



## Agenda Report for Decision

Meeting Date: 2 May 2024

Item Name	Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiation of the Goolwa Residential Code Amendment	
Presenters	Marc Voortman, Nadia Gencarelli, Chelsea Spangler	
Purpose of Report	Decision	
Item Number	4.1	
Strategic Plan Reference	4. Discharging Statutory Obligations	
Work Plan Reference	4.2 Advise the Minister on Code Amendments	
Confidentiality	Not Confidential (Release Delayed). To be released following final decision by the State Planning Commission on initiation of the Code Amendment. Anticipated by June 2024.	
Related Decisions	Nil	
Conflicts Declared	Nil	
Is the Report author aware of any potential undeclared conflict?		NO

### Recommendation

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

1. Approve the designation of this item as:
  - o With regards to paragraph 17 of this Report, Confidential (Commercial in Confidence)
  - o With regards to the remainder of this Report (excluding paragraph 17), Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment.
2. Recommend that the Proposal to Initiate the Goolwa Residential Code Amendment (**Attachment 1**), under section 73(2)(a)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act) not be supported on the grounds that the affected area is not 'ready' for rezoning as it is of an irregular size that will likely result in a poorly integrated and designed development outcome. Ultimately, the affected area does not present as an orderly sequence of land development.
3. Authorise the Chair of the Commission to sign the advice to the Minister advising him of the Commission's decision not to support the Proposal to Initiate the Goolwa Residential Code Amendment on the grounds provided in recommendation 2 and recommending that the Minister decline to initiate the Code Amendment.

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

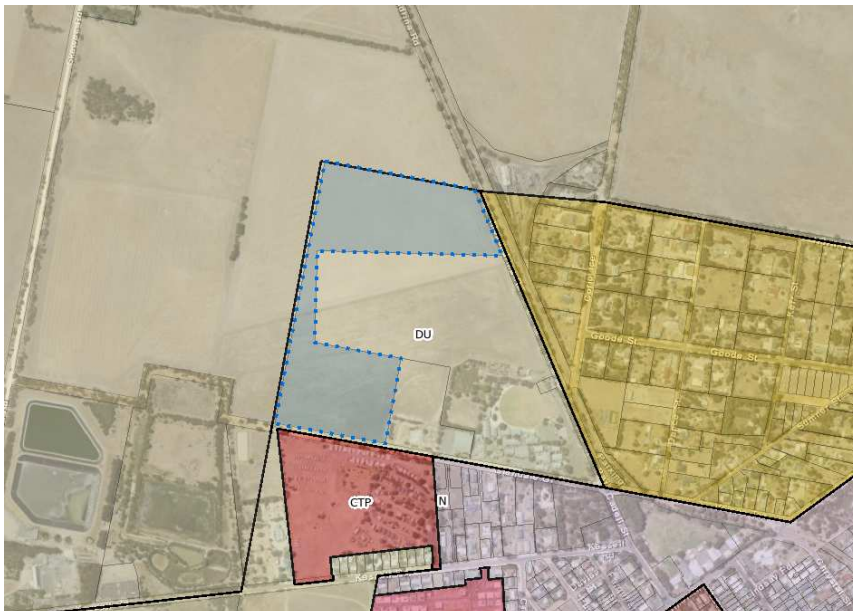
## Background

1. Section 73(2)(a)(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: 2017 Update*.
  - Any person or body that must be consulted by the Designated Entity, pursuant to section 73(6)(e) of the Act.
  - Any investigations to be carried out or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.
2. A draft Proposal to Initiate has been prepared in accordance with the Act and the requirements of *Practice Direction 2 - Preparation and Amendment of Designated Instruments (Attachment 1)*.

## Discussion

### Scope of the Code Amendment

3. The Goolwa Residential Code Amendment (the Amendment) seeks to amend the Planning and Design Code (the Code) by rezoning a 11.5-hectare parcel of land from Deferred Urban Zone to the Master Planned Township Zone. The parcel of land is addressed as 219 (Allotment 5) Skewes Road, Goolwa and is located within the Alexandrina Council (the Council) and on Ngarrindjeri Country.
4. The affected area and current zoning are shown in the figures below.



