

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

**Beverley Strategic Employment Zone Code
Amendment**

By the Charles Sturt Council (*the Proponent*)



(Signature Required)

Chief Executive Officer

Charles Sturt Council (*the Proponent*)

Date: 13 December 2021

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*. By signing this Proposal to Initiate, the Proponent acknowledges and agrees that this Proposal to Initiate, and any supporting documents may be published on the PlanSA portal by the Attorney General's Department.



(Signature Required)

MINISTER FOR PLANNING

Date: 9/5/22

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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 Allotment 37 Toogood Avenue, Beverley (the Affected Area).

The purpose of this Proposal to Initiate is to seek approval of the Minister for Planning (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 land owner 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 declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act.
- 1.1.3. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
 - (a) Jim Gronthos, Senior Policy Planner, Urban Projects
 - (b) jgronthos@charlessturt.sa.gov.au
 - (c) 8408 1111
- 1.1.4. The Proponent intends to undertake the Code Amendment by utilising in-house planning policy staff and also procure the services of an external planning consultant and specialised sub-consultants to provide additional professional services required to undertake the Code Amendment, with peer review by Council's technical officers and external specialists (if required).:
 - (a) utilising professional expertise of employees of the Proponent including:
 - a. Jim Gronthos, Senior Policy Planner, City of Charles Sturt

1.2. Rationale for the Code Amendment

The following outlines the reasons for the preparation of the Code Amendment and a description of the change in circumstances leading to the need for the Code Amendment.

The Affected Area comprises approximately 3000m² in area with an approximate frontage of 35 metres to Toogood Avenue (a local government maintained road).

The Affected Area has been utilised as an existing reserve (Toogood Reserve) and is adjacent to the City of Charles Horticulture Depot and the Adelaide Arena. Council's Toogood Reserve has an easement dictating that the land can only be used for overflow event parking (from Adelaide Arena) and community use. This was a requirement of a 1989 Planning consent to ensure adequate car parking was available at peak times.

Council is currently considering an unsolicited bid by Beverley Leisure Park PTY LTD (A Pelligras entity that owns the Titanium Stadium Arena) to sell a small portion of land (approximately 10% of Toogood reserve) (not identified as Community Land) and with a long term non-exclusive license over the balance of the land to enable the proponent to make a significant capital investment in the existing facility. To achieve their vision Beverley Leisure require access and some certainty over the land owned by Council to the stadium's west, specifically Toogood Reserve comprising Lot 37 Toogood Avenue Beverly and Lot 50 Crittenden Road Findon (**refer Attachment A**).

As part of the negotiations with Beverley Leisure, the company owns an approximate 8 metre wide corridor that separates Toogood Reserve from Council's Horticultural Centre on its western boundary, which is used for access from its site to Toogood Avenue. Separate to this Code Amendment proposal, Council is negotiating with Beverley Leisure to move this access corridor further west on Toogood Reserve creating an opportunity for Council to consolidate the area of reserve land between the new proposed access corridor with the Horticulture Depot to expand its existing operations.

An opportunity to increase the area of the Depot is being sought for the following reasons:

- Ongoing major developments in the City and internal capital works projects are requiring additional staff and equipment to maintain these new or upgraded assets. The current operational depots including the Horticulture Depot are at capacity which is increasing risk for the Work, Health and Safety incidents around truck parking and movements.
- Council in 2021, endorsed its Growing Green Tree Canopy Improvement Strategy 2021-2045. Its objective to reach a canopy target of 25% by 2045 has highlighted the need for additional maintenance staff and vehicles in the future to successfully implement the strategy as well as the need to manage an increase in the capacity of the City's tree and shrub holding bays.
- Current vehicle movements at the Depot also have an impact on the local road network. Vehicles currently enter and exit off of Toogood Avenue, opposite Charles Road located close to the corner of William Street. The current arrangement causes traffic flow issues for the users of Toogood Avenue. Vehicles sometimes ramp from either side of the entrance in both directions which creates a traffic hazard. The consolidation of additional space will allow vehicular entry further along Toogood Avenue away from existing intersections and having approximately 100m in a driveway to minimise impacts on the local road network.

The Affected Area is located within the Recreation Zone and is located on a zone boundary with the ‘Strategic Employment Zone’ to the immediate north, east, south and west, ‘General Neighbourhood Zone’ to the east, south and west and the ‘Suburban Business Zone’ to the south-west.

