this Proposal to Initiate, the Proponent acknowledges and agrees that this Proposal to Initiate, and any supporting documents may be published on the PlanSA website by the Attorney General's Department.

MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date:

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1. INTRODUCTION

In accordance with Section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), Land Vision Group Pty Ltd (the Proponent) seeks the approval of the Minister for Planning and Local Government (the Minister) to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to 306 Twartz Road, Gawler Belt (the Affected Area), which is located at the corner of Twartz Road and Redbanks Road, Gawler Belt.

Commonly known as Yenlo Park, the Affected Area was formerly identified in the Roseworthy Township Expansion Development Plan Amendment (2016) as land that was intended to be rezoned for the future residential growth of Roseworthy Township. The land was subsequently omitted from the rezoning process.

The Proponent has a legal interest in the whole of the Affected Area and is seeking a Code Amendment for the purpose of residential growth.

The purpose of this Proposal to Initiate is to seek approval of the Minister for Planning and Local Government (the Minister) to initiate the Code Amendment under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act).

This Proposal to Initiate details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment, should this Proposal to Initiate be approved by the Minister.

The Proponent acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(4)(a) of the Act, the Proponent will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2. The Proponent declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under section 73(7).
- 1.1.3. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
 - (a) Sarah Gilmour, Principal, Holmes Dyer Pty Ltd (Accredited Planning Professional Level 1)
 - (b) Email: sarahg@holmesdyer.com.au
 - (c) Phone: 08 7231 1889

- 1.1.4. The Proponent intends to use the services of Holmes Dyer Pty Ltd (Holmes Dyer) to assist it in undertaking the Code Amendment and required community engagement in accordance with *Practice Direction 2 – Preparation and Amendment of Designated Instruments*. Homes Dyer is a national planning consultancy based in Adelaide with extensive experience in planning policy preparation, land use investigations and community engagement. The Code Amendment process will be undertaken by planning practitioners who have qualifications and experience that is equivalent to an Accredited Professional – Planning Level 1 under the Act.
- 1.1.5. The Proponent acknowledges that the Minister may, under section 73(4)(b) of the Act, determine that the Chief Executive of the Department will be the Designated Entity responsible for undertaking the Code Amendment. In this case, the Proponent acknowledges and agrees that they will be required to pay the reasonable costs of the Chief Executive in undertaking the Code Amendment.

1.2. Rationale for the Code Amendment

The Affected Area is in a Rural Zone pursuant to the Planning and Design Code (9 September Version 2021.13). However, the Affected Area was formerly identified as being in the Roseworthy Township Expansion area which was rezoned in 2016 to support the expansion of the Roseworthy Township.

The Affected Area was intended to be rezoned in 2016 however, was subsequently removed from the rezoning process because requirements for the rezoning of the land were not completed within the prescribed timeframe.

As the Affected Area was formerly identified as part of the Roseworthy Township Expansion, and already forms part of Concept Plan 50 of the Planning and Design Code in relation to development of that area, it follows that the planning policies guiding future development should reflect the intent for the land to provide for residential growth of Roseworthy Township.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Planning and Design Code for the Affected Area, being the land at the corner of Twartz Road and Redbanks Road, Gawler Belt, described as Allotment 127 in Folio 174594 of Certificate of Title Volume 5827 Folio 346 within the Light Regional Council area as shown below and in the map in **Attachment A**.

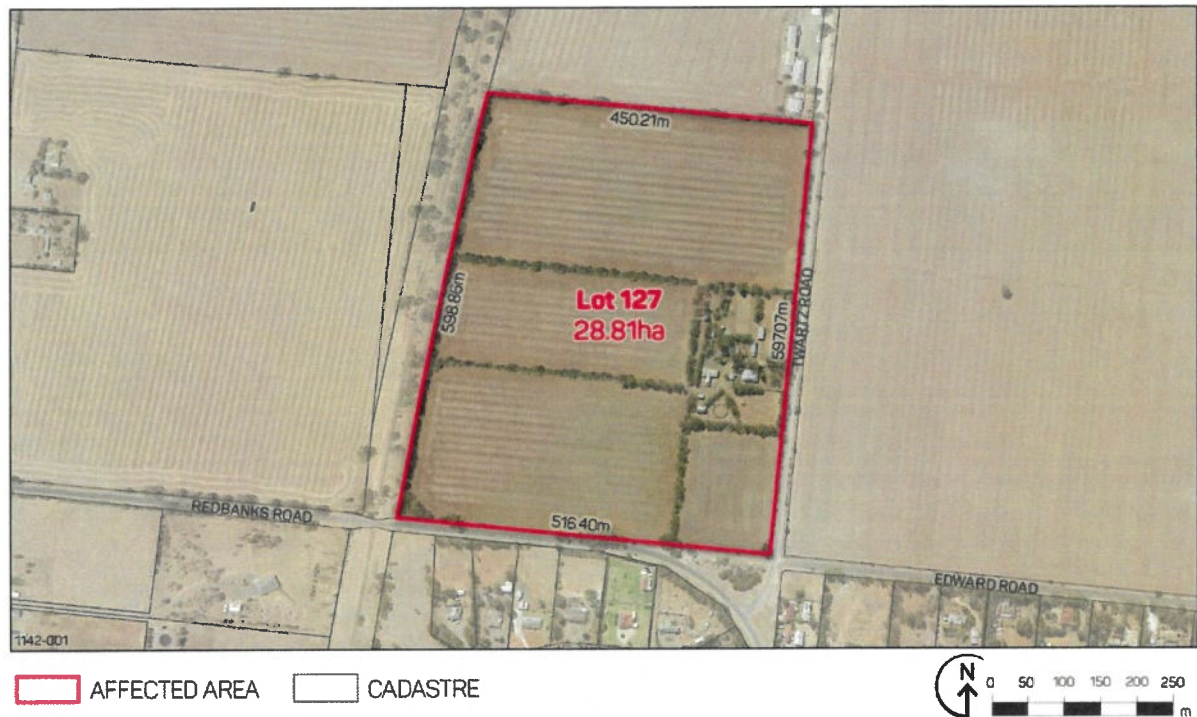


Figure 1 Affected Area

The Affected Area is a single allotment of about 29 hectares zoned Rural pursuant to the Planning and Design Code. The Affected Area has been developed with a residence and associated rural outbuildings and sheds with the balance of the Affected Area used for agricultural purposes.

The Affected Area is in Gawler Belt and is bound to the east by Twartz Road, to the south by Redbanks Road, and to the west by disused railway line. Land to the north of the site (and east of the disused railway line) is zoned Master Planned Neighbourhood and was rezoned as part of the Roseworthy Township Expansion Development Plan Amendment (2016).

Land to the west of the disused railway line is zoned Rural. The Affected Area forms the only pocket of land zoned Rural in the area to the east of the disused railway line and west of Main North Road. The Affected Area is otherwise adjacent land zoned for residential or rural living purposes.

The Zone arrangements surrounding the Affected Area are shown below.

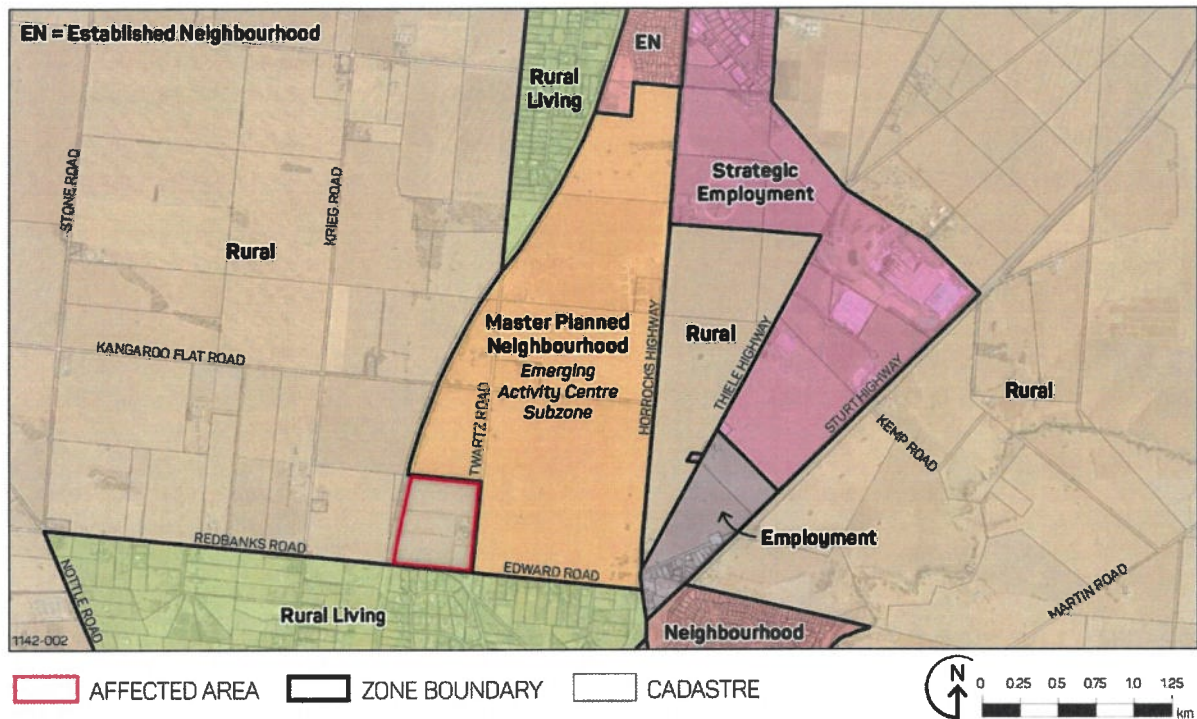


Figure 2 Current Zoning Arrangements

2.2. Scope of Proposed Code Amendment

The Code Amendment proposes to extend the Master Planned Neighbourhood Zone and associated policy framework that exists to the north of the Affected Area over the Affected Area. The Code Amendment is proposed to result in the following policy amendments:

- Replace the existing Rural Zone covering the Affected Area with the Master Planned Neighbourhood Zone.
- Remove the existing Technical and Numerical Variation for Minimum Site Area of 33 hectares that applies in the Rural Zone.
- Retain, with possible minor amendments, the existing Concept Plan (50) Roseworthy Township Expansion, that applies to the Affected Area.
- Retain the following existing Overlays
 - Native Vegetation
 - Prescribed Wells Area
 - Traffic Generating Development
 - Urban Transport Routes.
- Review the following existing Overlays
 - Hazards (Flooding)
 - Hazards (Flooding General)
 - Hazards (Flooding - Evidence Required).
- Replace the Hazards (Bushfire - General Risk) Overlay with the Hazards (Bushfire – Urban Interface) Overlay.
- Apply the following new Overlays (if required):
 - Affordable Housing
 - Noise and Air Emissions.
- Mapping changes to give effect to the proposed changes.

