

## Agenda Report for Decision

Meeting Date: 14 October 2021

<b>Item Name</b>	Code Amendment Initiation Advice to the Minister for Planning and Local Government – Windamere Park Code Amendment
<b>Presenters</b>	Nadia Gencarelli and Anita Allen
<b>Purpose of Report</b>	Decision
<b>Item Number</b>	3.2
<b>Confidential Item (Y/N)</b>	Not Confidential (Release Delayed). To be released following final decision by the Minister on initiation of the Code Amendment. Anticipated in <b>October 2021</b>
<b>Related Decisions</b>	4 June 2020 – Commission resolution to advise the Minister to not support the Windamere Park and Surrounding Areas DPA

### Recommendation

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

1. Approve the designation of the 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 the initiation of the Code Amendment.
2. Advise the Minister that it:
  - 2.1 Recommends that the Proposal to Initiate (**Attachment 1**) the Windamere Park Code Amendment under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act) not be supported until such time as approved urban development in the area of Buckland Park is substantially completed, and infrastructure and services, including roads and public transport, can be efficiently delivered on the site.
  - 2.2 In the alternative, recommends that, should the Proposal to Initiate be approved with a limited scope (removal of the Limited Land Division Overlay) under section 73(2)(vii) of the Act:
    - 2.2.1 The following conditions are applied under section 73(5)(b) of the Act:
      - (a) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the Affected Area as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).
      - (b) The scope of the Code Amendment is to be limited to the removal of the Limited Land Division Overlay from the affected area. It excludes the creation of new planning rules, and is limited to the spatial application of

overlays and technical and numerical variations provided for under the published Code (on the date the Amendment is released for consultation).

- (c) 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.

2.2.2 Recommends that Theodoor De Lyster be the Designated Entity responsible for undertaking the Code Amendment process.

2.2.3 Specify that the Designated Entity consults with the following nominated individuals and entities, under section 73(6)(e) of the Act:

- SA Housing Authority;
- Department of Primary Industries and Regions (PIRSA);
- Utility providers, including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers; and
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

2.2.4 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:

- (a) Undertake a comprehensive infrastructure analysis by an appropriately qualified expert (or experts), that identifies all future infrastructure works required in order to accommodate the development of the Affected Area as proposed by the Code Amendment, and provide a strategy which offers a funding and delivery solution for all required infrastructure works.
- (b) Investigate and identify the broad extent and location of land required to accommodate flooding and stormwater management infrastructure in relation to the proposed development.
- (c) Investigate and identify areas of Acid Sulphate Soils; determine their impact on the proposed development; and develop and appropriate policy response.

2.3 Recommends that, should the Windamere Park Code Amendment be approved as lodged by the Proponent under section 73(2)vii of the Act:

2.3.1 The following conditions applied under section 73(5)(b) of the Act:

- (a) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the Affected Area as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).
- (b) 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).

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

2.3.2 Recommends that Theodoor De Lyster be the Designated Entity responsible for undertaking the Code Amendment process.

2.3.3 Specify that the Designated Entity consults with the following nominated individuals and entities, under section 73(6)(e) of the Act:

- SA Housing Authority;
- Department of Primary Industries and Regions (PIRSA);
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers; and
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

2.3.4 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:

- (a) Undertake a detailed analysis of residential land supply and demand, including demands and trends concerning land and housing products.
- (b) Undertake a comprehensive infrastructure analysis by an appropriately qualified expert (or experts) that identifies all future infrastructure works required in order to accommodate the development of the Affected Area as proposed by the Code Amendment, and provide a strategy which offers a funding and delivery solution for all required infrastructure works.
- (c) Explore other zoning options for the affected area, including Neighbourhood Zone, Rural Neighbourhood Zone, Rural Living Zone etc., including a Minimum Site Area Technical and Numeric Variation of no less than 1,200 square metres.
- (d) Investigate and identify the broad extent and location of land required to accommodate flooding and stormwater management infrastructure in relation to the proposed development.
- (e) Investigate and identify areas of Acid Sulphate Soils; determine their impact on the proposed development; and develop and appropriate policy response.
- (f) Investigate and identify any potential impacts on the adjacent Adelaide International Bird Sanctuary National Park and Gawler River as a result of the proposed development/rezoning.

3. Approve the advice to the Minister (**Attachment 2**) and draft refusal letters (**Attachment 3**).

4. Authorise the Chair to finalise any minor amendments to the advice and attachments.

## 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 and The 30-Year Plan for Greater Adelaide;
- Any person or body that must be consulted by the Designated Entity pursuant to section 73(6)(e) of the Act; and
- 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 therefore is to provide the Commission with advice to be provided to the Minister in relation to the Proposal to Initiate submitted by Theodoor De Lyster (**Attachment 1**).

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

## Discussion

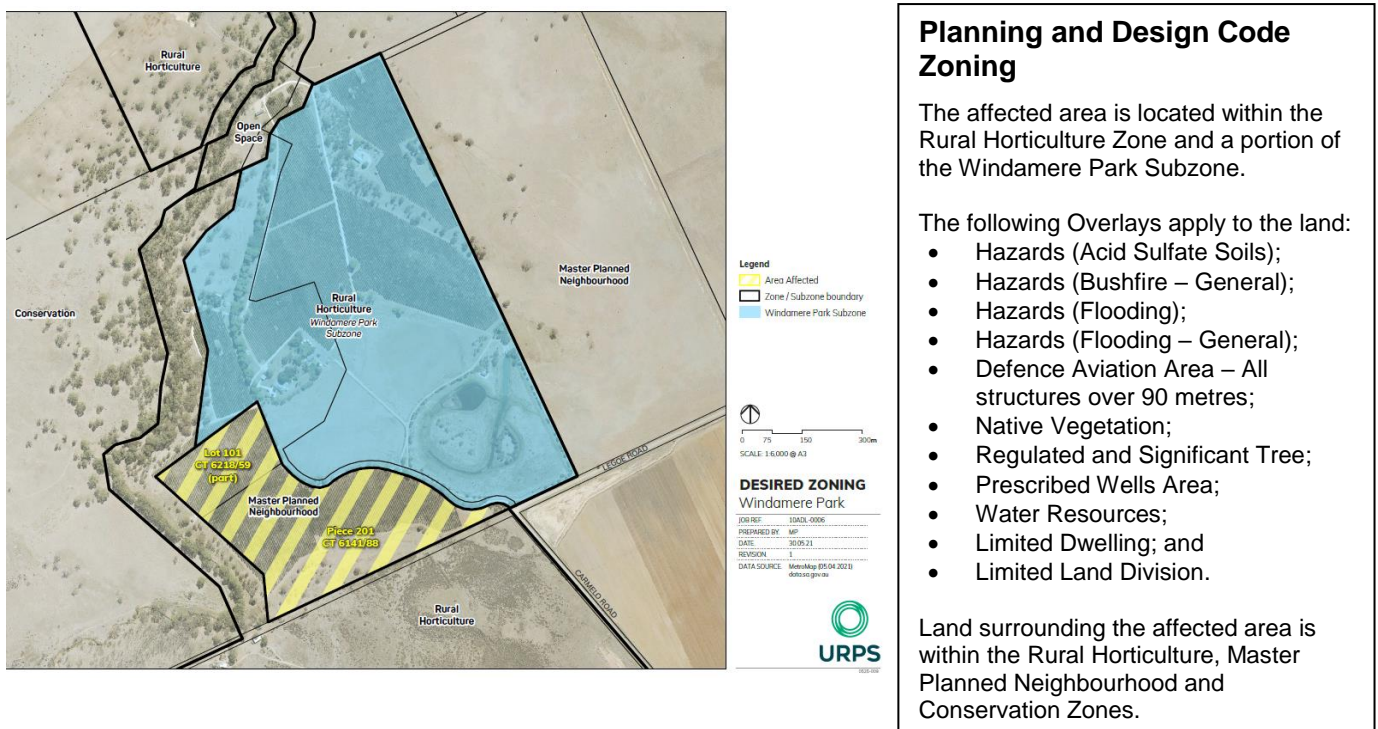
### Scope of the Amendment

The Proposal to Initiate seeks to rezone approximately 19 hectares of land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone. It has also been proposed to remove the Limited Land Division Overlay, the Limited Dwelling Overlay and the Minimum Site Area Technical and Numeric Variation (TNV) of 10 hectares from the affected area. A portion of the affected area is within the Windamere Park Subzone and this would also be removed in place of the Master Planned Neighbourhood Zone. The affected area falls within the Buckland Park Concept Plan (Concept Plan 14).

The affected area and current zoning are shown below in Figure 1.

Detailed discussion is provided in the advice to the Minister in **Attachment 2**.

Figure 1 – Affected Area and Zoning



## Advice to the Minister for Planning and Local Government

The attached 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 2**).

The advice recommends that the Minister refuse the initiation of the Code Amendment for the following reasons.

### *Strategic Considerations*

The Proposal seeks to rezone land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone. The Proponent's intent is for the new zoning to facilitate the provision of 15 Special Disability Accommodation (SDA) on individual titles, integrated in a rural living style setting of up to 100 allotments. This has been identified by the Proponent as a necessity to meet National Disability Insurance Scheme (NDIS) funding rules.

However, the Master Planned Neighbourhood Zone does not provide minimum/maximum allotment sizes as a Technical and Numeric Variation (TNV), and envisages higher density development. Based on the size of the affected area, the application of the Master Planned Neighbourhood Zone could result in development of a significantly higher number of allotments which would not be in keeping with the 'rural living' style, and would place greater pressure on infrastructure.