The Desired Outcomes (DO) of the Recreation Zone primarily speaks to the provision of a range of accessible recreational facilities. Performance Outcome 1.1 (PO) *envisages that future development is associated with or ancillary to the primary purpose of structured, unstructured, active and / or passive recreational facilities.*

The current zoning of the Affected Area has the desire for predominantly recreational based activities. The Charles Sturt Council therefore proposes to initiate a Code Amendment to investigate the rezoning of a portion of land at Lot 37 Toogood Avenue, Beverley from Recreational Zone to Strategic Employment Zone to facilitate an extension of the City’s existing Horticulture Centre at 3 Toogood Avenue, Beverley by aligning this portion of land with the Horticulture Depot’s land use activities (**Refer to Figure 1 and 2 – Attachment A**).

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being a portion of land on Allotment 37 Toogood Avenue, Beverley (Certificate of Title Volume 5089 Folio 850 in Deposited Plan 30168) from Recreational Zone to Strategic Employment Zone to facilitate an extension of the City's existing Horticulture Centre at 3 Toogood Avenue, Beverley (Allotment 5, Certificate of Title Volume 5811 Folio 317 in Deposited Plan 122252) within the Charles Sturt Council area as shown in the map in **Attachment A**.

2.2. Scope of Proposed Code Amendment

Current Policy	<p>Zone Recreation Zone</p> <p>Overlays Airport Building Heights (Regulated) (All structures over 15 metres) Building Near Airfields Hazards (Flooding) Hazards (Flooding General) Prescribed Wells Area Regulated and Significant Tree Traffic Generating Development</p> <p>Local Variation (TNV) - Nil</p>
Amendment Outline	<p>The Code Amendment proposes to investigate policy amendments to facilitate the expansion of the Charles Sturt Council's Horticulture Depot through a rezoning of a portion of land identified on Allotment 37 Toogood Avenue, Beverley from its current Recreation Zone to Strategic Employment Zone.</p>
Intended Policy	<p>The Code Amendment intends to replace the existing 'Recreation Zone' with the 'Strategic Employment Zone' with investigations to be undertaken which will inform policy approach in the draft Code Amendment.</p> <p>No removal of existing overlays is sought; however the proposal does propose to investigate the application of the State Heritage Place Overlay.</p> <p>It is also possible that a maximum building heights Technical and Numeric Variation (TNV) will be spatially applied consistent with the current TNV policy over 3 Toogood Avenue, Beverley identified in the Strategic Employment Zone.</p> <p>Zone</p> <ul style="list-style-type: none">• Strategic Employment Zone

Overlays

- Airport Building Heights (Regulated) (All structures over 15 metres)
- Building Near Airfields
- Hazards (Flooding General)
- Prescribed Wells Area
- Regulated and Significant Tree
- State Heritage Place

Technical and Numeric Variations

- Maximum Building Height (Metres) (Maximum building height is 12m)

3. STRATEGIC PLANNING OUTCOMES

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

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

3.1. Summary of Strategic Planning Outcomes

The key strategic planning considerations are summarised as follows:

- Proposed expansion of employment land to align with growing services in the City.
- Improve operational area on an existing Council depot to minimise impacts on the local road network.
- Proposed expansion of an existing Depot to facilitate improved horticulture services in the City based on Council's endorsed Growing Green Tree Canopy Improvement Strategy 2021-2045.