A summary of current policy and intended policy is provided below.

| | |
|---------------------------------|---|
| <p>Current Policy</p> | <p>The Affected Area is wholly located in the Rural Zone.</p> <p>The following Technical and Numerical Variations apply to the Affected Area:</p> <ul style="list-style-type: none"> • Minimum Site Area (Minimum site area is 33 ha) • Concept Plan (50) Roseworthy Township Expansion <p>The following Overlays apply to the Affected Area:</p> <ul style="list-style-type: none"> • Hazards (Bushfire - General Risk) • Hazards (Flooding) • Hazards (Flooding General) • Hazards (Flooding - Evidence Required) • Native Vegetation • Prescribed Wells Area • Traffic Generating Development • Urban Transport Routes |
| <p>Amendment Outline</p> | <p>The overall objective for the Code Amendment is to apply the adjoining residential policy framework (Master Planned Neighbourhood Zone) to the Affected Area to facilitate the Affected Area being developed for residential growth.</p> |
| <p>Intended Policy</p> | <p>The Code Amendment proposes to replace the current policy with the following policy framework.</p> <p>The Affected Area is proposed to be wholly located in the Master Planned Neighbourhood Zone and the Emerging Activity Centres Subzone.</p> <p>The following Technical and Numerical Variation is proposed to apply to the Affected Area (with possible minor amendment):</p> <ul style="list-style-type: none"> • Concept Plan (50) Roseworthy Township Expansion <p>The following Overlays are proposed to apply to the Affected Area:</p> <ul style="list-style-type: none"> • Affordable Housing • Hazards (Bushfire – Urban Interface) • Hazards (Flooding) • Hazards (Flooding General) • Hazards (Flooding - Evidence Required) • Native Vegetation • Noise and Air Emissions • Prescribed Wells Area • Traffic Generating Development • Urban Transport Routes |

Concept Plan (50) Roseworthy Township Expansion, of the Planning and Design Code currently applies to the Affected Area and is proposed to continue to apply to the Affected Area (with possible minor amendment if necessary). It shows the Affected Area as forming part of the coordinated expansion of Roseworthy Township including infrastructure requirements. Key matters for consideration include stormwater, transport, open space and contamination potential.

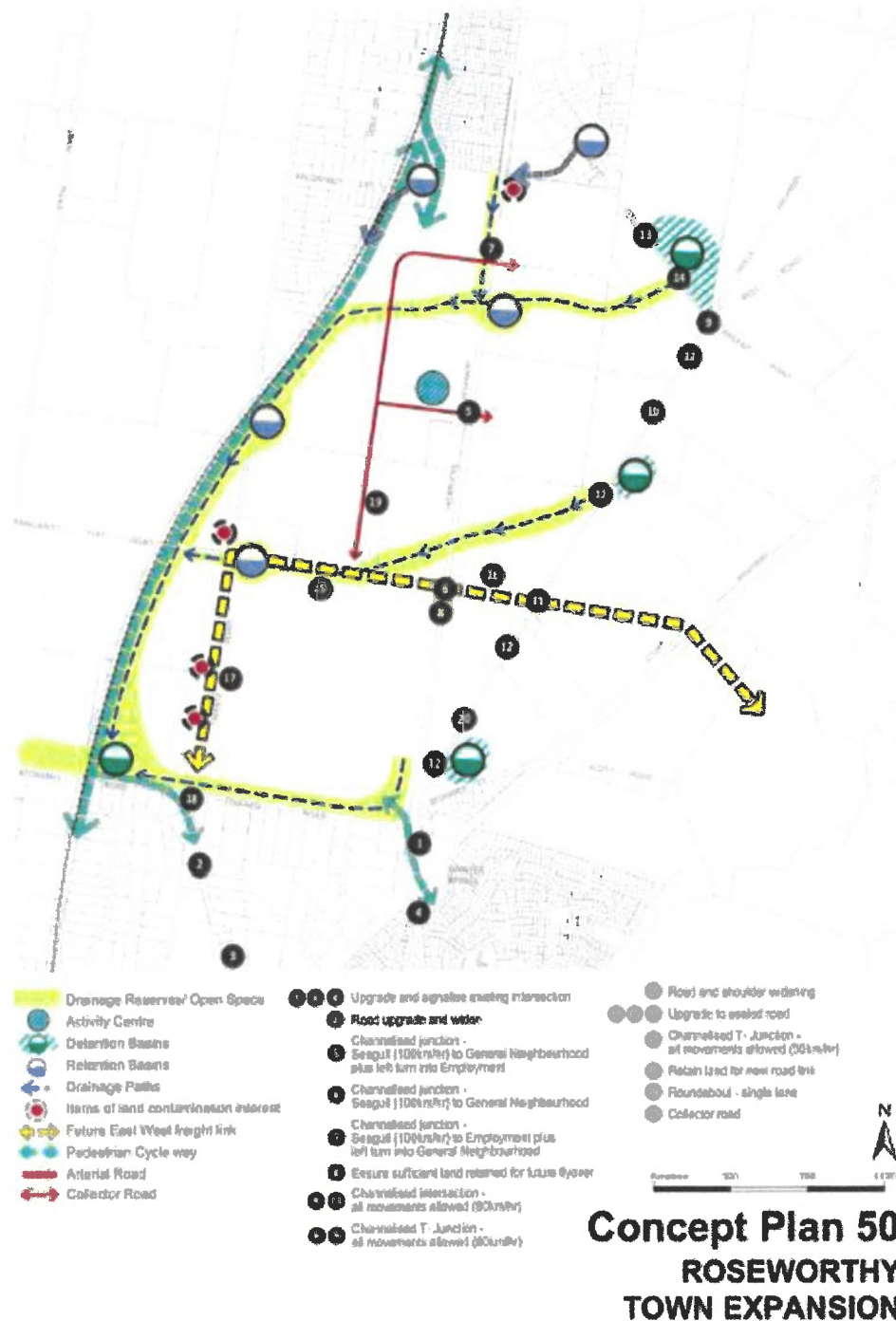


Figure 3 Concept Plan (50) Roseworthy Township Expansion (Planning and Design Code 4 November Version 2021.16)

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

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

3.1. Summary of Strategic Planning Outcomes

The proposed Code Amendment assists in giving effect to the Roseworthy Township Expansion area by rezoning one of the last remaining parcels of land within the strategic growth area. The proposed Code Amendment assists in delivering the following strategic planning outcomes.

Infrastructure and services

The strategic planning of infrastructure and services to support the Roseworthy Township Expansion area are substantially complete and infrastructure agreements are in place to fund road, stormwater, utilities and social infrastructure. The rezoning of the Affected Area through the proposed Code Amendment can consider the securing of infrastructure as it relates to the Affected Area.

Integrated transport

The Affected Area is at the corner of Twartz Road and Redbanks Road, Gawler Belt. Road infrastructure is planned to be upgraded to support the broader Roseworthy Township Expansion area. The broader area also has frontage to Horrocks Highway (a primary freight route), Thiele Highway (a main road) and near proximity to Sturt Highway (also a primary freight road). Planning for these transport routes was considered as part of the broader Roseworthy Township Expansion Development Plan Amendment. Existing Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code nominates a future east-west freight link along the eastern boundary of the Affected Area on Twartz Road, Gawler Belt. No change is proposed to this link as a result of this Code Amendment.

Environmental impacts

Rezoning of the Affected Area avoids development in areas of environmental significance (and preserves land within the Environment and Food Production Area). Previous investigations for the Roseworthy Township Expansion area indicate low potential to discover Aboriginal cultural heritage items and no Heritage Places on the Affected Area.

Some areas of remnant native vegetation may be present on the Affected Area and particularly along the western boundary following the disused rail line. The Native Vegetation Overlay of the Planning and Design Code applies, and will continue to apply, to the Affected Area following the Code Amendment.

With respect to the disused railway line, it is proposed that an area 50 metres from the cadastral boundary of the railway is designated in the Air and Emissions Overlay to ensure future development is appropriately assessed for acoustic impact.

Land supply and demand

This Code Amendment proposes to deliver the final parcel of greenfield development land in a strategic growth area. The Roseworthy Township Expansion area was rezoned in 2016 to encourage population growth that would underpin the economic provision of services required for the sustainability of Roseworthy Township. The Affected Area was intended to be rezoned in 2016 however, was subsequently removed from the rezoning process because requirements for the rezoning of the land were not completed within the prescribed timeframe. There is a strong logic to rezoning the Affected Area to provide for residential land supply as it relates to strategic growth.

Economic analysis

The Roseworthy Township Expansion area was planned to deliver residential growth, employment lands (east of Horrocks Highway), and opportunity for linkages with the University of Adelaide Roseworthy campus. A centrally located town centre is also pre-identified in the broader Roseworthy Township Expansion area. Rezoning of the Affected Area provides the opportunity for residential growth to be realised that supports the economic provision of local employment uses.

Interface between different land uses

The Affected Area is currently zoned Rural pursuant to the Planning and Design Code and forms the only pocket of land zoned Rural in the area to the east of the disused railway line and west of Main North Road. The Affected Area is otherwise adjacent land zoned for residential or rural living purposes. The Affected Area can be rezoned without fragmenting existing primary production land and will assist in managing any potential conflicts between residential growth areas and rural uses in the Roseworthy Township Expansion area.