It is understood that the City of Playford previously recommended that the Proponent explore an alternate approach to the Code Amendment which involved the provision of a limited number of housing allotments and the subsequent establishment of Land Management Agreements (or similar) to ensure the dwellings remain associated with Windamere Park. This approach was considered but no changes were made to the Proposal to Initiate.

Whilst the affected area is within the Future Urban Growth Area and not within or directly adjacent to either an Environment and Food Production Area or the Barossa Valley Character Preservation District, the development potential of the site should the Master Planned Neighbourhood Zone be applied would have a significant impact on infrastructure in the area.

The land sits adjacent Buckland Park (Riverlea development). However, the Land Supply Reports for Greater Adelaide (June 2021) indicate the current supply of Greenfield land in the Outer North Region is considered sufficient to accommodate the projected demand of 9,000 (medium) to 13,000 (high) lots over the next 10 years.

The previous Windamere Park and Surrounding Areas DPA was ceased by the Minister, on the advice of the Commission on 5 August 2020, on the basis that it could not be supported until such time as approved urban development in the area of Buckland Park is substantially completed. The advice went further to say it will be some time before infrastructure and services, including roads and public transport, can be efficiently delivered on the site. The viability of the development at the scale proposed is questioned given the costs that will be associated with road upgrades, stormwater and essential services. The impact on adjacent sensitive land (conservation areas) has also not been adequately addressed.

There is insufficient evidence and scope (i.e. within detailed further investigations) to address previous reasons for refusal as outlined by the Commission and the Minister in late 2020. Therefore, it is recommended that the Code Amendment not be supported at this time. However, should the Minister consider the rezoning is appropriate, conditions including further investigations are recommended to ensure outstanding matters can be addressed.

Further strategic considerations and discussion are provided in **Attachment 2**.

### *Procedural considerations*

The Proposal to Initiate meets the procedural requirements, as detailed in the attached advice to the Minister (**Attachment 2**); however, there are some inconsistencies with the State Planning Policies and Regional Plan.

### **Attachments:**

1. Proposal to Initiate the Windamere Park Code Amendment (#17281658).
2. State Planning Commission advice to the Minister for Planning and Local Government (#17320571).
3. Draft refusal letters to:
  - a. The Proponent (#17809894); and
  - b. The City of Playford (#17809903).
4. Procedural Matters for State Planning Commission (#17170230).
5. Code Amendments Initiated by Proponents—Process Flowchart (#17739990).

Prepared by: Belinda Monier

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Endorsed by: Brett Steiner

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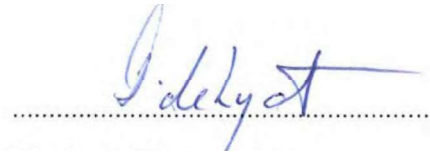
Date: 1 October 2021

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

**Windamere Park Code Amendment**

**By the Person with Interest in the Land  
(*the Proponent*)**



***Mr Theodor De Lyster (the Proponent)***

**Date: 21 June 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*.**

**MINISTER FOR PLANNING AND LOCAL GOVERNMENT**

**Date:**

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## 1. INTRODUCTION

The Proponent is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land located at Lot 201 in D93614, Legoe Road, Buckland Park and a portion of 493 Carmelo Road, Buckland Park (Lot 101 in D93614) (the Affected Area).

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).

The Proponent is the Registered Proprietor for the whole of the Affected Area.

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's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
  - a) Grazio Maiorano RPIA (Fellow), Director, URPS
  - b) gmaiorano@urps.com.au
  - c) (08) 8333 7999
- 1.1.3. The Proponent intends to undertake the Code Amendment by:
  - a) Engaging URPS to provide the professional services required to undertake the Code Amendment.

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

Windamere Park is an accredited disability services provider with the National Disability Insurance Scheme (NDIS) and has provided a training and educational environment for people with an intellectual disability since 1991. It now services well over 400 attendees per week and is on the preferred provider panel for the NDIS, the services currently delivered include:

- Daily development programs
- Pre-vocational and vocational training
- Community access
- Educational camping experiences
- Limited and small scale Supported Independent Living (SIL) accommodation / overnight accommodation.

Windamere Park is seeking to expand the valuable services it offers to persons living with disability by providing increased living options in the form of Specialist Disability Accommodation (SDA).

The latest NDIS data reveals that there are 1857 participants with SDA need in South Australia, of which 187 participants are currently not in SDA, however seeking a dwelling<sup>1</sup>.

The proposed Code Amendment seeks to rezone the Affected Area to facilitate the development of SDA in a manner which:

- Provides the ability to undertake land division to accommodate SDA on individual titles and thereby ensure they can access bank funding. Lending institutions will not provide finance without securing the debt to an easily defined asset (e.g. individual title). Without access to such funding, the homes will not be constructed. The desire for individual titles for the SDA was formally supported by the City of Playford on 15 December 2020 (Resolution 4367).
- Is integrated with conventional dwelling types and achieves the requirements of the *National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020* (NDIS SDA Rules). That is, all parties seek to avoid an institutional setting. In accord with NDIS rules, additional conventional homes will be encouraged to be constructed for families of SDA tenants and other likeminded people. That is, all purchases will be fully aware of the SDA housing and existence of Windamere Park before constructing their conventional homes. Without such an integrated approach, the NDIS will not support the proposal.
- Provides a direct connection between the Affected Area and the balance of support services offered at Windamere Park;
- Provides opportunity for third-party investment in the provision of SDA.

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<sup>1</sup> NDIS 2021, *Specialist Disability Accommodation Enrolled Dwellings and NDIS Demand*.

- Provides a reasonable scale of development (eg non-SDA homes) to allow the proponent to contribute to Council’s desired road upgrades.

It is acknowledged that a portion of the larger Windamere Park land holdings are currently subject to dedicated ‘Windamere Park Subzone’. However, the policy contained in this subzone does not extend over all land and is accompanied by the inclusion of the Limited Land Division Overlay. These limitations have resulted in a policy arrangement that:

- Restricts the location that development can occur on the Windamere Park land holdings (noting only 2 of the 3 allotments are subject to the Subzone).
- Restricts land division necessary to support the proposed SDA housing by providing a conventional tenure arrangement and open-up opportunity for co-funding of the infrastructure required to service the site. We

This Code Amendment has been prepared to make amendments to the zoning applicable to allow for the realisation of Windamere Park’s full potential and to provide confidence to make substantial investment in the further development of its services.

## 2. SCOPE OF THE CODE AMENDMENT

### 2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being Legoe Road, Buckland Park (Lot 201 in D93614 in CT:6141/88) and a portion of 493 Carmelo Road, Buckland Park (Lot 101 in D93614) within the City of Playford as shown in the map in Attachment A. Also included is a map showing the Affected Area’s relationship to the balance of the Windamere Park land and the Riverlea development.

### 2.2. Scope of Proposed Code Amendment

#### Site 1 - Legoe Road, Buckland Park (Lot 201 in D93614 in CT:6141/88)

Current	Policy <sup>2</sup>
	<p><b>Zone:</b></p> <ul style="list-style-type: none"> <li>• Rural Horticulture</li> </ul> <p><b>Subzone:</b></p> <ul style="list-style-type: none"> <li>• Nil</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Hazards (Acid Sulfate Soils)</li> <li>• Hazards (Bushfire – General Risk)</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding - General)</li> <li>• Defence Aviation Area</li> <li>• Native Vegetation</li> <li>• Regulated and Significant Tree</li> <li>• Prescribed Wells Area</li> </ul>

<sup>2</sup> Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

	<ul style="list-style-type: none"> <li>• Water Resources</li> <li>• Limited Dwelling</li> <li>• Limited Land Division</li> </ul> <p><b>TNV's:</b></p> <ul style="list-style-type: none"> <li>• Concept Plan 14 – Buckland Park</li> <li>• Minimum Site Area – 10ha</li> </ul>
<b>Amendment Outline</b>	The objective of the Code Amendment is to rezone land to support the development of SDA housing in broader a community setting.
<b>Intended Policy</b>	The Code Amendment seeks the following amendments: <ul style="list-style-type: none"> <li>• Rezone from Rural Horticulture Zone to Master Planned Neighbourhood Zone (or any other zone that achieves the project objectives and manages potential interface issues).</li> <li>• Remove the imposition of the Limited Land Division Overlay and Limited Dwelling Overlay.</li> </ul>

### 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. Alignment with State Planning Policies

The State Planning Policies (SPPs) 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
<b>SPP 1 – Integrated Planning</b>	
To apply the principles of integrated planning to shape cities and regions in a way that enhances our liveability, economic prosperity and sustainable future.	
<b>1.1</b> An adequate supply of land (well services by infrastructure) is available that can accommodate housing and employment growth over	<p>The Code Amendment seeks to rezone some 18.6 hectares of land to accommodate residential type land uses to the immediate west of the Riverlea development currently underway at Buckland Park.</p> <p>The proposal will provide a small addition of land supply, focused primarily on delivering an SDA</p>