3.2. 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
SPP 1 – Integrated Planning <i>Policy 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.</i>	The proposed Code Amendment seeks to rezone a portion of land contained in the Recreation Zone to strategic Employment Zone to facilitate an expansion of Council's existing Horticulture Depot to improve its existing operations.
SPP 2 – Design Quality <i>Policy 2.14 – Provide public open space that accommodates a range of passive, active and formal sporting opportunities at the state, regional and/or local level.</i>	The proposed Code Amendment seeks to rezone a portion of land (approximately 3000m ²) currently used as a sporting reserve to facilitate an expansion of an existing public depot facility (Horticulture Depot). The proposed Code Amendment will investigate the implication of the Code Amendment in relation to the allocation of suitable land for public open space in order to meet projected demand within the locality.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 4 – Biodiversity <p><i>Policy 4.4 – Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.</i></p>	<p>The proposed Code Amendment provides an opportunity to expand the operations of Council's existing Horticulture Depot. Council recently endorsed its Growing Green Tree Canopy Improvement Strategy 2021-2045. It's objective to reach a canopy target of 25% by 2045 has highlighted the need for additional maintenance staff and vehicles in the future to successfully implement the strategy as well as the need to manage an increase in the capacity of the City's tree and shrub holding bays.</p>
SPP 7 – Cultural Heritage <p><i>Policy 7.3 – Recognise and protect places and areas of acknowledged heritage value for future generations.</i></p>	<p>The Affected Area is located adjacent to an existing State Heritage Place (<i>Four Down-draught Brick Kilns and Four Chimneys, former James' Brickyard</i>). The proposed Code Amendment will investigate the implications of the rezoning with the existing State Heritage Place.</p>
SPP 9 – Employment Lands <p><i>Policy 9.2 - Enable opportunities for employment and encourage development of underutilised lands connected to, and integrated with, housing, infrastructure, transport and essential services.</i></p> <p><i>Policy 9.6 – Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses</i></p>	<p>The Affected Area is located opposite an area identified as Prime Industrial land within the 'Strategic Employment Zone' in Beverley. The Code Amendment seeks to facilitate an expansion of this Zone to improve operations of an existing industry (Council's Horticulture Depot).</p>
SPP 11 – Strategic Transport Infrastructure <p><i>Policy 11.4 – Minimise negative transport-related impacts on communities and the environment.</i></p>	<p>The proposed Code Amendment seeks to rezone a portion of land to improve the existing operations of Council's Horticulture Depot. The additional area aims to improve current traffic movement practices from the Depot to minimise impacts on the existing local road network.</p>
SPP 14 – Water Security and Water Quality	<p>The Affected Area is not located within either a Water Protection Area, nor a River Murray Protection Area. The proposed Code Amendment</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><i>Policy 14.4 – Development should incorporate water sensitive urban design principles that contribute to the management of risks to water quality and other risks (including flooding) to help protect people , property and the environment and enhance urban amenity and liveability.</i></p>	<p>will continue to apply the ‘Prescribed Wells Overlay’ and the ‘Hazard Flooding’ Overlays over the Affected Area to ensure future development incorporates best practice water sensitive urban design. The Code amendment will investigate stormwater management over the Affected Area.</p>
<p>SPP - 16 – Emissions and Hazardous Activities</p> <p><i>Policy 16.2 – Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.</i></p>	<p>The Affected Area involves land that is encumbered by a now closed land fill estimated to contain approximately 70,000 tonnes of household waste. The Affected Area is a licensed EPA site with ongoing monitoring including a passive gas extraction system.</p> <p>There is also an easement dictating that the land can only be used for overflow event parking and community use. This was a requirement of a 1989 Planning consent to ensure adequate car parking was available at peak times.</p> <p>The proposed Code Amendment involves rezoning a portion of the Affected Area to a Strategic Employment Zone to facilitate non-residential land uses (expansion of Council’s existing Horticulture Depot) and will not involve rezoning land for sensitive land uses.</p>