Development patterns and trends

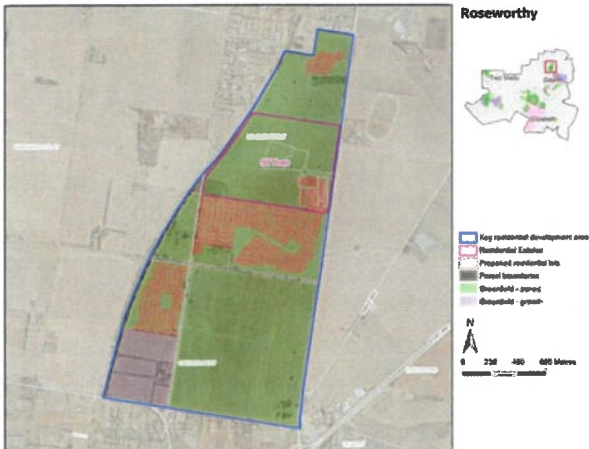
Through the combination of planning policy and existing infrastructure agreements, there is clear guidance for the design and development of the Roseworthy Township Expansion area. This includes opportunities for affordable housing, provision of social infrastructures and connecting open spaces with a network of pedestrian and cycling paths. This broader strategic planning was undertaken at a time when the Affected Area was intended to form part of the strategic residential growth area. Therefore, existing planning policy, including Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code, provides adequate guidance for the coordinated development of the Affected Area.

3.2. Alignment with State Planning Policies

The State Planning Policies (SPPs) - Version 1.1 (23 May 2019), set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

| State Planning Policy (SPP) | Code Amendment Alignment with SPPs |
|---|---|
| <p>SPP 1 Integrated Planning</p> <p>Integrated planning coordinates the strategic use of land with the necessary services and infrastructure.</p> <p>1.1 An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period.</p> <p>1.2 Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.</p> <p>1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.</p> <p>1.6 Plan for strategic infrastructure that helps to shape the pattern of settlement in a way that enhances quality of life and supports long-term sustainability.</p> <p>1.9 Plan neighbourhoods to support walking and cycling, particularly in Greater Adelaide and regional townships.</p> | <p>The Affected Area was intended to be rezoned in 2016 as part of the Roseworthy Township Expansion Development Plan Amendment to provide for adequate residential land supply and the orderly expansion of Roseworthy Township.</p> <p>The Code Amendment proposes that the policy framework for the Affected Area facilitate predominantly residential fabric with a range of low-rise building types, and low to medium density residential development with supporting community uses as was intended for the land.</p> <p>The Affected Area is not designated in the Environment and Food Production Area and does not offend SPP that seek to protect rural areas from urban expansion.</p> <p>The Code Amendment supports investment in strategic and other infrastructure. Infrastructure agreements are in place for the Roseworthy Township Expansion which seek to deliver coordinated infrastructure and land development outcomes.</p> <p>Infrastructure identified on Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code, includes a network of pedestrian and cycleways and connection between Roseworthy and Gawler Townships.</p> <p>The Proponent is prepared to consider the need for securing of infrastructure as it relates to the Affected Area.</p> |
| <p>SPP 6 Housing Supply and Diversity</p> <p>Housing is an essential part of people's health and wellbeing. Our planning system must enable the sufficient and timely supply of land and a variety of housing choices at appropriate locations.</p> <p>6.2 The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and</p> | <p>The Growth Management Program, Land Supply Reports for Greater Adelaide released in June 2021 show the Outer North has the largest supply of residential allotments in metropolitan Adelaide.</p> <p>Notwithstanding, the Affected Area is the last remaining parcel for greenfield growth identified in the Roseworthy Township Expansion area as shown in the figure below.</p> |

| State Planning Policy (SPP) | Code Amendment Alignment with SPPs |
|--|---|
| <p>infrastructure needed to support liveable and walkable neighbourhoods.</p> <p>6.7 Facilitate the provision of Affordable Housing through incentives such as planning policy bonuses or concessions (e.g. where major re-zonings 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>6.11 Residential development that does not fragment valuable primary production land, create land use conflicts or encroaches on sensitive environmental assets and places of high landscape value.</p> |  <p>Residential development in the Roseworthy Township Expansion area commenced in 2020 and the first residential development parcels are currently on the market for sale.</p> <p>There is strong justification for rezoning the Affected Area to contribute to the logical expansion of Roseworthy Township.</p> <p>Application of the Master Planned Neighbourhood Zone supports diverse housing typologies and contemporary planning policy and housing design outcomes. The Housing Affordability Overlay is proposed to be applied to the Affected Area as an outcome of the Code Amendment.</p> <p>The Code Amendment reduces the interface between residential and rural lands without fragmenting valuable primary production land.</p> <p>Remnant native vegetation along the disused railway line, that forms the western boundary of the Affected Area, can be protected through the creation of a pedestrian and cycling network in this location.</p> |
| <p>SPP 11 Strategic Transport Infrastructure</p> <p>The economic and social prosperity of South Australia relies on a transport system that is safe, integrated,</p> | <p>This Code Amendment supports the delivery of strategic transport infrastructure as is consistent with SPP 11.</p> <p>Infrastructure deeds are in place to fund necessary upgrades to road, stormwater and utility infrastructure and provision of social</p> |

| State Planning Policy (SPP) | Code Amendment Alignment with SPPs |
|---|---|
| <p>coordinated, dependable and sustainable.</p> <p>11.2 Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.</p> <p>11.3 Equitable contributions towards the funding and provision of transport infrastructure and services to support land and property development.</p> <p>SPP 11.4 Minimise negative transport-related impacts on communities and the environment.</p> <p>11.6 Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.</p> | <p>infrastructure for the broader Roseworthy Township Expansion area.</p> <p>This Amendment proposes the Noise and Air Emissions Overlay apply to that part of the Affected Area along the disused railway line, to ensure mitigation of air emissions is adequately assessed for future development.</p> <p>Existing Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code identifies a future east-west freight link along the eastern boundary of the Affected Area on Twartz Road, Gawler Belt. No change is proposed to this link in the Concept Plan.</p> |
| <p>SPP 15 Natural Hazards</p> <p>Natural hazards are an integral part of the South Australian landscape and have the potential to impact on people, property, infrastructure, our economy and the environment.</p> <p>15.1 Identify and minimise the risk to people, property and the environment from exposure to natural hazards including extreme heat events; bushfire; terrestrial and coastal flooding; soil erosion; drought; dune drift; acid sulfate soils; including taking into account the impacts of climate change.</p> | <p>This Code Amendment proposes to review bushfire risk in the context of the Affected Area being rezoned from rural land uses to residential land uses (within a neighbourhood setting). A review of flood hazard mapping held by The Attorney General's Departments Planning and Land Use Services team is also proposed.</p> |
| <p>SPP 16 Emissions and Hazardous Activities</p> <p>Protecting communities and the environment from exposure to industrial emissions and hazards and site contamination is fundamental to the creation of healthy cities and regions.</p> | <p>An "item of land contamination interest" is shown on the Affected Area on Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code. Previous rezoning investigations identified this area for further assessment at the development application stage. No policy amendment is proposed in</p> |

| State Planning Policy (SPP) | Code Amendment Alignment with SPPs |
|---|--|
| 16.2 Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land. | relation to site contamination as a result of this Code Amendment. |

3.3. Alignment with Regional Plans

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

The 30-Year Plan for Greater Adelaide 2017 Update volume of the Planning Strategy is relevant for this Code Amendment.

| Regional Plan Identified Priorities or Targets | Code Amendment Alignment with Regional Plan |
|---|---|
| <p>Containing our urban footprint and protecting our resources</p> <p><i>Target 1.2 - 90% of all new housing in Outer Greater Adelaide will be built in established townships and designated urban development area</i></p> | The Affected Area is in the Roseworthy strategic growth area and this Code Amendment contributes to the strategic and controlled expansion of Roseworthy Township. |
| <p>Greater housing choice</p> <p><i>Target 6 - Increase housing choice by 25% to meet changing household needs in Greater Adelaide by 2045</i></p> | This Code Amendment proposes to apply the Master Planned Neighbourhood Zone to the Affected Area. The Zone reflect contemporary planning policy and facilitates greater housing choice. |
| <p>Transit corridors, growth areas and activity centres</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 urban boulevards, and other strategic locations where the interface with lower rise areas can be managed.</p> | This Code Amendment proposes that the policy framework for the Affected Area facilitate predominantly residential fabric with a range of low-rise building types, and low to medium density residential development with supporting community uses. |
| P12. Ensure, where possible, that new growth areas on the metropolitan Adelaide fringe and in townships are connected to, | This Code Amendment supports investment in strategic and other infrastructure. |

| Regional Plan Identified Priorities or Targets | Code Amendment Alignment with Regional Plan |
|--|--|
| and make efficient use of, existing infrastructure, thereby discouraging “leapfrog” urban development. | Infrastructure agreements are in place for the Roseworthy Township Expansion which seek to deliver coordinated infrastructure and land development outcomes. |
| P11. Ensure new urban fringe growth occurs only within designated urban areas and township boundaries and outside the Environment and Food Production Areas | The Affected Area is not designated in the Environment and Food Production Area and does not offend policy that seeks to protect rural areas from urban expansion. |
| <p>Design Quality</p> <p>P28. Promote permeable, safe, attractive, accessible and connected movement networks (streets, paths, trails and greenways) in new growth areas and infill redevelopment areas that incorporate green infrastructure.</p> | This Code Amendment can support the delivery of pedestrian-cycling networks and open space planned as part of the Roseworthy Township Expansion area. |
| <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> | This Code Amendment supports the broader Roseworthy Township Expansion area (employment lands and town centre), through housing supply near planned jobs and services. |
| 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) | This Code Amendment proposes to apply the Affordable Housing Overlay to the Affected Area. |
| <p>The economy and jobs</p> <p>This Code Amendment proposes to apply the Affordable Housing Overlay to the Affected Area.</p> | This Code Amendment reduces the interface between residential and rural lands without fragmenting valuable primary production land. |

| Regional Plan Identified Priorities or Targets | Code Amendment Alignment with Regional Plan |
|---|--|
| <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.</p> | <p>This Code Amendment can support the delivery of pedestrian-cycling networks and open space planned as part of the Roseworthy Township Expansion area.</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>This Code Amendment can support the delivery of water sensitive urban design as part of the stormwater solution for the Affected Area.</p> |
| <p>Emergency management and hazard avoidance</p> <p>P121. Ensure risk posed by known or potential contamination of sites is adequately managed to enable appropriate development and safe use of land.</p> | <p>Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code adequately identifies potential site contamination, and no further policy amendment is required as part of this Code Amendment.</p> |

3.4. Alignment with Other Relevant Documents

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

Roseworthy Township Expansion Development Plan Amendment (2016)

The Roseworthy Township Expansion Development Plan Amendment addressed the sustainability of Roseworthy Township through controlled residential growth (critical population mass) to permit the viable and economic provision of services. The merits of the rezoning included the potential to underpin local regional employment lands in the adjacent Kingsford Estate; the viability and growth of the University of Adelaide, Roseworthy Campus; low environmental constraints; community acceptance; landowner coordination; and support for transport and infrastructure investment (existing and new).