<p>the relevant forecast period.</p>	<p>outcome in strict accordance with the SDA Rules. These rules place a density limitation on the provision of SDA were located on a single parcel of land. The current limitation on the creation of new allotments for this purpose, and the need to integrate SDA within a broader neighbourhood setting and the relationship that the affected area has with the existing Windamere Park facilities has necessitated the initiation of this Code Amendment.</p>
<p><b>SPP 2 – Design Quality</b></p> <p>To elevate the design quality of South Australia’s built environment and public realm</p>	
<p><b>2.2</b> Promote best practice in access and inclusion planning in the design of buildings and places by applying the principles of Universal Design, Crime Prevention Through Environmental Design and Access and Inclusion.</p>	<p>The Code Amendment will deliver the zoning outcome required to support the development of SDA within a broader community setting. The importance of developing dedicated housing for people living with disability cannot be underestimated. March 2021 NDIS data confirms that there are some 187 people in South Australia currently seeking SDA housing and demand cannot currently be met with exiting supply. The security of tenure offered via this approach both opens up opportunity for co-investment from relatives of participant, whilst meeting the strict controls resulting from the NDIS SDA Rules.</p> <p>Further, the proposal will enable an opportunity for those persons living in SDA to access broader support programs provided at Windamere Park.</p>
<p><b>SPP 4 – Biodiversity</b></p> <p>To maintain and improve our state’s biodiversity and its life supporting functions.</p>	
<p><b>4.1</b> Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting</p>	<p>The proposed Code Amendment will not result in the rezoning of land with recognised high value characteristics, nor the need to clear large areas of land which have not been heavily modified previously.</p>

<p>functions to our state can be maintained.</p>	
<p><b>SPP 5 – Climate Change</b></p> <p>Provide for development that is climate ready so that our economy, communities and environment will be resilient to climate change impacts.</p>	
<p><b>5.5</b> Avoid development in hazard-prone areas or, where unavoidable, ensure risks to people and property are mitigated to an acceptable or tolerable level through cost-effective measures.</p>	<p>It is acknowledged that the Affected Area is located on the Gawler River floodplain. Detailed investigations have been undertaken to determine the impacts of a 1% AEP flood event. These investigations confirm that the land is not directly affected by flooding and off-site flood impacts are capable of being managed.</p>
<p><b>SPP 6 – Housing Supply and Diversity</b></p> <p>To promote the development of a well-serviced and sustainable housing and land choices where and when required.</p>	
<p><b>6.9</b> Apply universal and adaptable housing principles in new housing stock to support changing needs over a lifetime, including the needs of those who are less mobile.</p>	<p>The intent of this Code Amendment is to rezone land to support the development of SDA within a community setting. Future housing stock catering for persons living with disability will be designed and constructed in a manner that achieves the requirements of the NDIS.</p>
<p><b>SPP 8 – Primary Industry</b></p> <p>A diverse and dynamic primary industry sector making the best use of natural and human assets.</p>	
<p><b>8.4</b> Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.</p>	<p>The proposal will see the rezoning of land currently zoned Rural Horticulture to Master Planned Neighbourhood (or other zone, subject to investigations that address potential interface issues). The broader locality supports both enclosed and non-enclosed horticultural activities. Development occurring to the immediate east and south-east is recognised as accommodating the future Riverlea residential development which will result in some 12,000 new homes, whilst land to the immediate south appears to be used for low intensity rural type purposes. Finally, land to</p>

	the immediate west comprises the Gawler River and land zoned Conservation. Overall, the Code Amendment will not impact upon the interface between the subject land primary production activities.
<p><b>SPP 15 – Natural Hazards</b></p> <p>To build the resilience of communities, development and infrastructure from the adverse impacts of natural hazards.</p>	
<p><b>15.1</b> 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>The lands presence within the hazards overlays (bushfire, flooding and acid-sulfate soils) does not present an unacceptable risk with appropriate measures capable of being put into place as part of a future development process.</p>

### 3.2. 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 (30-Year Plan) volume of the Planning Strategy (which has transitioned to a Regional Plan under the Act) is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p><b>Transit corridors, growth areas and activity centre</b></p> <p><b>P11</b> Ensure new urban fringe growth occurs only within designated urban areas and township boundaries and outside the Environment and Food Production Areas.</p>	<p>The Affected Area is located to the immediate west and north-west of the Riverlea development and is identified in the 30-Year Plan as a 'Future Urban Growth Area – unzoned'.</p>

<p><b>Housing mix, affordability and competitiveness</b></p> <p><b>P37</b> Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas, including:</p> <ul style="list-style-type: none"> <li>- Assisted living accommodation</li> </ul>	<p>The Code Amendment seeks to deliver a zoning outcome which results in the development of SDA in an integrated manner but with respect to a wider community setting and in connection with support services occurring on the larger Windamere Park site.</p>
<p><b>Emergency management and hazard avoidance</b></p> <p><b>P118</b> Minimise risk to people, property and the environment from exposure to hazards by designing and planning for development in accordance with a risk hierarchy of:</p> <ul style="list-style-type: none"> <li>- avoidance</li> <li>- adaptation</li> <li>- protection</li> </ul>	<p>It is acknowledged that the Affected Area is located on the Gawler River floodplain. Detailed investigations have been undertaken to determine the impacts of a 1% AEP flood event. These investigations confirm that the land is not directly affected by flooding and off-site flood impacts are capable of being managed.</p>

### 3.3. 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.

The following table identifies other documents relevant to the proposed Code Amendment:

<b>Other Relevant Document</b>	<b>Code Amendment Alignment with Other Relevant Document</b>
City of Playford – Concept Plan 14 Buckland Park	The affected area is located within an existing Concept Plan which has been prepared to guide development of the wider Riverlea Buckland Park estate.



## 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.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<p>Combined flood risk, groundwater, wastewater, stormwater and water infrastructure investigations (Water Technologies)</p>	<p>Detailed analysis of:</p> <ul style="list-style-type: none"> <li>• Flood risk - to determine whether the site would be impacted by a 1% AEP flooding event of the Gawler River.</li> <li>• Groundwater – to understand if supply is suitable for potable use and what risk to groundwater may arise as a result of development.</li> <li>• Wastewater – to determine if domestic wastewater can be effectively managed regarding volume and quality.</li> <li>• Stormwater – to determine that integrated drainage can be effectively managed regarding volume and quality (e.g. WSUD).</li> <li>• Water Infrastructure – determine whether the site can feasibility access SA Water infrastructure, and what alternatives might be available.</li> </ul>	<p>Flooding, stormwater, groundwater and potential wastewater issues are capable of being addressed at the land division design stage.</p>
<p>Transport Impact Assessment (GTA Consultants)</p>	<p>Transport impact assessment undertaken to determine:</p> <ul style="list-style-type: none"> <li>• the potential impact of anticipated vehicle</li> </ul>	<ul style="list-style-type: none"> <li>• The predicted increase in traffic volumes would be low in scale and the existing road network and intersections</li> </ul>

	<p>generation from the site on the broader road network.</p> <ul style="list-style-type: none"> <li>• The required off-site road upgrades needed to facilitate the development.</li> </ul>	<p>would remain within capacity and operate satisfactorily.</p> <ul style="list-style-type: none"> <li>• The increase in traffic would require the existing unsealed section of Carmelo Road, Tippets Bridge Road and Legoe Road to be sealed when traffic volumes exceed 500 vehicles per day.</li> <li>• The intersection of Port Wakefield Road and Carmelo Road will continue to operate within capacity.</li> </ul>
<p>Preliminary Site Investigation (Agon Environmental)</p>	<ul style="list-style-type: none"> <li>• Identify potentially contaminating activities which may have occurred at the site.</li> <li>• Provide a preliminary assessment of potential risks to human health and the environment associated with any contamination which may have been caused by any identified potentially contaminating activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Site contamination risks associated with most of the potentially contaminating activities which may have occurred on the site are low.</li> </ul>
<p>Flora and Fauna Assessment (EBS Ecology)</p>	<p>Desktop and field ecological assessment to:</p> <ul style="list-style-type: none"> <li>• Assess native and amenity trees on the property to determine the locations of Regulated and/or Significant trees.</li> <li>• Conduct a Native Vegetation Assessment and Scattered Trees</li> </ul>	<ul style="list-style-type: none"> <li>• There are no threatened ecological communities or flora species recorded in the project area.</li> <li>• There are a number of bird species listed as migratory under the EPBC Act identified as</li> </ul>

	<p>Assessment per the <i>Native Vegetation Act 1992</i> and <i>Native Vegetation Regulations 2017</i>.</p> <ul style="list-style-type: none"> <li>• Determine the presence of flora and fauna species listed under the <i>National Parks and Wildlife Act 1972</i> and <i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i>.</li> <li>• Determine the value of scattered trees for regional, state and national threatened fauna.</li> </ul>	<p>potentially occurring or having suitable habitat within the project area.</p> <ul style="list-style-type: none"> <li>• There are a number of State threatened fauna identified as potentially occurring or having suitable habitat within the project area.</li> <li>• There are a number of native vegetation associations mapped and assessed in the project area and a number of scattered trees.</li> </ul> <p>This report recommends specific areas for development to occur on the greater allotments which includes the Affected Area.</p>
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#### 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 the Code Amendment.

<b>Further Investigations Proposed</b>	<b>Explanation of how the further investigations propose to address an identified issue or question</b>
<i>Interface issues</i>	The planning term will document and analysis existing and proposed land uses at the interface of the proposed rezoning area to identify potential land use interface issues and determine design solutions (if required).

#### 4.3. Engagement Already Undertaken

In accordance with Practice Direction 2, the City of Playford administration and some Elected Members has been consulted on this proposal. A copy of this document has

been provided to Council's administration in late May 2021. We are expecting a response from Council soon.