3.3. Alignment with Regional Plans

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

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

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Principle 7: Heritage and character protection</p>	<p>The Affected Area is located adjacent to an existing State Heritage Place (<i>Four Down-draught Brick Kilns and Four Chimneys, former James' Brickyard</i>). The proposed Code Amendment will investigate the implications of the rezoning with the existing State Heritage Place.</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Principle 10: Economic growth and competitiveness	The Affected Area is located opposite an area identified as Prime Industrial land within the 'Strategic Employment Zone' in Beverley. The proposed Code Amendment seeks to facilitate an expansion of this Zone to improve operations of an existing industry (Council's Horticulture Depot).
<i>Our policy themes – Heritage</i>	
Policy 33. Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully.	The Affected Area is located adjacent to an existing State Heritage Place (<i>Four Down-draught Brick Kilns and Four Chimneys, former James' Brickyard</i>). The proposed Code Amendment will investigate the implications of the rezoning with the existing State Heritage Place.
<i>Our policy themes – Health, wellbeing and inclusion</i>	
Policy 47. Plan future suburbs and regenerate and renew existing ones to be healthy neighbourhoods that include: <ul style="list-style-type: none"> ○ Sporting and recreational facilities. 	<p>The proposed Code Amendment seeks to rezone a portion of land (approximately 3000m²) currently used as a sporting reserve to facilitate an expansion of an existing public depot facility.</p> <p>The proposed Code Amendment will investigate the implication of the Code Amendment in relation to the allocation of suitable land for public open space in order to meet projected demand within the locality.</p>
Policy 49. Encourage more trees (including productive trees) and water sensitive urban landscaping in the private and public realm, reinforcing neighbourhood character and creating cooler, shady and walkable neighbourhoods and access to nature.	The proposed Code Amendment seeks to rezone a portion of land to consolidate with the existing Horticulture Depot to improve operations based partly on Council's expanded street tree planting objectives through it's endorsed Growing Green Tree Canopy Improvement Strategy 2021-2045.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<i>Our policy themes – The economy and jobs</i>	
<i>Policy 55. Ensure there are suitable land supplies for the retail, commercial and industrial sectors.</i>	The Affected Area is located opposite an area identified as Prime Industrial land within the 'Strategic Employment Zone' in Beverley. The proposed Code Amendment seeks to facilitate an expansion of this Zone to improve operations of an existing industry (Council's Horticulture Depot).
<i>Policy 73. Provide sufficient strategic employment land options with direct access to major freight routes to support activities that require separation from housing and other sensitive land uses.</i>	
<i>Our policy themes – Biodiversity</i>	
<i>Policy 95. Support the enhancement of the urban biodiversity of metropolitan Adelaide through a connected and diverse network of green infrastructure.</i>	The proposed Code Amendment provides an opportunity to expand the operations of Council's existing Horticulture Depot. Council recently endorsed its Growing Green Tree Canopy Improvement Strategy 2021-2045. Its objective to reach a canopy target of 25% by 2045 has highlighted the need for additional maintenance staff and vehicles in the future to successfully implement the strategy as well as the need to manage an increase in the capacity of the City's tree and shrub holding bays.
<i>Our policy themes – Open Space, Sport and recreation</i>	
<i>Policy 102. Strategically locate sports and recreational facilities to cater for community needs.</i>	The proposed Code Amendment will investigate the rezoning of a portion of reserve land (approximately 3000m ²) to facilitate the expansion of Council's existing Horticulture Centre and its implication on the allocation of suitable land for public open space in order to meet projected demand within the locality.
<i>Policy 104. Investigate opportunities to increase the amount and/or quality of public open space provision in areas of low open space provision and areas of increasing population growth</i>	