Light Regional Council initiated the Development Plan Amendment to give effect to the extended township boundary for Roseworthy as identified in the *Planning Strategy for the Outer Metropolitan Adelaide Region (2007)*, and as expanded through *The 30-Year Plan for Greater Adelaide (2010)*. The Development Plan Amendment followed work commenced by Council and key landowners in late 2009.

The Affected Area for this Code Amendment formed part of the Affected Area for the Roseworthy Township Expansion Development Plan Amendment (Figure 4).

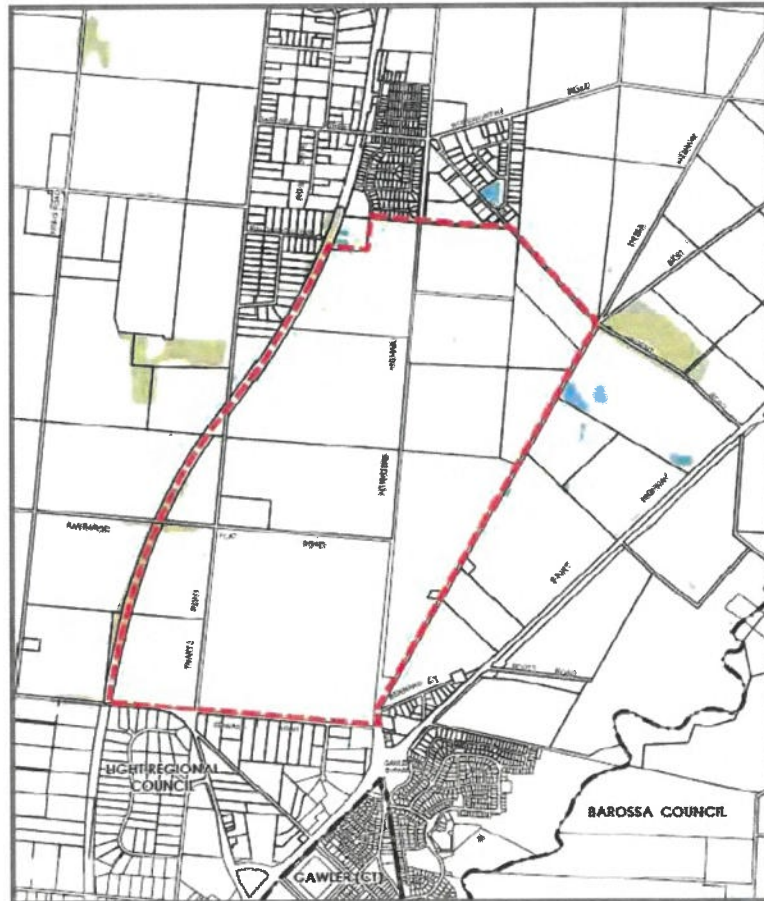


Figure 1 Area Affected

 Area Affected



Figure 4 Affected Area - Roseworthy Township Expansion Development Plan Amendment

The Development Plan Amendment introduced a Concept Plan for the Roseworthy Township Expansion which showed the Affected Area for this Code Amendment as proposed for residential uses (Figure 5a). The Affected Area for this Code Amendment was subsequently removed from the Development Plan Amendment (as the landowner did not enter into the requisite infrastructure agreements), and remained zoned Rural in the former Light Regional Development Plan (Figure 5b).

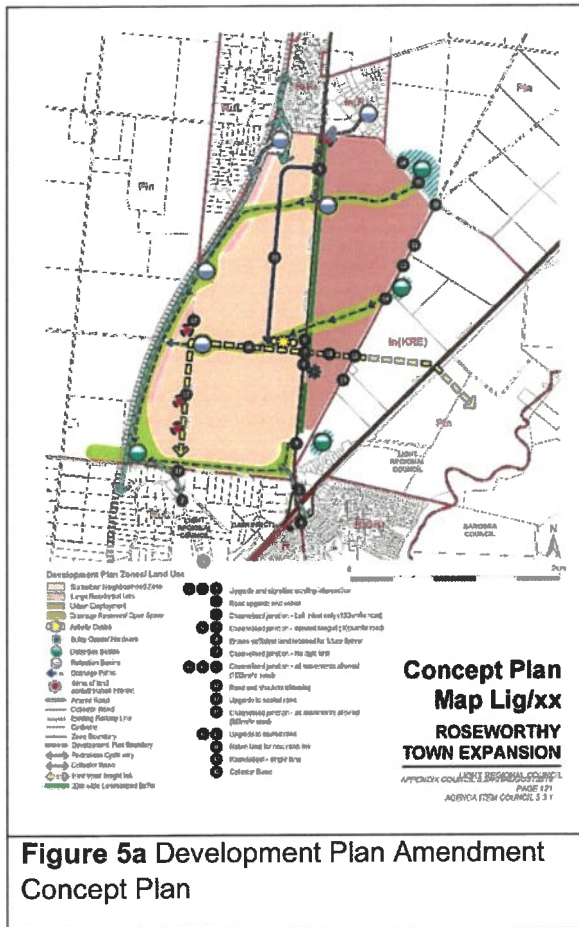


Figure 5a Development Plan Amendment Concept Plan

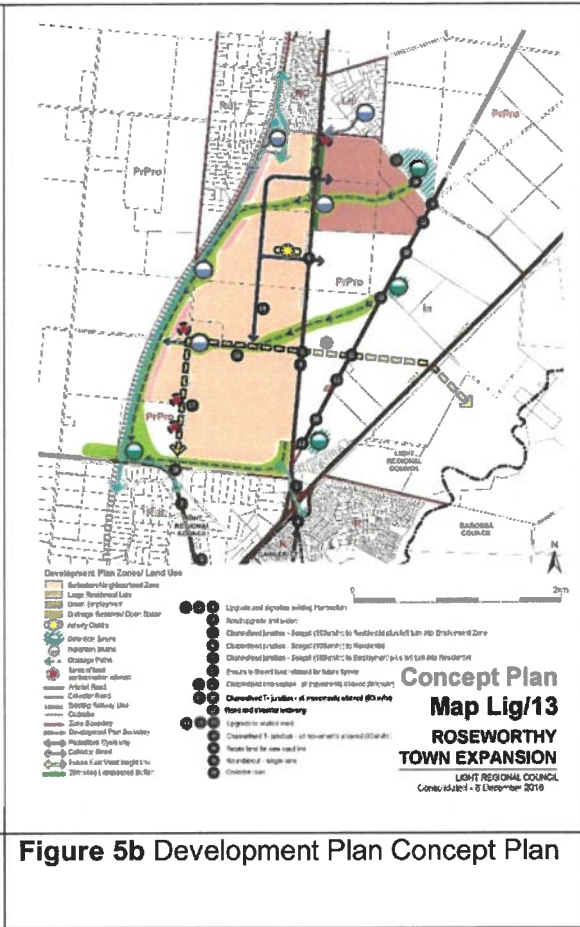


Figure 5b Development Plan Concept Plan

In transitioning the former Development Plan to the Planning and Design Code, amendments were made to the Concept Plan (now Concept Plan (50) Roseworthy Township Expansion pursuant to the Planning and Design Code) (Figure 3).

The proposed Code Amendment can deliver the intended outcomes for Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code.

4. INVESTIGATIONS AND ENGAGEMENT


4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Given the long history of the Affected Area as land intended to be rezoned through the Roseworthy Township Expansion Development Plan Amendment (2016), only those previous investigations of most relevance to the proposed Code Amendment are discussed in the table below.