#### **4.4. Further Engagement Proposed**

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

### **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):

- 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 or 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; and
  - 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 to 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**





**Legend**

 Area Affected



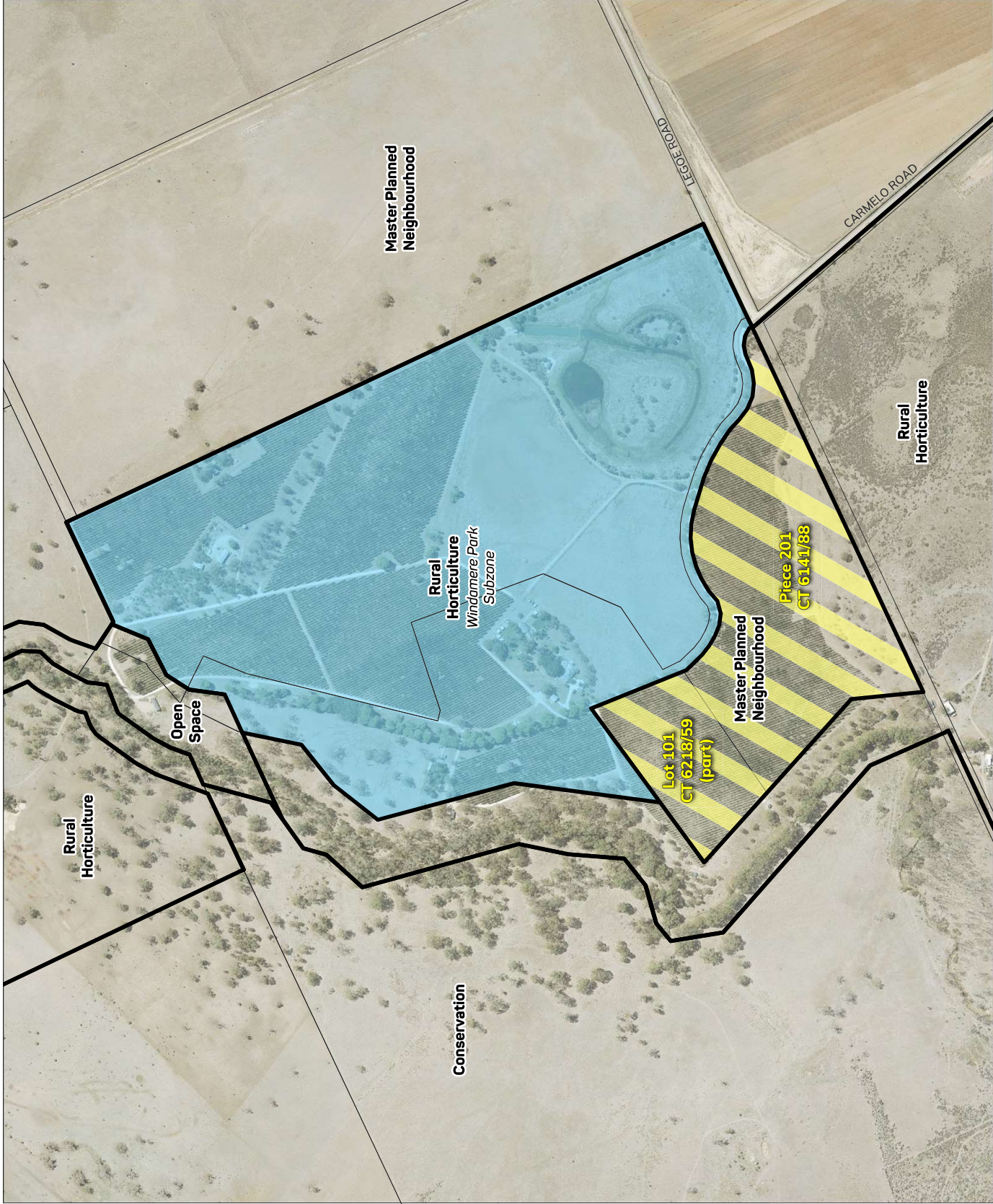
0 75 150 300m  
SCALE: 1:6,000 @ A3

**AREA AFFECTED**  
Windamere Park

JOB REF. 10ADL-0006  
 PREPARED BY: MP  
 DATE: 30.05.21  
 REVISION: 1  
 DATA SOURCE: MetroMap (05.04.2021)  
 data.sage.gov.au







**Legend**

-  Area Affected
-  Zone / Subzone boundary
-  Windamere Park Subzone



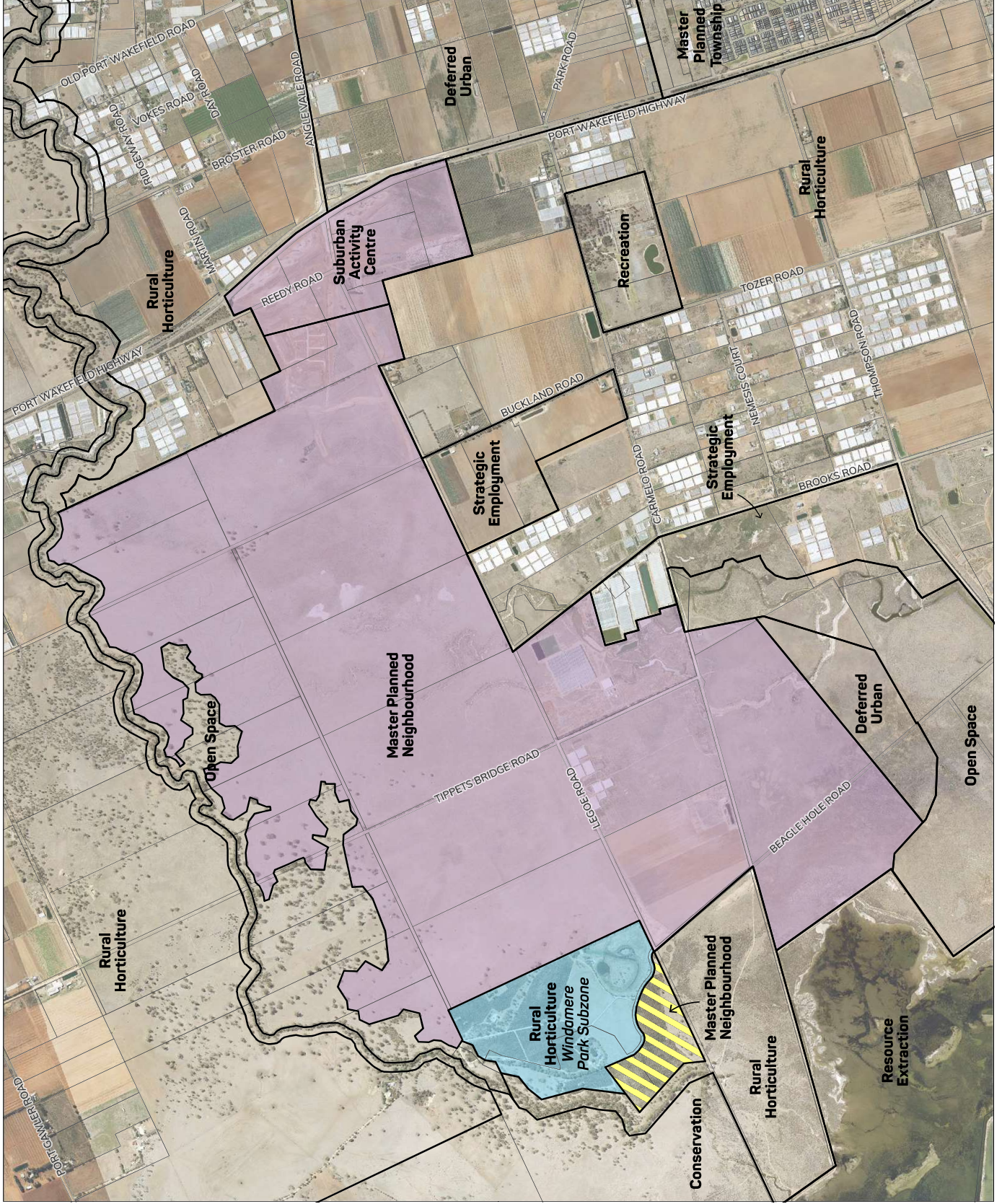
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
**DESIRED ZONING**  
Windamere Park

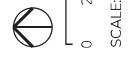
JOB REF.	10ADL-0006
PREPARED BY	MP
DATE	30.05.21
REVISION	1
DATA SOURCE	MetroMap (05.04.2021) data.sage.gov.au







- Legend**
-  Area Affected
  -  Riverlea Development
  -  Zone / Subzone Boundary
  -  Windamere Park Subzone



# DESIRED ZONING & RIVERLEA DEVELOPMENT

## Windamere Park

JOB REF.	10ADL-0006
PREPARED BY	MP
DATE	30.05.21
REVISION	1
DATA SOURCE	MetroMap (05.04.2021) datasag.gov.au



## ATTACHMENT B

### Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframe
<b>Approval of the Proposal to Initiate</b>		
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
<b>Proposal to Initiate</b> agreed to by the Minister	Minister	2 weeks
<b>Preparation of the Code Amendment</b>		
Engagement Plan Prepared.  Investigations conducted; <b>Code Amendment Report</b> prepared  The Drafting instructions and draft mapping provided to AGD	Designated Entity	4 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	2 weeks
<b>Engagement on the Code Amendment</b>		
<b>Code Amendment Report</b> released for public consultation in accordance with the Community Engagement Charter and the prepared <b>Community Engagement Plan</b>	Designated Entity	In line with the Engagement Plan
<b>Consideration of Engagement and Finalisation of Amendments</b>		
Submissions summarised; Amended drafting instructions provided, <b>Engagement Report</b> prepared and lodged with AGD	Designated Entity	4 weeks
Assess the amendment and engagement.  Prepare report to the Commission or delegate  <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks

Step	Responsibility	Timeframe
<b>Decision Process</b>		
Minister considers the <b>Code Amendment Report</b> and the <b>Engagement Report</b> 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
<b>Parliamentary Scrutiny</b>		
Referral of approved <b>Code Amendment</b> to ERDC	AGD	8 weeks





**TO: MINISTER FOR PLANNING AND LOCAL GOVERNMENT**

**RE: PROPOSAL TO INITIATE A CODE AMENDMENT BY THEODOOR DE LYSER**

## **PURPOSE**

To recommend that you do not support the Proposal to Initiate the Windamere Park Code Amendment (the Proposal).