3.4. Alignment with Other Relevant Documents

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

City of Charles Sturt – Community Plan 2020 - 2027	Code Amendment Alignment
<i>Our Liveability – A liveable city of great places</i>	
<ul style="list-style-type: none"> ○ <i>Drive an integrated, responsive transport system and well-maintained network of roads and paths that facilitate safe, efficient and sustainable connections.</i> 	The proposed Code Amendment seeks to rezone land to improve the existing operations of Council's Horticulture Depot. The additional area aims to improve current traffic movement practices from the Depot to minimise impacts on the existing local road network.
<ul style="list-style-type: none"> ○ <i>Enhance the diversity of open spaces to create innovative, accessible and flexible community spaces.</i> 	The proposed Code Amendment will investigate the rezoning of a portion of reserve land (approximately 3000m ²) to facilitate the expansion of Council's existing Horticulture Centre and its implication on the allocation of suitable land for public open space in order to meet projected demand within the locality.
<i>Our Environment – An environmentally responsible and sustainable city</i>	
<ul style="list-style-type: none"> ○ <i>Our City is greener to reduce heat island effects and enhance our biodiversity.</i> 	The proposed Code Amendment seeks to rezone a portion of land to consolidate with the existing Horticulture Depot to improve its operations based partly on Council's expanded tree planting objectives through its endorsed Growing Green Tree Canopy Improvement Strategy 2021-2045.
<i>Our Economy – An economically thriving City</i>	
<ul style="list-style-type: none"> ○ <i>Businesses and industry sectors continue to grow and diversify.</i> 	The Affected Area is located opposite an area identified as Prime Industrial land within the 'Strategic Employment Zone' in Beverley. The Code Amendment seeks to facilitate an expansion of this Zone to improve operations of an existing industry (Council's Horticulture Depot).
<i>Our Leadership – A leading and progressive local government organisation</i>	
<ul style="list-style-type: none"> ○ <i>Open and accountable governance.</i> 	The proposed Code Amendment will involve a statutory consultation process to enable the community to review the proposal and provide their input before a final decision is made by Council and then the Minister for Planning.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. 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.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
<i>Traffic Management Assessment</i>	Investigate the traffic and transport implications of the proposed Code Amendment, including a Traffic Impact Study to determine the impact of the proposed Code Amendment on the surrounding transport network and to determine any infrastructure improvements that may be required.
<i>Stormwater Management Assessment</i>	Investigate the capacity of the existing stormwater disposal network to support the proposed rezoning and identify any augmentation or upgrade works which might be necessary to facilitate the proposal.
<i>Infrastructure Assessment</i>	Investigate the capacity and suitability of sites to be serviced with telecommunication infrastructure and services, including NBN Access where appropriate.
<i>Heritage Assessment</i>	Identify all State Heritage Places affected and any implications by the proposed Code Amendment.
<i>Public Open Space Assessment</i>	Investigate the implication of the Code Amendment in relation to the allocation of suitable land for public open space in order to meet projected demand within the locality.
<i>Interface Assessment</i>	Investigate potential interface issues relating to noise, odour, dust, chemical spray drift and consider policy responses to minimise such risks.
<i>Code Policy</i>	Recommendations on the most appropriate zone(s) and overlays and specific policies (eg. Technical Numerical Variations) to apply over the Affected Area based on the outcomes of the investigations utilising the planning policies contained in the South Australian Planning and Design Code.

4.2. Engagement Already Undertaken

In accordance with Practice Direction 2, the Charles Sturt Council has endorsed the initiation of the Code Amendment at its Council meeting on 13 December 2021.

In addition, engagement is proposed to occur in relation to the Council's negotiations with Beverley Leisure PTY LTD over the Affected Area in relation to future investment and use of the balance of the Affected Area. This consultation is proposed to occur in January 2022 and will reference Council's intentions to undertake a rezoning proposal in relation to a portion of the Affected Area to rezone this land from Recreation Zone to Strategic Employment Zone to expand the existing operations of Council's Horticulture Depot. In addition the following engagement has also occurred on the proposed Code Amendment:

- A meeting was held with the Attorney General's Department – Planning, Land Use Services (PLUS) Code Control Group in relation to the Initiation Proposal for the Code Amendment (1 December 2021), where the scope of investigations were discussed.

4.3. Further Engagement Proposed

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

Further Engagement Proposed on a Draft Code Amendment	Engagement Intent
<ul style="list-style-type: none">• An 8-week consultation process on a draft Code Amendment.• A copy of the Code Amendment in the SA Planning Portal.• A notice in the Advertiser Newspaper.• Information on Council's 'YourSay' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment and information on how to make comments.• A written notice to all property owners and occupiers within the Affected Area and other adjacent property owners and occupiers inviting them to review and comment on the draft policy.• Information brochure outlining what the Code Amendment is about, the proposed policy amendments, and how interested persons can comment.• Notification of the draft Code Amendment to relevant State Government Departments / Agencies, Civil Aviation Safety Authority (CASA), Members of Parliament, adjacent Councils, infrastructure providers and other interested parties.• Copies of draft Code Amendment and information brochure to be made available at Council offices and libraries. The scheduling of a Public Meeting at the conclusion of the consultation process, at which any interested person may appear before Council's City Services Committee to make representations on the proposed amendment.	<p>The broad intent of the engagement process will be to:</p> <ul style="list-style-type: none">• Alert attention to the draft Code Amendment, its scope and intent.• Highlight any specific issues identified during the drafting process.• Provide details on the Code Amendment process and opportunities for comment.• Provide details on how to seek further information.