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|--|--|--|
| Activity Centre Location <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | <p>The location of activity centres was comprehensively scrutinised as part of the Roseworthy Township Expansion Development Plan Amendment.</p> <p>The Emerging Activity Centre Subzone applies to the whole of the Roseworthy Township Expansion area and the location of the activity centre is resolved by Concept Plan.</p> | <p>The proposal is for the Emerging Activity Centre Subzone to apply to the Affected Area to provide for consistency with the policy framework of the broader Roseworthy Township Expansion area.</p> <p>Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code shows the location of the Activity Centre as per previous studies and no change is proposed as a result of this Code Amendment.</p> |
| Affordable Housing <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | <p>The Roseworthy Township Expansion Development Plan Amendment considered the matter of affordable housing and concluded that a component of the residential development proposed in the Roseworthy Township Expansion area should be provided as affordable housing.</p> | <p>The Affordable Housing Overlay in the Planning and Design Code applies to the broader Roseworthy Township Expansion area.</p> <p>This Code Amendment proposes to apply the Affordable Housing Overlay to the Affected Area.</p> |
| Bushfire Risk <i>Roseworthy Township Expansion Development Plan</i> | <p>A review of bushfire risk undertaken for the Roseworthy Township Expansion Development Plan</p> | <p>This Code Amendment proposes to replace the Hazards (Bushfire – General Risks) Overlay with the Hazards</p> |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|---|--|--|
| <i>Amendment, Explanatory Statement and Analysis, 2016</i> | <p>Amendment, concluded that it is inappropriate to have a typical urban / residential area within a Bushfire Protection Area.</p> <p>The township expansion area was subsequently rezoned as “Excluded Area from Bushfire Protection Planning Provisions.” This policy was transitioned to the Planning and Design Code to the Hazards (Bushfire – Urban Interface) Overlay.</p> <p>Water supply for firefighting was assessed as adequate due to connection with reticulated water supply.</p> | <p>(Bushfire – Urban Interface) Overlay in the Planning and Design Code. This is consistent with the policy for the broader Roseworthy Township Expansion area.</p> <p>Consultation is proposed with Planning and Land Use Services in relation to the current state-wide review of Hazard Overlays in the Planning and Design Code.</p> |
| <p>Electricity Supply</p> <p><i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i></p> | <p>Previous investigations by Tonkin Consulting estimated the Gawler Belt substation could supply the first 50% of development in the Roseworthy Township Expansion area.</p> <p>The potential for a new electricity sub-station and overhead transmission line (likely along Horrocks Highway) was identified as being required to service the second half of development in the Roseworthy Township Expansion area.</p> | <p>This Code Amendment proposes an updated services report for the Affected Area which confirms relevant service requirements.</p> <p>Consultation is proposed with SA Power Networks.</p> |
| <p>Gas Supply</p> <p><i>Roseworthy Township Expansion Development Plan Amendment,</i></p> | <p>Previous investigations by Tonkin Consulting demonstrate the potential to supply the Affected Area with gas.</p> | <p>This Code Amendment proposes an updated services report for the Affected Area which confirms relevant service requirements.</p> |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|--|--|---|
| <i>Explanatory Statement and Analysis, 2016</i> | | Consultation is proposed with service providers. |
| Integration with the Roseworthy Township <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | Previous investigations considered the need for integration of the Roseworthy Township Expansion area with the existing Roseworthy Township. Cycling, pedestrian and road connections were identified by Concept Plan. | Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code shows external linkages. No change to external connections is proposed as a result of this Code Amendment. |
| Natural Environment | <p>Previous investigations by Rural Solutions SA identified the south western corner of the former Roseworthy Township Expansion area as containing remnant native trees and lines of local native plant species.</p> <p>The majority of the length of the railway line was rated of conservation significance “B” suggesting a high priority vegetation association in moderate condition or a lower priority association in excellent condition.</p> <p>The southern section of Twartz Road was reported as containing <i>Acacia oswadii</i> Open Shrubland as well as exotic plantings which pose a week risk.</p> <p>Given fragmentation of the landscape, the study recommended retaining all remnant native vegetation where possible, with emphasis on protecting species and</p> | <p>The figure below from the study shows relatively little remnant native vegetation on the Affected Area.</p>  <p>The Department for Environment and Water and the Native Vegetation Council assess any applications to clear native vegetation in South Australia. In most situations, if clearance was approved at a later stage, conditions are attached to ensure clearance is</p> |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|---|--|--|
| | associations of conservation significance, including along the rail corridor. | offset by restoration work that provides environmental benefit. The Native Vegetation Overlay applies to the Affected Area. No changes are proposed as a result of this Code Amendment. |
| Noise and Air Emissions <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | Previous investigations by Sonus indicate low risk of odour issues for the Affected Area. With respect to the acoustic environment, an area of 50 metres from the cadastral boundary of the rail corridor was designated for noise and air emissions. | This Code Amendment proposes to extend the designation of the Noise and Air Emissions Overlay along the disused railway line that runs along the western boundary of the Affected Area. |
| Potable Water <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | Previous investigations by Tonkin Consulting estimated capacity for 400 allotments to be serviced within the existing SA Water supply network with subsequent upgrade to supply infrastructure after this point. | This Code Amendment proposes an updated services report for the Affected Area which confirms relevant service requirements. Consultation is proposed with SA Water. |
| Recycled Water <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | Opportunities for recycled water have previously been investigated. This included consideration of the Gawler Water Reuse Scheme and future connection with the Northern Adelaide Irrigation Scheme. | Recycled water has previously been addressed. No further investigation is required as a result of this Code Amendment. |
| Site History <i>Phase 1 Environmental Site Assessment (Site</i> | A site history investigation was commissioned as part of the Roseworthy Township Expansion Development Plan | Potential contamination sources relevant to the Affected Area were: |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|--|---|---|
| <p><i>History), AEC Environmental Pty Ltd, September 2011</i></p> | <p>Amendment which included site inspection.</p> <p>Potential contamination sources were identified however, were considered unlikely to warrant further investigation as part of the rezoning process.</p> <p>The Roseworthy Township Expansion Development Plan Amendment concluded that no significant contamination was identified which would preclude the future development of the area for residential uses and that future residential development would be subject to satisfactory soil and ground water assessment at the development application stage.</p> <p>"Areas of interest" arising from the site history investigation were identified by Concept Plan.</p> | <ul style="list-style-type: none"> • Overspray of weed control chemicals along the disused railway line running along the western boundary of the site; and • Broad acre farming with items of interest ie shed, houses, waste drum on bare soil, circular object with bare soil in the centre identified on three allotments on the south west corner. <p>Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code identifies an "Area of interest" on the Affected Area. No further policy amendment is required as part of the proposed Code Amendment.</p> |
| <p>Stormwater Management Plan</p> <p><i>Roseworthy Growth Area Alternate Stormwater Management Plan, Light Regional Council June 2016, Tonkin Consulting, Ref No. 2015.5099FRIC, and Addendum dated 10 March 2017 (Ref No. 20170361L001A/EAJ/KSS)</i></p> | <p>Management of stormwater in the Roseworthy Township Expansion area is generally in accordance with the requisite infrastructure agreements which refer to the Alternate Stormwater Management Plan prepared by Tonkin Consulting which includes principles of water sensitive urban design.</p> <p>The Affected Area was not identified as subject to flood risk.</p> | <p>The stormwater management approach for the broader Roseworthy Township Expansion area has evolved substantially since the stormwater investigations informing the 2016 rezoning of that area.</p> <p>This Code Amendment proposes an updated stormwater management plan for the Affected Area which confirms relevant stormwater management requirements.</p> |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|---|---|--|
| | | <p>Consultation is proposed with Planning and Land Use Services in relation to the current state-wide review of Hazard Overlays (Flood) in the Planning and Design Code.</p> |
| <p>Social Infrastructure and Open Space</p> <p><i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i></p> | <p>Social infrastructure requirements for the Roseworthy Township Expansion area have been identified including pedestrian-cycling networks, open space, recreation and school facilities.</p> <p>This work is secured by infrastructure deeds and reflected in existing Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code.</p> | <p>This Code Amendment supports connections to planned social infrastructures, specifically pedestrian and cycling networks.</p> |
| <p>Transport</p> <p><i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i></p> | <p>Comprehensive transport infrastructure and network planning was undertaken as part of the Roseworthy Township Expansion Development Plan Amendment including identification of strategic transport routes and transport interventions to facilitate development of the growth area.</p> <p>This work is secured by infrastructure deeds and reflected in existing Concept Plan (50) Roseworthy Township Expansion of the Planning and Design Code.</p> | <p>This Code Amendment proposes an updated traffic report for the Affected Area which confirms relevant considerations for the land in the context of Concept Plan (50), as well as the external road capacity, road connections and access points to the Affected Area.</p> |

| Investigation Undertaken | Summary of Scope of Investigations | Summary of Outcome of Recommendations |
|---|--|---|
| Wastewater Management <i>Roseworthy Township Expansion Development Plan Amendment, Explanatory Statement and Analysis, 2016</i> | <p>Previous investigations by Tonkin Consulting estimated that the SA Water Willaston Wastewater Pump Station had capacity to receive wastewater from about 1,200 allotments (or about 4 years of development at a construction rate of 300 homes per year).</p> <p>An area to the west of the southern boundary of the Roseworthy Township Expansion area was identified as a suitable future location for a mechanical wastewater treatment plant to service the remaining allotments.</p> | <p>The Affected Area formed part of the previous investigations and wastewater management solution.</p> <p>This Code Amendment proposes an updated services report for the Affected Area which confirms relevant service requirements.</p> <p>Consultation is proposed with SA Water.</p> |

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations that will be undertaken to support this Code Amendment.

| Further Investigations Proposed | Explanation of how the further investigations propose to address an identified issue or question |
|---|--|
| Hazard Overlays | The Bushfire and Flood Overlays in the Planning and Design Code are currently under review by the Attorney General's Department's Planning and Land Use Services (PLUS). It is proposed to liaise with PLUS (and the Metropolitan Fire Association) regarding proposed changes in relation to Hazard Overlays. |
| Updated Services Report | A Services Report confirming the ability to service the Affected Area is proposed to be developed as part of the proposed Code Amendment. |
| Updated Stormwater Management Plan | A Stormwater Management Plan that addresses the regional stormwater context and stormwater solution for the Affected Area is proposed as part of the proposed Code Amendment. |

| Further Investigations Proposed | Explanation of how the further investigations propose to address an identified issue or question |
|---------------------------------|--|
| Updated Traffic Assessment | A Traffic Report that addresses the regional transport context and provides a traffic assessment for the Affected Area is proposed as part of the proposed Code Amendment. |

4.3. Engagement Already Undertaken

The Proponent owns land in the Roseworthy Township Expansion area and has engaged with the Light Regional Council in the rezoning of the broader area including delivery of the requisite infrastructure agreements.

The Proponent's consultants contacted Council administration by telephone on 23 November 2021 to open conversations about this Code Amendment at an administrative level and to advise that correspondence about this Code Amendment would be forthcoming.

Council administration verbally acknowledged that the original work for the Roseworthy Township Expansion covered the Affected Area.

The Proponent subsequently issued correspondence to the Council in accordance with Practice Direction 2, to consult with the Light Regional Council on this Code Amendment proposal.

Council support, or otherwise, for the Code Amendment was not confirmed as part of the initial contact with Council. However, Council administration considered that a written response could be readily provided given knowledge of the previous rezoning process.

Correspondence on behalf of the Proponent to Council is included in **Attachment C**.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

| Further Engagement Proposed | Explanation of how the further engagement propose to address an identified issue or question |
|--|--|
| Light Regional Council | Additional engagement will be undertaken with the Light Regional Council in relation to the Code Amendment and implications for the strategic growth of Roseworthy Township. |
| Owners and occupiers of the land and owners and occupiers of adjacent land | <p>Written or email advice will be provided to landowners and occupiers to:</p> <ul style="list-style-type: none"> - 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 |

| Further Engagement Proposed | Explanation of how the further engagement propose to address an identified issue or question |
|--|--|
| | <ul style="list-style-type: none"> - Provide information about the consultation that is to occur under the Community Engagement Charter and how to participate. |
| Local Government Association of South Australia (LGA SA) | Written or email advice will be provided to the LGA SA providing information about the Code Amendment and opportunities to provide feedback. |
| Relevant Government Agencies and service providers such as Planning and Land Use Services, Department of Infrastructure and Transport, SA Water, SA Power Networks | Advice from relevant Government Agencies and service providers to determine the implications on surrounding road infrastructure and services. |

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

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.