## **BACKGROUND**

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

The Proponent, Theodoor De Lyster, has lodged a Proposal to Initiate the Windamere Park 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 14 October 2021, and resolved to not support the Code Amendment.

A summary of the roles and responsibilities for you, as Minister for Planning and Local Government, 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**

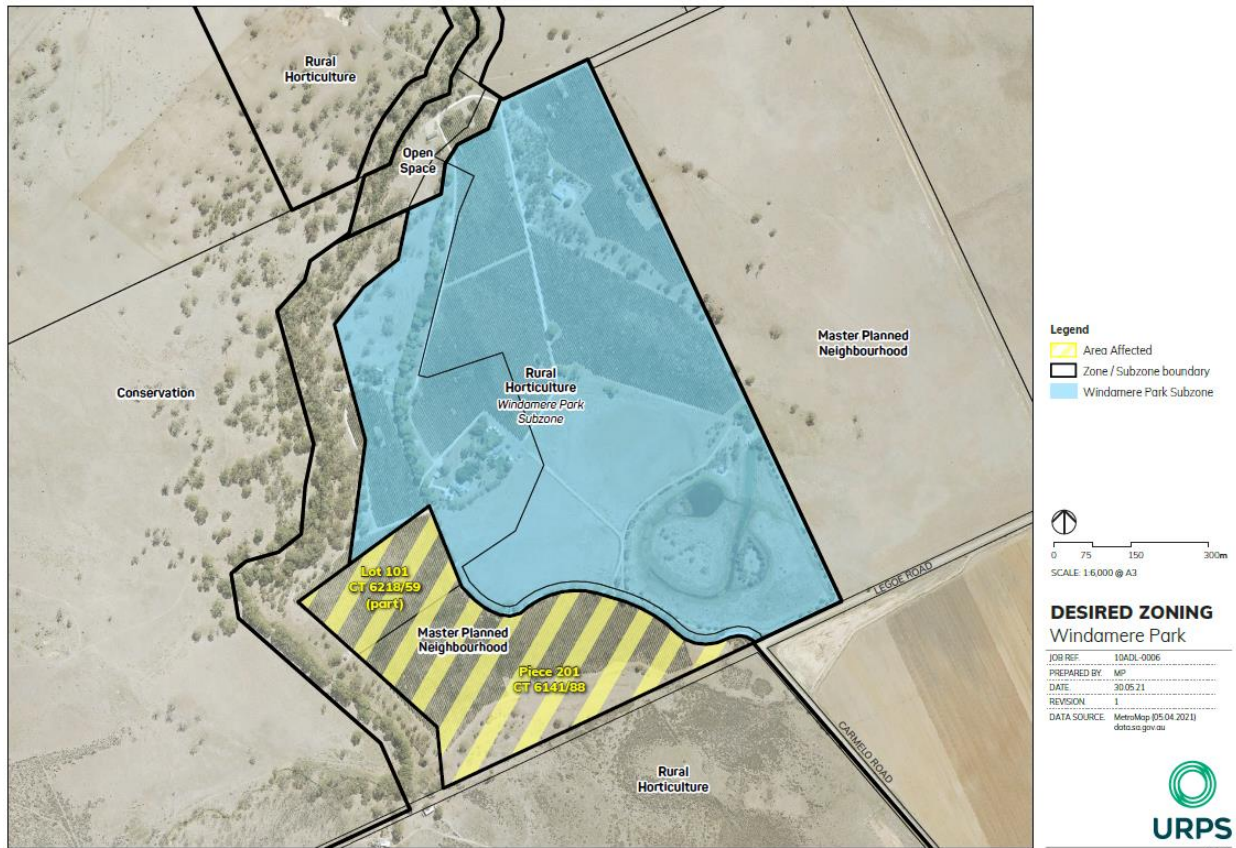
The following sets out the strategic, policy and procedural considerations in relation to the Proposal to Initiate, including conditions that are recommended should you agree to initiate the Code Amendment.

### **Proposal**

The Proposal to Initiate seeks to rezone approximately 19 hectares of land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone. It has also been proposed to remove the Limited Land Division Overlay, the Limited Dwelling Overlay and the Minimum Site Area Technical and Numeric Variation (TNV) of 10 hectares from the

affected area. A portion of the affected area is within the Windamere Park Subzone, and this would also be removed in place of the Master Planned Neighbourhood Zone. The affected area falls within the Buckland Park Concept Plan (Concept Plan 14).

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 Horticulture Zone and a portion of the Windamere Park Subzone.

The following Overlays apply to the land:

- Hazards (Acid Sulfate Soils);
- Hazards (Bushfire – General);
- Hazards (Flooding);
- Hazards (Flooding – General);
- Defence Aviation Area – All structures over 90 metres;
- Native Vegetation;
- Regulated and Significant Tree;
- Prescribed Wells Area;
- Water Resources;
- Limited Dwelling; and
- Limited Land Division.

Land surrounding the affected area is within the Rural Horticulture, Master Planned Neighbourhood and Conservation Zones.

## **Strategic Considerations**

The following sets out the strategic considerations relating to this Proposal, and rationale for the Commission recommending that you do not support 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 land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone. The Proponent's intent is for the new zoning to facilitate the provision of 15 Special Disability Accommodation (SDA) on individual titles, integrated in a rural living style setting of up to 100 allotments. This has been identified by the Proponent as a necessity to meet National Disability Insurance Scheme (NDIS) funding rules.

However, the Master Planned Neighbourhood Zone does not provide minimum/maximum allotment sizes as Technical and Numeric Variation (TNV), and envisages higher density development. Based on the size of the affected area, the application of the Master Planned Neighbourhood Zone could result in development of a significantly higher number of allotments which would not be in keeping with the 'rural living' style, and would place greater pressure on infrastructure.

It is understood that the City of Playford previously recommended that the Proponent explore an alternate approach to the Code Amendment which involved the provision of a limited number of housing allotments and the subsequent establishment of Land Management Agreements (or similar) to ensure the dwellings remain associated with Windamere Park. This approach was considered but no changes were made to the Proposal to Initiate.

In this context, there are issues that would need to be overcome in order to develop the affected area, largely pertaining to infrastructure upgrades and potential hazards.

Further specific reasons are provided below:

- Whilst the affected area is within the Future Urban Growth Area and not within or directly adjacent to either an Environment and Food Production Area or the Barossa Valley Character Preservation District, the development potential of the site should the Master Planned Neighbourhood Zone be applied would have a significant impact on infrastructure in the area.
- The land sits adjacent Buckland Park (Riverlea development), and the Land Supply Reports (LSR) for Greater Adelaide (June 2021) indicate the current supply of Greenfield land in the Outer North Region is considered sufficient to accommodate the projected demand of 9,000 (medium) to 13,000 (high) lots over the next 10 years.

### Residential Land Supply

The subject land is located within the Outer North Region of the Greater Adelaide Planning Region (GAPR). Noting this, the recently completed LSR for Greater Adelaide indicate the following:

- Development of land at Buckland Park (Riverlea) commenced in late 2020, with an estimated potential for upwards of 14,500 allotments (as identified within Part 1 of the LSR).
- The LSR report identifies an estimated supply of 4,500 development ready allotments (i.e. approved or proposed) within the Virginia, Two Wells and Buckland Park area, and a further estimated potential for an additional 9,300 lots on undeveloped zoned land.
- The Outer North region as a whole has an estimated 13,000 development ready lots (i.e. approved or proposed) and an estimated potential for an additional 36,000+ lots on existing undeveloped zoned land.

### Land use characteristics

The affected area houses Windamere Park, which is an accredited disability services provider. The services currently delivered include:

- Daily development programs;
- Pre-vocational and vocational training;
- Educational camping experiences; and
- Limited and small scale Supported Independent Living accommodation/overnight accommodation.

Also located on the site is a large olive orchard, home to Kangaroo Paw Olive Oil and Sundry.

The site is relatively flat and has a number of trees primarily along the main access driveway. Land to the immediate west comprises the Gawler River, and the affected area is located on the Gawler River floodplain. As such, the affected area is covered in large parts by the Hazards (Flooding) Overlay and the Hazards (Acid Sulfate Soils) Overlay.

### Transport and Access

Existing access to the site is available near the corner of Carmelo and Legoe Roads, both of which are unsealed.

The increase in traffic would require the existing unsealed section of Carmelo Road, Tippetts Bridge Road and Legoe Road to be sealed when traffic volumes exceed 500 vehicles per day.

### Services and Infrastructure

Water, wastewater and stormwater infrastructure is required, along with other utilities such as electricity, gas and telecommunications. These services will be provided within close proximity to the affected area as part of the Riverlea development; however, Riverlea is in preliminary stages and the full potential of the development is likely to take 10-15+ years.

### **Procedural Considerations**

The following sets out the key procedural considerations that satisfy the 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. The Commission recommends that you decline to approve the Proposal to Initiate. However, should you be of a mind to approve the initiation, 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 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. You have sought the Commission's advice in this regard. This assessment is provided in the appendices.

A more detailed analysis is also located in the Proposal to Initiate.