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
 - owners or occupiers of each piece of adjacent land
- consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

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

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the PlanSA 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

Current Zone (Planning and Design Code Version Number 2021.16)

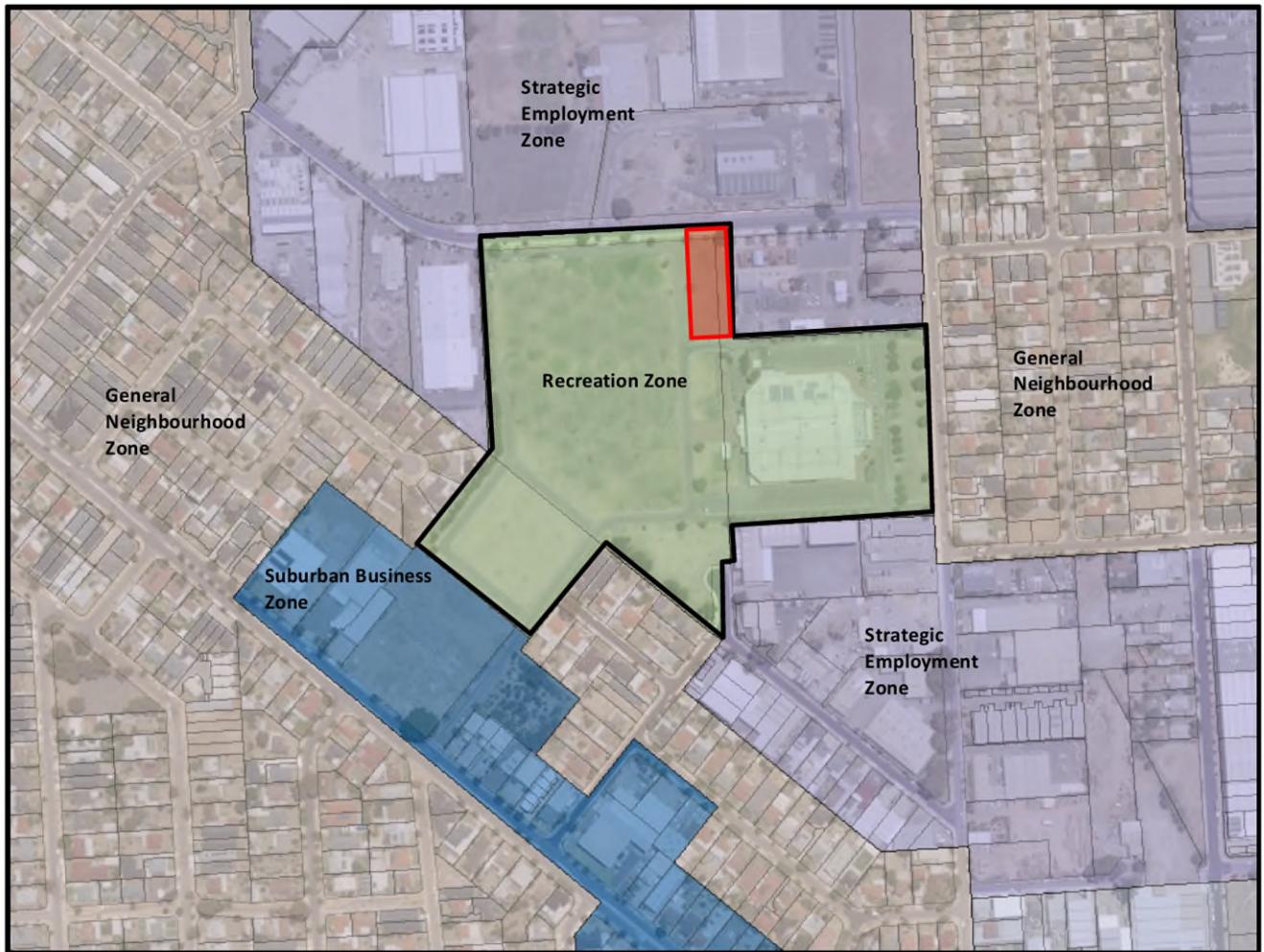


Figure 1: Affected Area / Portion of Affected Area Proposed for Rezoning and Current Locality Zoning