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate a Code Amendment):

- the Local Government Association must be notified in writing of the proposed Code Amendment
- if the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone on subzone (rather than more generally), the Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*, to:
 - the owners or occupiers of the land
 - owners or occupiers of each piece of adjacent land
- consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Proponent (where it is also the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined Attachment B. If a timeframe is exceeded (or expected to be exceeded) the Proponent agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

ATTACHMENT A

Map of Affected Area

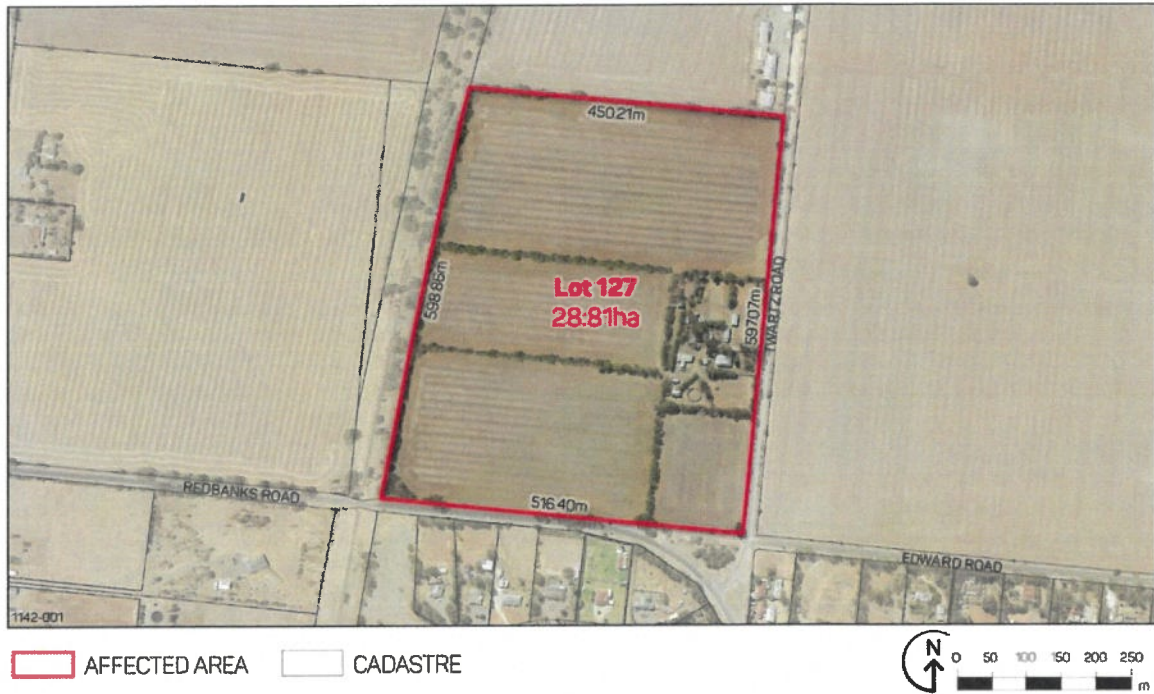


Figure A1 Affected Area

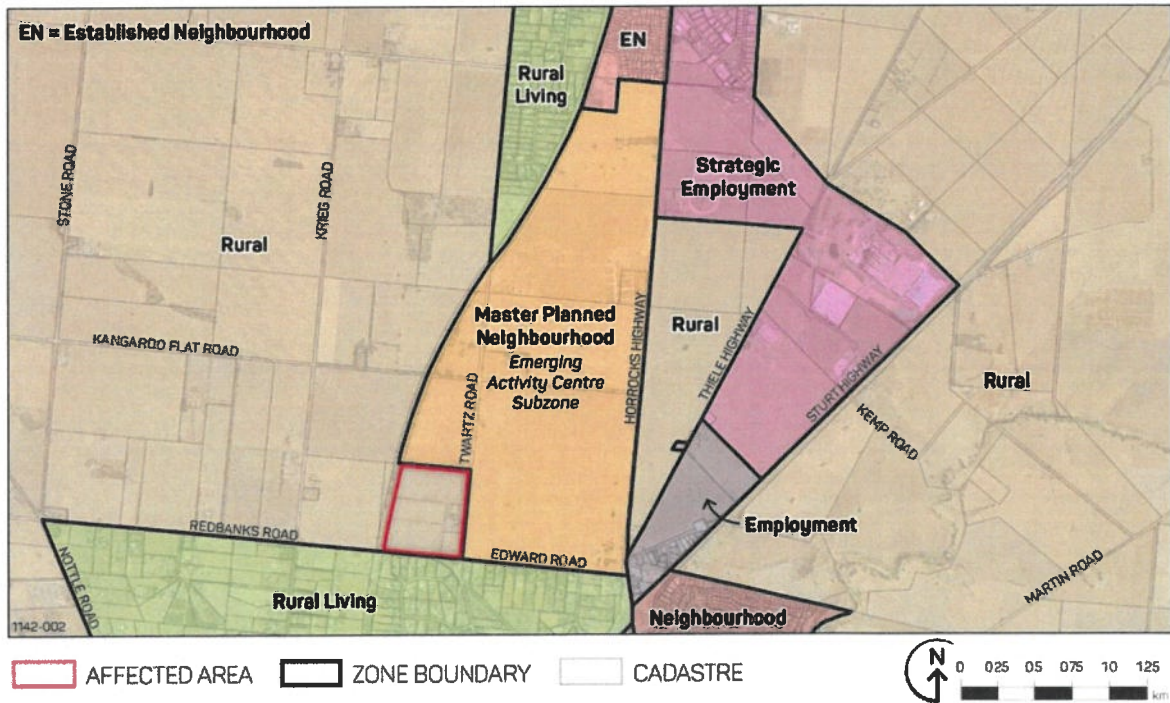


Figure A2 Current Zoning Arrangements

ATTACHMENT B

Timetable for Code Amendment by Proponent

| Step | Responsibility | Timeframe |
|---|-----------------------------------|---|
| Approval of the Proposal to Initiate | | |
| Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission | AGD | 2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i> |
| Minister requests advice from the Commission | Minister | 2 weeks |
| Referral to Government Agencies for comment (where necessary) | AGD, Relevant Government Agencies | + 2 weeks |
| Consideration of Proposal to Initiate and advice to the Minister | Commission (Delegate) | 3 weeks |
| | 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 AGD | Designated Entity | 6 weeks |
| AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes | AGD | 1 week |
| Preparation of Materials for Consultation | Designated Entity | As per 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 | As per Engagement Plan |
| Consideration of Engagement and Finalisation of Amendments | | |
| Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD | Designated Entity | 2 weeks |
| Assess the amendment and engagement | AGD | 4 weeks |

| Step | Responsibility | Timeframe |
|--|-----------------------|--|
| 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> | | |
| Consideration of Advice | Commission (Delegate) | 2 weeks <i>(includes 1 week to process through Minister's office)</i> |
| | 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 |

ATTACHMENT C

Communication with Light Regional Council

23 November 2021

Reference: 0705

The Chief Executive
Light Regional Council
PO Box 72
KAPUNDA SA 5373

Attention: Brian Carr

By Email: bcarr@light.sa.gov.au

Copy: Craig Doyle

Dear Brian

306 TWARTZ ROAD, GAWLER BELT – PROPONENT INITIATED CODE AMENDMENT

We write on behalf of Land Vision Group Pty Ltd advising of their intention to seek the approval of the Minister for Planning and Local Government (the Minister), to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to 306 Twartz Road, Gawler Belt (the Affected Area).

Initial contact was made with Craig Doyle, General Manager - Strategy & Development by telephone on 23 November 2021 advising of the proposed Code Amendment. We now confirm that Land Vision Group Pty Ltd on behalf of Platinum Property Retirement Pty Ltd and/or Nominee (the Proponent) intends to seek an amendment to the Code in accordance with Section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act, 2016* (the Act).

Commonly known as Yenlo Park, the Affected Area was formerly identified in the Roseworthy Township Expansion Development Plan Amendment (2016) as land that was intended to be rezoned for the future residential growth of Roseworthy Township. The land was subsequently omitted from the rezoning process.

The Proponent has a legal interest in the whole of the Affected Area and is seeking a Code Amendment for the purpose of residential growth.

The scope of the proposed Code Amendment is not seeking to create new planning rules and rather is limited to the spatial application of zones, subzones, overlays and technical and numerical variations contained in the Planning and Design Code.

Under *Practice Direction 2 – Preparation and Amendment of Designated Instruments*, Land Vision Group Pty Ltd is required to undertake preliminary consultation with the Chief Executive Officer of the Council on the proposal. Noting, that the requirements under the Act do not require a Council resolution, we would appreciate your written response by 7 December 2021.

To assist you in considering this proposal, we **enclose** a copy of the Proposal to Initiate an Amendment to the Planning and Design Code – 306 Twartz Road, Gawler Belt (dated 23 November 2021).

The purpose of this preliminary consultation is to determine whether there are any additional investigations or local matters that should be addressed or considered in the Proposal to Initiate the Code Amendment.

If initiated by the Minister (after receiving advice from the State Planning Commission), it is anticipated that Land Vision Group Pty Ltd would be the 'Designated Entity' responsible for undertaking the Code Amendment process.

Should the Code Amendment be initiated, further formal consultation will be undertaken, including with the Council and with owners and occupiers of adjacent land, in accordance with the Community Engagement Charter and the Act. We also request Council's support for broader community engagement including opportunities to make relevant documentation available to the community.

We trust the Council administration view the proposal as a positive contribution to the overall development of the Roseworthy Township Expansion, and we look forward to your support for, and ongoing involvement in, the process.

Should you have any questions regarding the proposed Code Amendment or if you would like to meet to discuss this matter, please contact me on 0488 013 289.

Yours sincerely



Sarah Gilmour
Principal

Encl: 1. *Proposal to Initiate an Amendment to the Planning and Design Code – 306 Twartz Road, Gawler Belt (dated 23 November 2021)*

The Hon Josh Teague MP



**Government
of South Australia**

**Minister for Planning
and Local Government**

GPO Exchange
10 Franklin Street
Adelaide SA 5000

GPO Box 464
Adelaide SA 5001
DX 336

Tel 08 8207 1723
Fax 08 8207 1736

2021/18629/01

Land Vision Group Pty Ltd
C/- Mr Stephen Holmes
Director
Holmes Dyer Pty Ltd

By email: stephen@holmesdyer.com.au

Dear Mr Holmes

I write to advise that under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment.