In summary, the Proposal to Initiate has some inconsistencies with the SPPs and Regional Plan.

### Additional Resolutions

The Commission recommends that you decline to approve the Proposal to Initiate. However, should you choose not to follow its advice, the Commission has further resolved to provide you with the advice in **Appendix F** that includes the items you should consider.

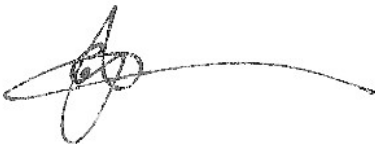


## RECOMMENDATIONS

It is recommended that you:

1. Agree to adopt the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the Act, recommending that the Proposal to Initiate not be supported. AGREED / NOT AGREED
2. Agree to sign the attached letter to the Proponent, advising them of your decision (**Attachment 2**). AGREED / NOT AGREED
3. Agree to sign the attached letter to the City of Playford, advising them of your decision (**Attachment 3**). AGREED / NOT AGREED

**VICKIE CHAPMAN MP**  
/ /



**Allan Holmes**  
**MEMBER, STATE PLANNING COMMISSION**

14 / 10 / 2021

### Attachments:

1. Proposal to Initiate the Windamere Park Code Amendment (#17281658).
2. Letter to the Proponent, Mr Theodoor De Lyster, C/- Mr Grazio Maiorano (#17809894).
3. Letter to Mr Sam Green, Chief Executive Officer, City of Playford (#17809903).

**Appendices:**

- A. Summary of Roles and Responsibilities in Code Amendment Process (#17810093)
- B. Code Amendments Initiated by Proponents—Process Flowchart (#17739990).
- C. State Planning Commission’s Strategic Priorities (#17691403).
- D. Assessment against the State Planning Policies and Regional Plan (#17690489).
- E. Extract—*Practice Direction 2 – Preparation of Amendment of Designated Instruments* (#17810102).
- F. Additional advice from the State Planning Commission (#17743077).

Contact: Anita Allen  
Tel No: 0407 705 220

## **Summary of Roles and Responsibilities in the Code Amendment Process**

As Minister for Planning and Local Government (Minister), your role with respect to initiation of the Code Amendment, is to:

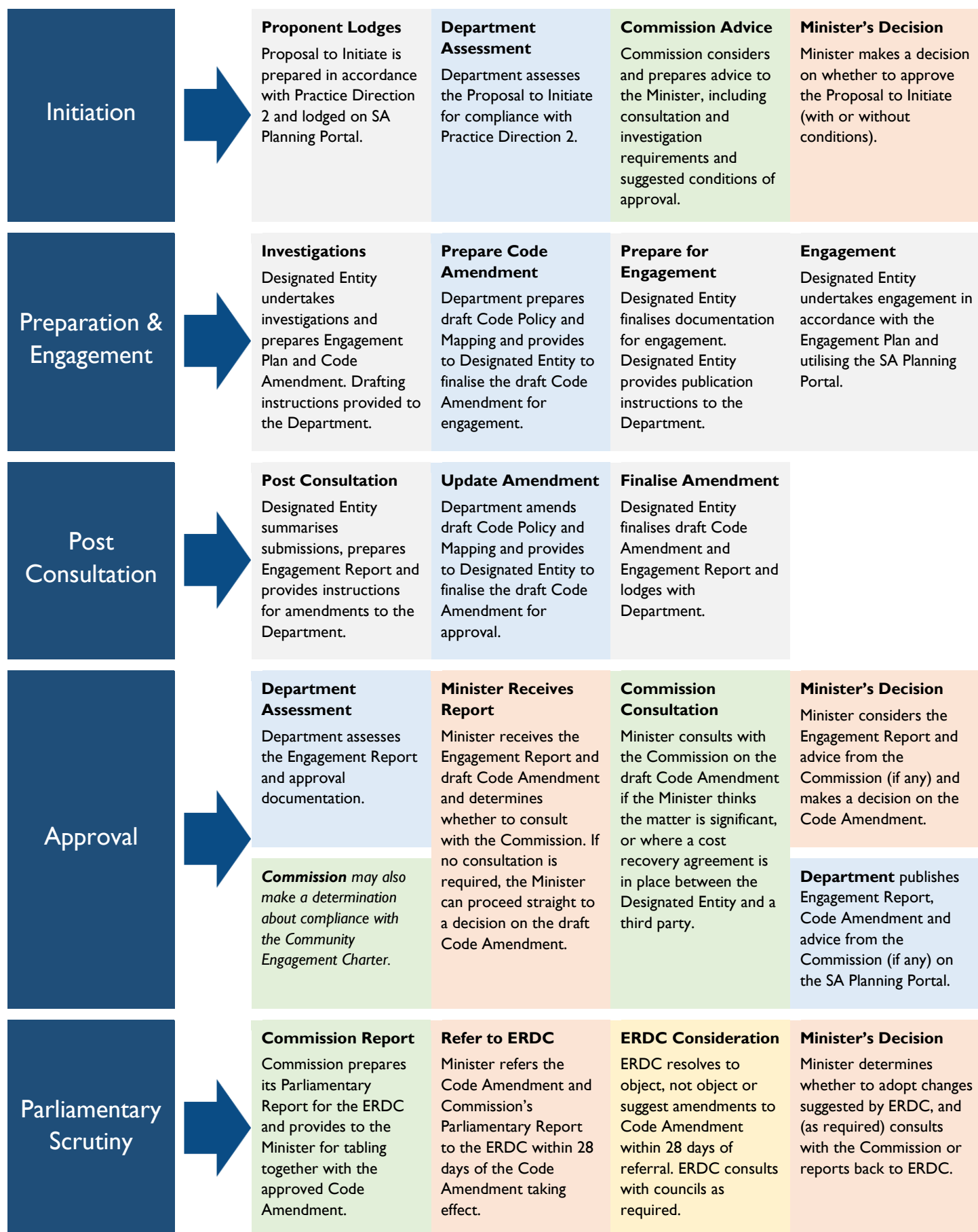
- Determine whether to approve initiation of the proposed Code Amendment (as described in the Proposal to Initiate) after considering the advice of the Commission under section 73(b) of the Act.
- If approving initiation of the Code Amendment, specify any conditions pursuant to section 73(5)(b) of the Act.
- Notify the proponent of any items specified by the Commission under the Act, which may include:
  - Persons or bodies the designated entity should consult under section 73(6)(e) of the Act.
  - Investigations to be carried out or information to be obtained under section 73(6)(f) of the Act.

The importance of the Code Amendment initiation process is two-fold:

- Firstly, the decision on whether a Code Amendment process should proceed is based on a strategic assessment against the State Planning Policies, Regional Plans and other relevant strategic planning documents. If the proposal is considered significantly at odds with these strategic documents, the rezoning should not be initiated.
- Secondly, the initiation process is a point at which the scope of the Code Amendment process, (including investigations, information and consultation requirements) are determined. This provides clarity and certainty for the Proponents.

# Code Amendments Initiated by Proponents

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



## **State Planning Commission's Strategic Priorities**

The Commission has identified a set of strategic priorities to support the implementation of the new planning system and progression of important Code Amendments. The Commission's priorities are intended to give guidance to the way the system should evolve over the next 1-2 years. These priorities include:

- 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 (GMP).
- 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.

In this case, the proposal fits within the third priority by supporting land supply within an existing growth area, however it is not consistent with The 30-Year Plan for Greater Adelaide: 2017 Update and the GMP as there is already greater than 15 years land supply in the region.

## **Assessment against the State Planning Policies and Regional Plan**

The Planning and Design Code (the Code) must be consistent with the principles of the State Planning Policies (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). You have sought the Commission's advice in this regard.

The SPPs require that the Principles of Good Planning are considered in the preparation of any designated instrument. While all of these principles are relevant here to some degree, the most relevant are long-term focus, investment facilitation and integrated delivery principles.

### **SPP Key Principles**

- *Cities and towns should be planned, designed and developed to be sustainable.*
- *Preference should be given to accommodating the expected growth of cities and towns through the logical consolidation and redevelopment of existing urban areas.*
- *Planning and design should promote mixed use neighbourhoods and buildings that support diverse economic and social activities.*
- *Urban areas should include a range of high quality housing options with an emphasis on living affordability.*
- *Neighbourhoods and regions should be planned, designed and developed to support active and healthy lifestyles and to cater for a diverse range of cultural and social activities.*
- *Planning and design should be undertaken with a view to strengthening the economic prosperity of the state and facilitating proposals that foster employment growth.*

This Proposal to Initiate draws upon the existing Code Policy Library rather than creating new strategic policy settings (as set out above).

There are 16 SPPs that include Objectives, Policies and Principles for Statutory Instruments. The attached Proposal sets out how the SPPs will be considered in this Amendment.

The most critical SPPs in this context are:

### **Integrated Planning:**

**Objective:** To apply the principles of integrated planning to shape cities and regions in a way that enhances our livability, economic prosperity and sustainable future.

**SPP 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.

**SPP 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.

The Proposal seeks to rezone land to accommodate residential type land uses to the immediate west of the Riverlea development currently underway at Buckland Park.

The Proposal will provide a small addition of land supply, focused primarily on delivering an SDA outcome in accordance with the SDA Rules. There is a current limitation on the creation of new allotments for this purpose. As SDA is required to be integrated within a broader neighbourhood setting and there is a desire to make use of the existing Windamere Park facilities, this arrangement can only be realised through a code amendment.

The Land Supply Reports for Greater Adelaide indicate there is more than sufficient zoned greenfield land within the Outer North region to accommodate projected population growth under both a medium and high scenario in the across the next 10+ years.