Map of Affected Area

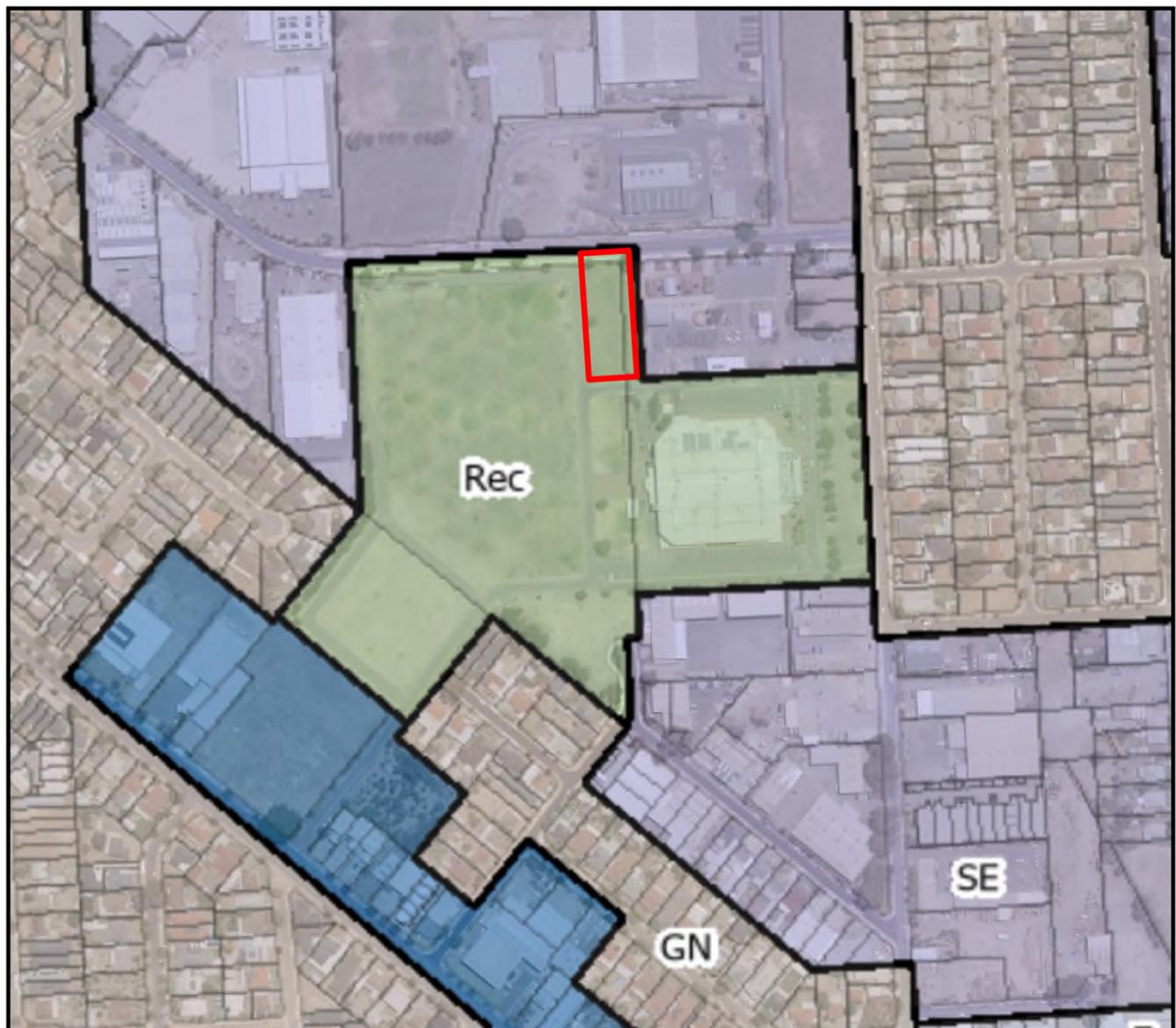


Figure 2: Location of the Portion of Affected Area Proposed for Rezoning

Concept Plan by Beverley Leisure Park PTY LTD

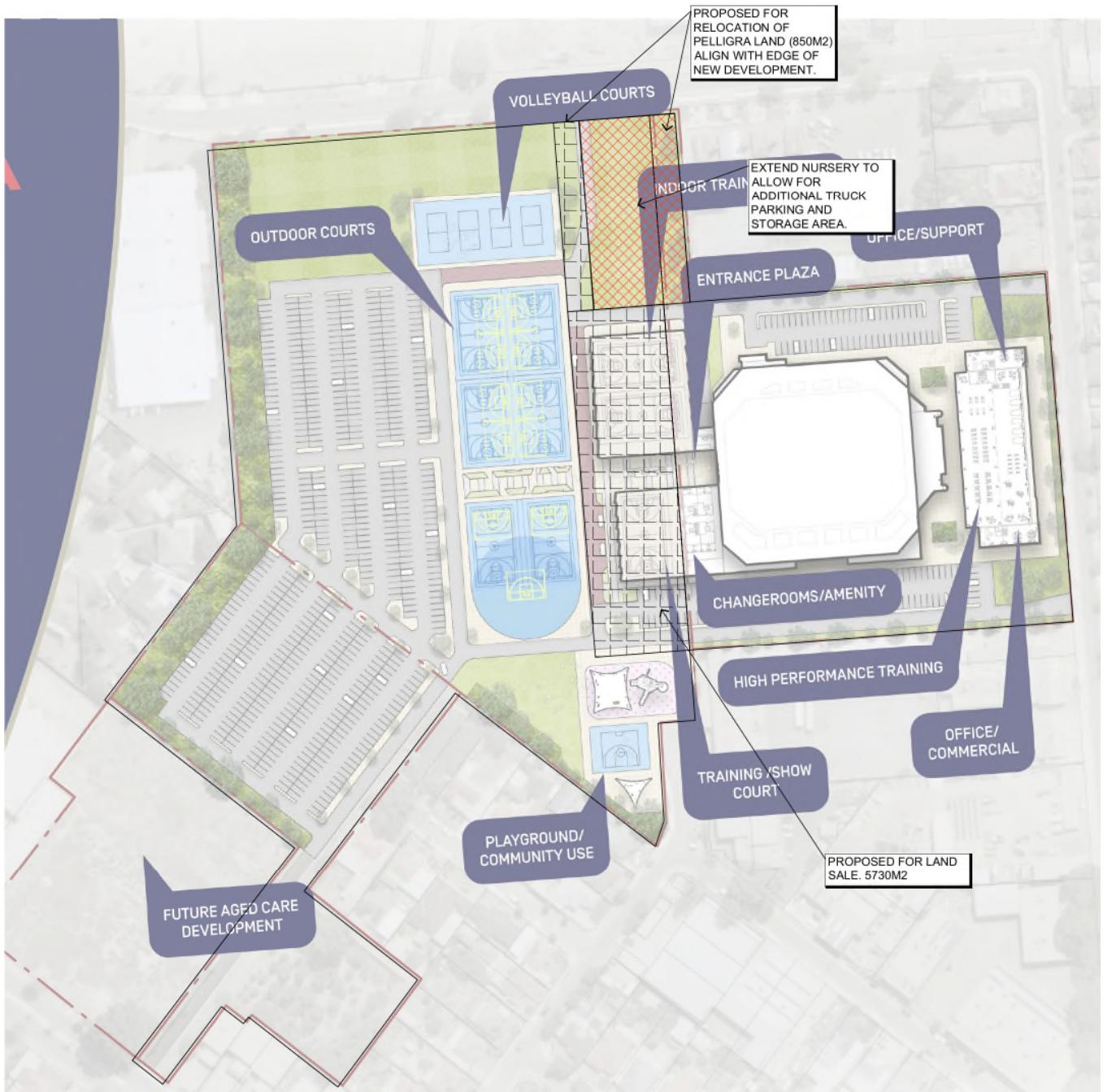


Figure 3: Concept Plan by Beverley Leisure Park Pty Ltd

ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframes
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission.	AGD	2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary).	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister.	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
Proposal to Initiate agreed to by the Minister	Minister	2 weeks
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared. The Drafting instructions and draft mapping provided to AGD.	Designated Entity	2 weeks 12-16 weeks 1 week
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes.	AGD	1 week
Preparation of Materials for Consultation.	Designated Entity	3 weeks
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan .	Designated Entity	12 weeks <i>(Note: Includes an 8 week consultation timeframe and Public Meeting held after to hear verbal submissions)</i>

Step	Responsibility	Timeframes
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD.	Designated Entity	8-12 weeks (Note: May be subject to change pending finalisation of Engagement Report based on the volume and complexity of submissions received)
Assess the amendment and engagement. Prepare report to the Commission or delegate Timeframe will be put on hold if further information is required, or if there are unresolved issues.	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA portal	AGD	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	AGD	8 weeks