A copy of the signed Proposal to Initiate is enclosed for your reference.

The initiation approval is on the basis that under section 73(4)(a) of the Act, Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) will be the Designated Entity responsible for undertaking the Code Amendment process.

Pursuant to section 73(5) of the Act, the approval is also subject to the following conditions:

- The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for consultation.
- The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

In addition, the Commission has specified under section 73(6)(e) of the Act that the Designated Entity must consult with the following stakeholders:

- Department of Primary Industries and Regions
- South Australian Country Fire Service
- Environment Protection Authority
- Department for Infrastructure and Transport
- Town of Gawler

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- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies
- Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.

Further, the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - by signing up to an existing agreement; or
 - by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.

In addition, it should be noted that further investigations may be required in response to feedback or advice received through the engagement process.

Pursuant to section 44(6) and 73(6)(d) of the Act, consultation in writing must be undertaken with:

- The Light Regional Council
- Owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Engagement must be undertaken on the Code Amendment in accordance with the Community Engagement Charter. More information on the Community Engagement Charter is available in the Community Engagement Charter toolkit at: https://plan.sa.gov.au/resources/learning_and_toolkits/community_engagement_charter_toolkit/overview.

I will make a determination on whether to approve the proposed amendments at the completion of the Code Amendment process.

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For further information, please contact Ms Belinda Monier from Planning and Land Use Services within the Attorney-General's Department on (08) 8343 2719 or via email at: Belinda.Monier@sa.gov.au.

Yours sincerely

Hon Josh Teague MP
Minister for Planning and Local Government

/ / 2022

Enc Signed Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment

The Hon Josh Teague MP



Government
of South Australia

Minister for Planning
and Local Government

GPO Exchange
10 Franklin Street
Adelaide SA 5000

GPO Box 464
Adelaide SA 5001
DX 336

Tel 08 8207 1723
Fax 08 8207 1736

2021/18629/01

Mr Brian Carr
Chief Executive Officer
Light Regional Council

By email: bcarr@light.sa.gov.au

Attention: Mr Craig Doyle

Dear Mr Carr

I write to advise that under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act) I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment. This Code Amendment seeks to affect land within your council area.

A copy of the signed Proposal to Initiate is enclosed for your reference.

The initiation approval is on the basis that under section 73(4)(a) of the Act, Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) will be the Designated Entity responsible for undertaking the Code Amendment process.

Pursuant to section 73(5) of the Act, the approval is also subject to the following conditions:

- The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for consultation.
- The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

In addition, the Commission has specified under section 73(6)(e) of the Act that the Designated Entity must consult with the following stakeholders:

- Department of Primary Industries and Regions
- South Australian Country Fire Service
- Environment Protection Authority

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- Department for Infrastructure and Transport
- Town of Gawler
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies
- Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.

Further, the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - by signing up to an existing agreement; or
 - by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.

In addition, it should be noted that further investigations may be required in response to feedback or advice received through the engagement process.

Pursuant to section 44(6) and 73(6)(d) of the Act, consultation in writing must be undertaken with:

- The Light Regional Council
- Owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Engagement must be undertaken on the Code Amendment in accordance with the Community Engagement Charter. More information on the Community Engagement Charter is available in the Community Engagement Charter toolkit at: https://plan.sa.gov.au/resources/learning_and_toolkits/community_engagement_charter_toolkit/overview.

I will make a determination on whether to approve the proposed amendments at the completion of the Code Amendment process.

OFFICIAL

For further information, please contact Ms Belinda Monier from Planning and Land Use Services within the Attorney-General's Department on (08) 8343 2719 or via email at: Belinda.Monier@sa.gov.au.

Yours sincerely

Hon Josh Teague MP
Minister for Planning and Local Government

/ / 2022

Enc Signed Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment

Cc Mr Craig Doyle (cdoyle@light.sa.gov.au)



TO: MINISTER FOR PLANNING AND LOCAL GOVERNMENT

RE: PROPOSAL TO INITIATE A CODE AMENDMENT BY THE LAND VISION GROUP PTY LTD (ON BEHALF OF PLATINUM PROPERTY RETIREMENT PTY LTD AND/OR NOMINEE)

PURPOSE

To recommend that you approve, with conditions, the Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment (the Proposal).

BACKGROUND

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act) provides:

73 – Preparation and amendment

(2) A proposal to amend a designated instrument may be initiated by—

(b) with the approval of the Minister, acting on the advice of the Commission—

(vii) in relation to the Planning and Design Code or a design standard— a person who has an interest in land and who is seeking to alter the way in which the Planning and Design Code or a design standard affects that land.

Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) has lodged a Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment to amend the Planning and Design Code (the Code) as it relates to the affected area (**Attachment 1**).

The State Planning Commission (the Commission) considered the Proposal to Initiate at its meeting of 3 February 2022 and resolved to support the Code Amendment, subject to conditions.

A summary of the roles and responsibilities for you and the Commission in regard to the Code Amendment is provided in **Appendix A**.

A flowchart of the Code Amendment process is provided in **Appendix B**.

DISCUSSION

The following sets out the strategic, policy and procedural considerations in relation to the Proposal to Initiate, including conditions that are recommended should you agree to initiate the Code Amendment.

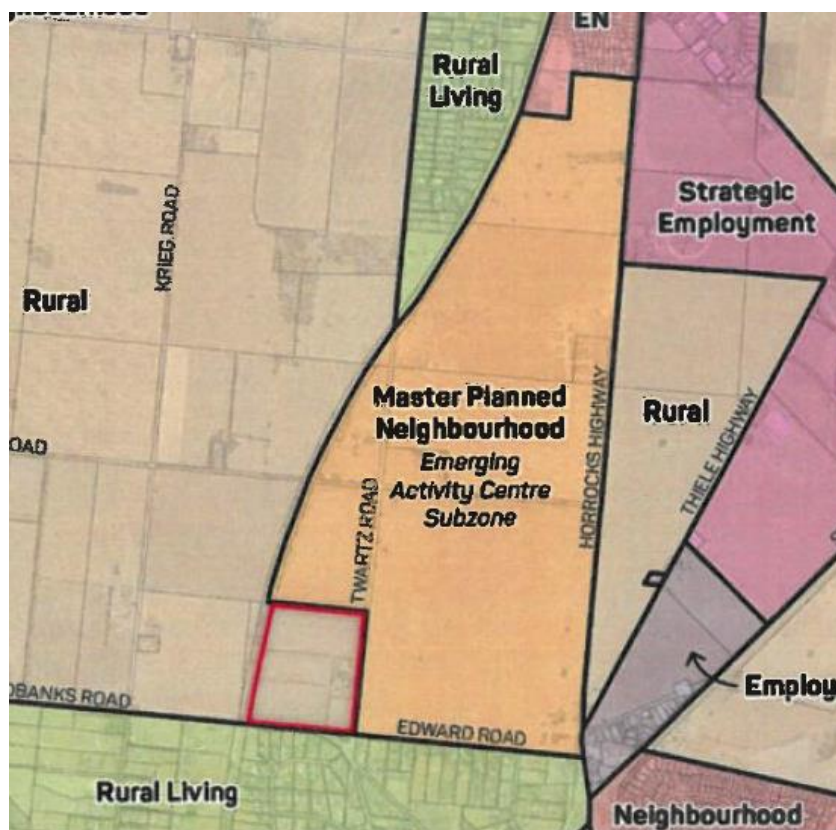
Proposal

The Proposal seeks to rezone a 28.81 hectare sized allotment on the corner of Twartz Road and Redbanks Road in Gawler Belt from the Rural Zone to the Master Planned Neighbourhood Zone.

The affected area was formerly identified in the 2016 Roseworthy Township Expansion Development Plan Amendment (DPA), but was subsequently removed from the DPA as a result of incomplete requirements within the prescribed time frame.

A Minimum Site Area Technical and Numeric Variation (TNV) of 33 hectares and Concept Plan 50 (Roseworthy Town Expansion) currently applies over the land.

The affected area and current zoning is shown in the figure below.



Planning and Design Code Zoning

The affected area is located within the Rural Zone.

The following Overlays apply to the land:

- Hazards (Flooding)
- Hazards (Bushfire - General)
- Hazards (Flooding - General)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Traffic Generating Development
- Urban Transport Routes.

Land surrounding the affected area is within Rural Zone, Master Planned Neighbourhood Zone and Rural Living Zone.

Strategic Considerations

The following sets out the strategic considerations relating to this proposal and rationale for the Commission recommending support for the Code Amendment.

More details of the Commission's strategic priorities are provided in **Appendix C**.

An assessment against the State Planning Policies (SPPs) and relevant Regional Plan are provided in **Appendix D**.

Strategic Advice

The Proposal seeks to rezone an allotment from the Rural Zone to the Master Planned Neighbourhood Zone primarily for the purposes of residential development.

The allotment is identified in *The 30-Year Plan for Greater Adelaide: 2017 update* as a future urban growth area (Planned Urban Lands Boundary 2045) and is not within an Environment and Food Production Area.

Although the Proposal is to add further land supply to a region with adequate land supply, it is justified on the basis that it would have been included in the former Roseworthy Township Expansion area had requirements been met within the allocated time frame. It will also make possible coordinated delivery of infrastructure in conjunction with adjoining land in the Master Planned Neighbourhood Zone to the north (subject to adequate infrastructure agreements) to complete the Concept Plan already in place. Major land division proposals have been lodged for, and construction has commenced, on the St Yves development occurring to the north. This proposal therefore represents a logical expansion of the existing St Yves development front.

Residential Land Supply

The affected area is located within the Outer North region of Greater Adelaide, as defined within the Land Supply Reports Report(s) (LSRs). The LSRs indicate the following:

- Population projections estimate the Outer North region will grow by an estimated 26,800 (medium) to 39,200 (high) people over the next 10 years to 2030.
- It is estimated this will generate demand for an additional 12,000 (medium) to 16,400 (high) dwellings over the same period, of which a substantial portion will be developed from greenfield development (over 75 per cent).
- The LSR – Part 1 (Greenfield) estimates the Outer North region has an estimated remaining supply of 12,400 development ready allotments and a further 33,900 undeveloped zoned lots. These opportunities are scattered across three sub-regions (Two Wells/Virginia, Playford and Gawler).