It is acknowledged the underlying intent of the proposal is to fund and create housing opportunities (in part) to support disability services, however there does not appear to be substantial evidence to depart from rational strategic planning principles of land consolidation and efficient provision of supporting infrastructure.

Furthermore it is acknowledged the land has been identified as a future urban growth area, within The 30-Year Plan, and will therefore likely be developed in time.

### **Design Quality:**

**Objective:** To elevate the design quality of South Australia's built environment and public realm.

**SPP 2.2** Promote best practice in access and inclusion planning in the design of buildings and places by applying the principles of Universal Design, Crime Prevention Through Environmental Design and Access and Inclusion.

The Code Amendment will deliver the zoning outcome required to support the development of SDA within a broader community setting. March 2021 NDIS data confirms that there are some 187 people in South Australia currently seeking SDA housing and demand cannot currently be met with existing supply.

The proposal will enable an opportunity for those persons living in SDA to access broader support programs provided at Windamere Park.

### **Biodiversity:**

**Objective:** To maintain and improve our state's biodiversity and its life supporting functions.

**SPP 4.1** Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.

The proposed Code Amendment will not result in the rezoning of land with recognised high value characteristics, nor the need to clear large areas of land which have not been heavily modified previously.

### **Climate Change:**

**Objective:** Provide for development that is climate ready so that our economy, communities and environment will be resilient to climate change impacts.

**SPP 5.5** Avoid development in hazard-prone areas or, where unavoidable, ensure risks to people and property are mitigated to an acceptable or tolerable level through cost effective measures.

The affected area is located on the Gawler River floodplain. Detailed investigations have been undertaken to determine the impacts of a 1% AEP flood event. These

investigations confirm that the land is not directly affected by flooding and off-site flood impacts are capable of being managed.

### **Housing Supply and Diversity:**

**Objective:** To promote the development of well-serviced and sustainable housing and land choices where and when required.

**SPP 6.1** A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.

**SPP 6.2** The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support livable and walkable neighbourhoods.

**SPP 6.9** Apply universal and adaptable housing principles in new housing stock to support changing needs over a lifetime, including the needs of those who are less mobile.

The intent of this Code Amendment is to rezone land to support the development of SDA within a community setting. Future housing stock catering for persons living with disability will be designed and constructed in a manner that achieves the requirements of the NDIS.

The Proposal however does not satisfy SPP 6.2 as there is more than adequate land supply in the region and the land is not well serviced with infrastructure.

### **Primary Industry:**

**Objective:** A diverse and dynamic primary industry sector making the best use of natural and human assets.

**SPP 8.4** Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.

The broader locality supports both enclosed and non-enclosed horticultural activities. Development occurring to the immediate east and south-east is recognised as accommodating the future Riverlea residential development, whilst land to the immediate south appears to be used for low intensity rural type purposes. Finally, land to the immediate west comprises the Gawler River and land zoned Conservation. Overall, the Code Amendment will not impact upon the interface between the subject land primary production activities.

### **Natural Hazards:**

**Objective:** To build the resilience of communities, development and infrastructure from the adverse impacts of natural hazards.

**SPP 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.

Appropriate measures will need to be put in place to manage the risks of the hazard overlays (bushfire, flooding and acid-sulfate soils) that are in place over the affected area.

### **The Regional Plan - 30 Year Plan for Greater Adelaide**

In addition, the investigations undertaken to date and outlined in the Proposal to Initiate, have the potential to be consistent with the following key policies and targets of the Regional Plan:

**Policy Theme:** Transit corridors, growth areas and activity centres  
Housing mix, affordability and competitiveness



## Emergency management and hazard avoidance

- **Policy 11:** Ensure new urban fringe growth occurs only within designated urban areas and township boundaries and outside the Environment and Food Production Areas.
- **Policy 37:** Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas, including:
  - Assisted living accommodation
- **Policy 118:** Minimise risk to people, property and the environment from exposure to hazards by designing and planning for development in accordance with a risk hierarchy of:
  - avoidance
  - adaptation
  - protection

The affected area is located to the immediate west and north-west of the Riverlea development and is identified in the 30-Year Plan as a 'Future Urban Growth Area – unzoned'.

The Code Amendment seeks to deliver a zoning outcome which results in the development of SDA in an integrated manner but with respect to a wider community setting and in connection with support services occurring on the larger Windamere Park site.

The affected area is located on the Gawler River floodplain. Detailed investigations have been undertaken to determine the impacts of a 1% AEP flood event. These investigations confirm that the land is not directly affected by flooding and off-site flood impacts are capable of being managed.

While the Proposal has the potential to achieve SPPs and relevant policies and targets within the Regional Plan, it is considered that demand for the land is not proven and therefore achievement of these policies may not be realised in the short to medium term.

## Part 3 – Planning and Design Code Amendments

### 7–Initiating a Code Amendment

- (1) To initiate an amendment to the Code, the proponent must lodge a Proposal to Initiate with the Department via the SA Planning Portal.

- (2) The Proposal to Initiate must set out:

#### *Designated Entity*

- (a) With respect to proposals from Private Proponents, a request for either the Private Proponent or the Chief Executive of the Department to be the Designated Entity responsible for undertaking the Code Amendment process.

#### *Professional Expertise*

- (b) Where the Private Proponent will be the Designated Entity responsible for undertaking the Code Amendment process, the name, qualifications and experience of practitioner/s that will undertake the Code Amendment process (including any engagement) for or on behalf of the Private Proponent. In this case, the relevant practitioners must have qualifications and experience that is equivalent to an Accredited Professional – Planning Level 1 under the Act.

#### *Code Policy*

- (c) An outline of:
  - (i) any overlay, general policy, zone or subzones in the Code being proposed for amendment; and/or
  - (ii) the intended spatial application of an overlay, general policy, zone or subzone in the Code over an identified area.

#### *Affected Area*

- (d) A map or description of the Affected Area.

#### *State Planning Policies*

- (e) Identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies.

#### *Regional Plan*

- (f) Identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the proposed Code Amendment will relate to the relevant regional plan.

#### *Consultation*

- (g) Evidence that the Private Proponent has undertaken preliminary consultation with the Chief Executive Officer of the relevant Council and/or with a relevant Joint Planning Board on the Proposal to Initiate and details of any matters raised on the Proposal to Initiate as a result. If consultation with the Chief Executive Officer of the relevant Council or with the relevant Joint Planning Board has not been undertaken by the Private Proponent, consultation will be undertaken by the Department. Information regarding any consultation that has already occurred with respect to the proposed Code Amendment.

## Extract from Practice Direction 2 – Version 4, Published 27 May 2021

- (h) Details of further consultation proposed to be undertaken with respect to the proposed Code Amendment.

### *Investigations*

- (i) Information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment.
- (j) An outline of the further investigations that will be undertaken to support the proposed Code Amendment.
- (k) Details of any infrastructure required to support development arising through proposed Code Amendment and how the infrastructure will be provided.
- (l) Details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be established or entered into in connection with the proposed Code Amendment.

### *Timetable*

- (m) An outline of the proposed timetable for each step of the Code Amendment process (ensuring that the process is completed within reasonable time limits), and a commitment from the Proponent (where it is also the Designated Entity) that it will take steps to update the timetable and seek approval from the Department if it appears that timeframes will not be met.
- (3) To initiate a Code Amendment which is intended to designate a place as a place of local heritage value, the Proponent must provide a report which:
- (a) includes a heritage datasheet for each proposed Local Heritage Place, which includes:
    - (i) all relevant property details and descriptions (including images);
    - (ii) historical background and thematic analysis;
    - (iii) a statement of heritage value;
    - (iv) an assessment against the Local Heritage Criteria; and
    - (v) the extent of listing (including any exclusions).
  - (b) includes an analysis of historic themes of importance to the area;
  - (c) is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and
  - (d) is otherwise prepared in accordance with any guidelines prepared and published by the Commission under section 67(2)(c) of the Act.
- (4) To initiate a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), the Proponent must provide a report which:
- (a) includes relevant details and descriptions of the tree or stand of trees (including images as necessary).
  - (b) includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;
  - (c) is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in the report.

## Appendix

### Additional Resolutions and Advice of the State Planning Commission

Should you determine to approve the Proposal to Initiate Windamere Park Amendment, the State Planning Commission (the Commission) has further resolved to advise you of the following:

#### ***Option 1 – Approve with limited scope***

Should you be of a mind to approve the Proposal to Initiate, the Commission recommends limiting the scope to removal of the Limited Land Division Overlay, which would allow for individual titles to be created of up to 15 SDA houses. In this instance, the Commission provides the following advice:

#### 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 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 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)*

- The scope of the proposed Code Amendment is limited only to removal of the Limited Land Division Overlay from the area in which it applies within the affected area.
- That Theodoor De Lyster 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 Level 1 – Planning 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:

- Interface issues - to identify potential land use interface issues and determine design solutions (if required).

The Commission specifies the following further investigations be undertaken by the Designated Entity, in addition to that outlined in the Proposal to Initiated, under section 73(6)(f) of the Act:

### *Recommendation(s)*

Undertake the following investigations:

- A comprehensive infrastructure analysis by an appropriately qualified expert (or experts), that identifies all future infrastructure works required in order to accommodate the development of the Affected Area as proposed by the Code Amendment, and provide a strategy which offers a funding and delivery solution for all required infrastructure works.
- Investigate and identify the broad extent and location of land required to accommodate flooding and stormwater management infrastructure in relation to the proposed development.
- Investigate and identify areas of Acid Sulphate Soils; determine their impact on the proposed development; and develop and appropriate policy response.

### Application of the Code

The proposal seeks to rezone land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone to support residential development. Removal of the Limited Land Division Overlay and Limited Dwelling Overlay from the affected area is also proposed. Should the Proposal to Initiate be approved, the Commission recommends the application of conditions in relation to the scope of change.

### *Recommendation(s)*

- The scope of the Code Amendment is to be limited to the removal of the Limited Land Division Overlay from the affected area. It excludes the creation of new planning rules, and is limited to the spatial application of overlays and technical and numerical variations provided for under the published Code (on the date the Amendment is released for consultation).

### Consultation

Preliminary consultation has been undertaken with the City of Playford, who have advised support for the proposed Code Amendment subject to the following conditions:

- Council's support for the Code Amendment is subject to the satisfactory provision of adequate infrastructure through formal agreements entered into with the proponent based on detailed investigations and costings. Staging of the development may be required proportionate to infrastructure provisions and availability.
- That investigations are undertaken by the proponent to confirm that the land to be rezoned can be satisfactorily protected from flooding and to identify any remedial action required.

Council has requested complete information regarding upgrades and costings at the public consultation stage to enable an informed and appropriate Council response. To that end, the Commission recommends that (in addition to the conditions above) a condition be placed on the Code Amendment to ensure appropriate investigations and funding agreements have been put in place, pursuant to 73(5) of the Act.

### *Recommendation(s)*

- Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the Affected Area as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).

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.

Should the Proposal to Initiate be approved, 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):

- SA Housing Authority
- Department of Primary Industries and Regions (PIRSA)
- 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.

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

- The City of Playford
- Owners or occupiers of the land and adjacent land in accordance with the *Planning Development and Infrastructure (General) Regulations 2017*.

### *Recommendation(s)*

- Consultation is undertaken with:
- SA Housing Authority
- Department of Primary Industries and Regions (PIRSA)
- 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.

## ***Option 2 – Approve as lodged by the Proponent***

Should you wish to approve the Proposal to Initiate as lodged by the Proponent, the Commission provides the following advice:

### 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 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 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 Theodoor De Lyster 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 Level 1 – Planning 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:

- Interface issues - to identify potential land use interface issues and determine design solutions (if required).

Should the Proposal to Initiate as submitted by the Proponent be approved, the Commission specifies the following further investigations be undertaken by the Designated Entity, in addition to that outlined in the Proposal to Initiated, under section 73(6)(f) of the Act:

### *Recommendation(s)*

Undertake the following investigations:

- Undertake a detailed analysis of residential land supply and demand, including demands and trends concerning land and housing products.
- Undertake a comprehensive infrastructure analysis by an appropriately qualified expert (or experts), that identifies all future infrastructure works required in order to accommodate the development of the Affected Area as proposed by the Code Amendment, and provide a strategy which offers a funding and delivery solution for all required infrastructure works. Explore other zoning options for the affected area, including Neighbourhood Zone, Rural Neighbourhood Zone, Rural Living Zone etc, including a Minimum Site Area Technical and Numeric Variation of no less than 1200 square metres.



- Investigate and identify the broad extent and location of land required to accommodate flooding and stormwater management infrastructure in relation to the proposed development.
- Investigate and identify areas of Acid Sulphate Soils; determine their impact on the proposed development; and develop and appropriate policy response.
- Investigate and identify any potential impacts on the adjacent Adelaide International Bird Sanctuary National Park and Gawler River as a result of the proposed development/rezoning.

### Application of the Code

The proposal seeks to rezone land from the Rural Horticulture Zone to the Master Planned Neighbourhood Zone to support residential development. Removal of the Limited Land Division Overlay and Limited Dwelling Overlay from the affected area is also proposed.

### *Recommendation(s)*

- The scope of the proposed Code Amendment to excludes 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 Code (on the date the Amendment is released for consultation).

### Consultation

Preliminary consultation has been undertaken with the City of Playford, who have advised support for the proposed Code Amendment subject to the following conditions:

- Council's support for the Code Amendment is subject to the satisfactory provision of adequate infrastructure through formal agreements entered into with the proponent based on detailed investigations and costings. Staging of the development may be required proportionate to infrastructure provisions and availability.
- That investigations are undertaken by the proponent to confirm that the land to be rezoned can be satisfactorily protected from flooding and to identify any remedial action required.

Council has requested complete information regarding upgrades and costings at the public consultation stage to enable an informed and appropriate Council response. To that end, the Commission recommends that (in addition to the conditions above) a condition be placed on the Code Amendment to ensure appropriate investigations and funding agreements have been put in place, pursuant to 73(5) of the Act.

Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the Affected Area as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers). 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.

Should the Proposal to Initiate be approved, 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):

- SA Housing Authority
- Department of Primary Industries and Regions (PIRSA)
- 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.

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

- The City of Playford
- Owners or occupiers of the land and adjacent land in accordance with the *Planning Development and Infrastructure (General) Regulations 2017*.

#### *Recommendation(s)*

Consultation is undertaken with:

- SA Housing Authority
- Department of Primary Industries and Regions (PIRSA)
- 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.

**The Hon Vickie Chapman MP**

2021/10942/01

October 2021

Mr Theodoor De Lyster  
C/- Mr Grazio Maiorano  
Director  
URPS

By email: [gmaiorano@urps.com.au](mailto:gmaiorano@urps.com.au)



**Government  
of South Australia**

**Deputy Premier**

**Attorney-General**

**Minister for Planning  
and Local Government**

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Tel 08 8207 1723  
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Dear Mr Maiorano

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) in relation to the Proposal to Initiate the Windamere Park Code Amendment (the Proposal)

Whilst I am supportive of the intent to increase living options for persons living with a disability, I have concerns relating to land supply, market demand and infrastructure provision in this location.

The subject land is located within the Outer North Region of the Greater Adelaide Planning Region (GAPR). Noting this, the recently completed Land Supply Reports (LSR) for Greater Adelaide indicate that 50 per cent of zoned Greenfield land within the GAPR is located in the Outer North Region (over 3,700 hectares). This land has an estimated dwelling potential of over 45,000 dwellings. Demand for Greenfield development within the region over the next 10 years is estimated between 9,400 (medium growth) to 13,000 (high growth). Therefore, current zoned supply will more than cover projected demand. The 2019 Broadhectare report for Greater Adelaide identified a 10 year average consumption rate of 231 hectares. Applying this average to the total amount of zoned Greenfield land within Greater Adelaide, there is greater than 15+ years supply.

Given the potential size of this rezoning, the provision of infrastructure is critical to the Proposal. It is noted that infrastructure agreements will be required by all parties to ensure that there is an equitable contribution towards the provision of infrastructure and services. However, as the fiscal impact of this Proposal on the Government is not fully understood at this stage, it is considered unnecessary for the Government to invest in infrastructure that is not required to meet anticipated growth in the short to medium term.

To that end, I advise that I am declining to approve the Proposal to Initiate at this time, and advise that it will not be supported until such time as approved urban development in the area of Buckland Park is substantially completed and infrastructure and services, including roads and public transport, can be efficiently delivered on the site.

Should you wish to discuss this further, please contact Ms Belinda Monier, Senior Planner, Planning & Land Use Services, Attorney-General's Department, on 08 8343 2719.

Yours sincerely

**VICKIE CHAPMAN MP**  
DEPUTY PREMIER  
MINISTER FOR PLANNING AND LOCAL GOVERNMENT

**The Hon Vickie Chapman MP**



2021/10942/01

**Government  
of South Australia**

**Deputy Premier**

**Attorney-General**

**Minister for Planning  
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October 2021

Mr Sam Green  
Chief Executive Officer  
City of Playford

By email: [sgreen@playford.sa.gov.au](mailto:sgreen@playford.sa.gov.au)

Dear Mr Green

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 have declined to approve initiation of the Windamere Park Code Amendment (the Proposal), which proposed to affect land within your council area.

Whilst I am supportive of the intent to increase living options for persons living with a disability, I have concerns relating to land supply, market demand and infrastructure provision in this location.

The subject land is located within the Outer North Region of the Greater Adelaide Planning Region (GAPR). Noting this, the recently completed Land Supply Reports (LSR) for Greater Adelaide indicate that 50 per cent of zoned Greenfield land within the GAPR is located in the Outer North Region (over 3,700 hectares). This land has an estimated dwelling potential of over 45,000 dwellings. Demand for Greenfield development within the region over the next 10 years is estimated between 9,400 (medium growth) to 13,000 (high growth). Therefore, current zoned supply will more than cover projected demand. The 2019 Broadhectare report for Greater Adelaide identified a 10 year average consumption rate of 231 hectares. Applying this average to the total amount of zoned Greenfield land within Greater Adelaide, there is greater than 15+ years supply.

Given the potential size of this rezoning, the provision of infrastructure is critical to the Proposal. It is noted that infrastructure agreements will be required by all parties to ensure that there is an equitable contribution towards the provision of infrastructure and services. However, as the fiscal impact of this Proposal on the Government is not fully understood at this stage, it is considered unnecessary for the Government to invest in infrastructure that is not required to meet anticipated growth in the short to medium term.

To that end, I have advised the Proponent that the Proposal will not be supported until such time as approved urban development in the area of Buckland Park is substantially completed and infrastructure and services, including roads and public transport, can be efficiently delivered on the site.

Should you wish to discuss this further, please contact Ms Belinda Monier, Senior Planner, Planning & Land Use Services, Attorney-General's Department, on 08 8343 2719.

Yours sincerely

**VICKIE CHAPMAN MP**  
DEPUTY PREMIER  
MINISTER FOR PLANNING AND LOCAL GOVERNMENT