Land Use Characteristics

The affected area currently contains a dwelling and outbuildings, with the balance of the land being used for agricultural purposes. There is a disused railway that runs along the western boundary. The land is predominantly flat.

Transport and Access

The affected area is on the corner of Redbanks Road (State-maintained road) and Twartz Road (local road). Twartz Road is an unsealed road. The existing Concept Plan shows a future east-west freight link along eastern boundary of the affected area (Twartz Road) and there are no proposed changes to this.

Services and Infrastructure

Infrastructure negotiations for road, stormwater and social infrastructure occurred as part of the 2016 Roseworthy Township Expansion DPA. The various Infrastructure Deeds for the Roseworthy Township Expansion have been negotiated between the Light Regional Council (the Council) and each respective landowner, on equivalent terms, underpinned by respective Land Management Agreements (LMAs).

The Proposal did not identify a mechanism for contribution to infrastructure upgrades in relation to this Code Amendment.

Procedural Considerations

The following sets out the key procedural considerations and legislative requirements. Pursuant to section 73(5) of the Act, approval for a Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by you, as Minister for Planning and Local Government. As such, a number of conditions are recommended by the Commission as set out below.

Information Requirements

Practice Direction 2 – Preparation of Amendment of Designated Instruments outlines the information requirements for a Proposal to Initiate (**Appendix E**).

The mandatory information requirements have been met and therefore the Proposal is of a suitable form to be considered by you.

Consistent with the State Planning Policies and Regional Plan

The Code must be consistent with the principles of the SPPs and should be consistent with the directions of the relevant Regional Plan, which in this instance is *The 30-Year Plan for Greater Adelaide: 2017 Update* (the Regional Plan). This assessment is provided in **Appendix D**.

A more detailed analysis is also located in the Proposal to Initiate (**Attachment 1**).

The Proposal considered to be consistent with the SPPs and Regional Plan.

Designated Entity

As this proposal is by a private proponent, under section 73(4) of the Act, you may decide to enable the proponent to be the Designated Entity and conduct the Code Amendment processes, or alternatively, you can give the Chief Executive of the Attorney-General's Department the responsibility for undertaking the processes.

The Commission has resolved to recommend that proponents should prepare and lead their own Code Amendments for the 12-month period following the implementation of the Phase Three (Urban Areas) Code. This is to ensure State resources are not diverted from strategic matters of importance as the new planning and development system is implemented.

The documentation should, however, be prepared by a suitably qualified person to ensure statutory procedures and good planning outcomes are addressed.

Recommendation(s)

That Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) be the Designated Entity responsible for undertaking the Code Amendment process.

The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

Investigations to Support the Amendment

The investigations undertaken to date are outlined in the Proposal to Initiate (**Attachment 1**).

The Proponent has identified further investigations to support the Code Amendment, including:

- Hazard Overlays
- Services report
- Stormwater Management Plan
- Traffic assessment.

The Proponent has not provided details of the approach to infrastructure delivery. The Proponent intends to undertake negotiations with the Council with a view to entering into an infrastructure agreement; however, this was not specified in the Proposal to Initiate.

The Commission is of the view that the approach to infrastructure delivery should, in this instance, be determined by the Proponent prior to consultation on the Code Amendment commencing. This will provide confidence of the approach being viable and shed light on how this interacts with infrastructure delivery in the adjoining land in the Master Planned Neighbourhood Zone to the north. Therefore, the following further information requirements are also recommended:

- Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - a) by signing up to an existing agreement; or
 - b) by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.

Recommendation(s)

That the following further investigations or information requirements be undertaken by the Designated Entity, in addition to that outlined in the Proposal to Initiated, under section 73(6)(f) of the Act:

- Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - a) by signing up to an existing agreement; or
 - b) by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.

Application of the Code

The Proposal seeks to rezone land from the Rural Zone to the Master Planned Neighbourhood Zone to support residential development. The Emerging Activity Centres Subzone, Affordable Housing Overlay and Noise and Air Emissions Overlay are proposed to be applied over the affected area. Consideration will also be given to minor amendments to Concept Plan 50 Roseworthy Township Expansion. The Proposal includes a review of flooding and bushfire overlays; however, changes to these overlays will be informed by the Commission-initiated Code Amendments specific to these matters.

Recommendation(s)

That a condition be placed on the Proposal to Initiate that limits the scope of the proposed Code Amendment to exclude the creation of new planning rules, and to be limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Code (on the date the Amendment is released for consultation).

Consultation

The Proponent has undertaken preliminary consultation with Council, who have advised that Council had previously endorsed the affected area to be included as part of the Roseworthy Township Expansion DPA. As the affected area was subsequently excluded, it was not considered in the infrastructure negotiations for road, stormwater and social infrastructure which are now in place for the adjoining land in the Master Planned Neighbourhood Zone to the north and underpinned by LMAs. Therefore, Council have requested that the Code Amendment not proceed until appropriate infrastructure agreements have been put in place, with the resourcing and cost to complete them being borne by the Proponent.

In light of the Council's comments, clarification was sought from the Proponent about the proposed approach to infrastructure delivery. In response, the Proponent indicated their intention to negotiate with the Council with a view to entering into an infrastructure agreement. They anticipate that such agreement will be supplementary to the existing agreements in place.

In accordance with the Community Engagement Charter, the Designated Entity is required to prepare an Engagement Plan that will outline how, when and with whom it engages with regarding the proposed Code Amendment. Consultation may commence in April 2022.

The Commission has determined to specify the following further persons or bodies that the Designated Entity must consult with in relation to the proposed Code Amendment, as permitted under section 73(6)(e) of the Act:

- Department of Primary Industries and Regions
- South Australian Country Fire Service
- Environment Protection Authority
- Department for Infrastructure and Transport
- Town of Gawler
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies
- Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.

In addition, in accordance with sections 44(6) and 73(6)(d) of the Act, consultation must be undertaken with:

- Light Regional Council
- Owners or occupiers of the land and adjacent land in accordance with the *Planning Development and Infrastructure (General) Regulations 2017*.

Recommendation(s)

Advise the Designated Entity of the required consultation with the entities and bodies specified by the Commission.

RECOMMENDATIONS

It is recommended that you:

1. Note the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the Act. NOTED / NOT NOTED

2. Note that the State Planning Commission has, under section 73(6)(e) of the Act, specified that the Designated Entity must consult with the following nominated individuals and entities, and advise the Designated Entity accordingly: NOTED / NOT NOTED
 - Department of Primary Industries and Regions SA
 - South Australian Country Fire Service
 - Environment Protection Authority
 - Department for Infrastructure and Transport
 - Town of Gawler
 - Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
 - State Members of Parliament for the electorates in which the proposed Code Amendment applies
 - Land owners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 50 Roseworthy Township Expansion.

3. Note that the State Planning Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements to that outlined in the Proposal to Initiate, and advise the Designated Entity accordingly: NOTED / NOT NOTED
 - Demonstrate that infrastructure deeds/agreements can be established to adequately provide the required infrastructure to the affected area, either:
 - a. by signing up to an existing agreement; or
 - b. by negotiation of a new agreement to the satisfaction of relevant infrastructure providers.

4. Approve Initiation under section 73(2)(b) of the Act, subject to the following conditions (under section 73(5)) of the Act):

APPROVED / NOT APPROVED

a) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (on the date the Amendment is released for consultation).

b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

5. Under section 73(4)(a) of the Act, approve the initiation of the Code Amendment on the basis that Land Vision Group Pty Ltd (on behalf of Platinum Property Retirement Pty Ltd and/or nominee) will undertake the Code Amendment processes (as the Designated Entity) required under the Act.

APPROVED / NOT APPROVED

6. Agree to sign the Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment (**Attachment 1**).

AGREED / NOT AGREED

7. Agree to sign the attached letters to the Proponent (**Attachment 2**) and the Light Regional Council (**Attachment 3**) advising of your approval and conditions.

AGREED / NOT AGREED



Craig Holden
Chair, State Planning Commission

4 February 2022

JOSH TEAGUE MP
/ / 2022

Attachments:

1. Proposal to Initiate the 306 Twartz Road, Gawler Belt Code Amendment (#18077762).
2. Suggested letter to the Proponent (#18216229).
3. Suggested letter to the Light Regional Council (#18216223).

Appendices:

- A. Summary of Roles and Responsibilities in Code Amendment Process (#18189735).
- B. Process Flowchart – Code Amendments Initiated by Proponents (#18189743).
- C. State Planning Commission’s Strategic Priorities (#18189749).
- D. Assessment against the State Planning Policies and Regional Plan (#18189757).
- E. Extract from *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (#18189752).

Contact: Jason Bailey
Tel No: 0439 995 006

Procedural Matters for the State Planning Commission (the Commission)

The Commission's role at Initiation, when the Commission is not the Proponent, is to:

- Provide advice to the Minister for consideration in making a decision on initiation pursuant to section 73(2)(b) of the Act.
- Specify any person or body the Designated Entity must consult with under section 73(6)(e) of the Act, noting that the designated entity will also need to prepare an engagement plan in accordance with the Community Engagement Charter prior to consultation.
- Specify any investigations to be carried out and/or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The importance of the initiation process is two-fold:

- Firstly, it enables proposals considered to be significantly at odds with the State Planning Policies (SPPs) and relevant Regional Plan to be refused early in the process, minimising risk. This is because the decision to proceed is based on an assessment against these documents.

To that end, the Commission may also advise the Minister on how the proposal fits with its stated priorities, including:

- Technical amendments that enhance the operation of the Code.
- Bushfire policy in response to the Royal Commission and improved bushfire mapping data.
- Support land supply, including infill, master planned neighbourhoods and growth areas consistent with the Growth Management Programme.
- Support economic clusters such as agribusiness and value adding, defence industries, energy and resources, health and medical industries and knowledge and creative industries.
- Provide state-wide strategic benefit such as protection against environmental hazards.
- Secondly, the initiation process is the point at which the scope of the Code Amendment process, investigations and information requirements and the amendments are determined. This provides clarity and certainty for the proponents.

Approval of the Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by the Minister. As such, conditions have been recommended by the Commission, to be made by the Minister.

The Commission has previously determined that (where possible) Code Amendments should be prepared and led by proponents themselves for the first 12 months following implementation of the Phase Three Code.

Code Amendments Initiated by Proponents

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*