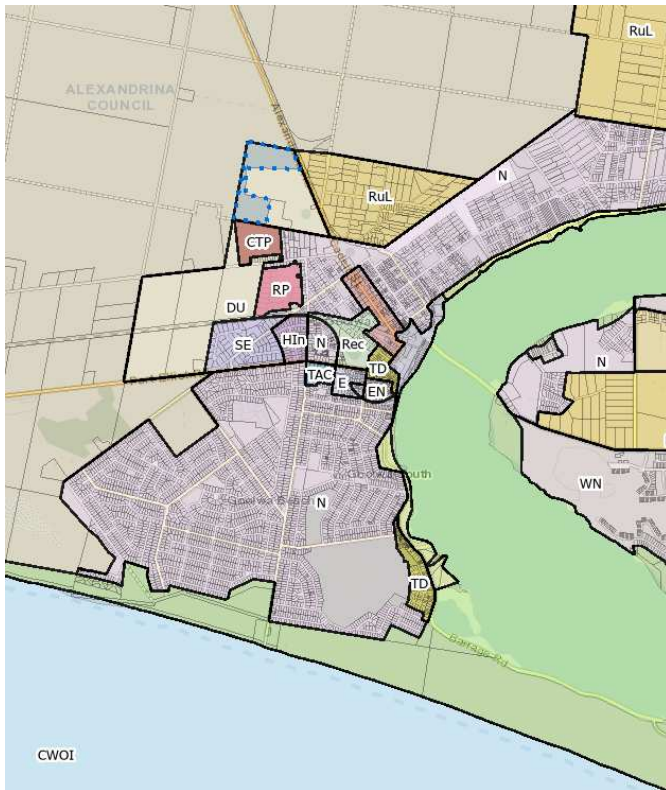
### **Planning and Design Code Zoning**

The affected area is located within the Deferred Urban Zone.

The following Overlays apply to the land:

- Airport Building Heights (Aircraft Landing Area)
- Building Near Airfields
- Hazards (Bushfire–Medium Risk)
- Hazards (Flooding–Evidence Required)
- Murray-Darling Basin
- Major Urban Transport Routes
- Native Vegetation
- Traffic Generating Development

Land surrounding the affected area is within the Rural, Rural Living, Deferred Urban and the Caravan and Tourist Park Zones.



5. 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**).
6. The advice recommends that the Minister refuse the initiation of the Code Amendment for the following reasons.

Strategic assessment

7. The Proposal to Initiate seeks to rezone the affected area from Deferred Urban to Master Planned Township to facilitate the expansion of the Goolwa township. The proponent has argued that the proposal will capitalise on a strategically located parcel of land by utilising for residential and lifestyle needs. It is noted that the Deferred Urban zoning limits land division and thus restricts the ability for residential development, however its desired outcome calls for the safeguarding of land for future urban growth.
8. The affected area is located within the Planned Urban Lands Boundary to 2045. The population of the Fleurieu Peninsula region is projected to grow between 19,100 to 24,250 people by 2041. The most recent land supply reporting indicates that there are few development-ready allotments within the township of Goolwa and furthermore there is currently an insufficient supply of zoned land to support the continued growth of the township. Specifically, as of December 2023, there are only 62 development ready allotments in Goolwa. However, the annual dwelling completions are also low, averaging around 40 per year.
9. In considering all the land located within the Planned Urban Lands Boundary 2045, the future urban growth potential is 4,400 lots. It is noted that other Code Amendments are in progress in the region, including the Goolwa North Code Amendment which is seeking to rezone 247.3 hectares of Rural zoned land to either Master Planned Township Zone or Neighbourhood

Zone. Whilst the Goolwa North Code Amendment is still under consideration, it is anticipated to accommodate around 2,500- 3,000 new dwellings if the rezoning is supported.

10. The proposal appears to align with strategic policies and directions, however, in consideration of the affected area and the State Planning Policies (SPPs) Principles of Good Planning, there are some significant concerns with the proposal in its current form.
11. The main concerns arise from the shape and location of the affected area. The affected area is located on the northwestern periphery of the Goolwa Township and more specifically on the outer boundary of the Deferred Urban Zone.
12. Rural zoned land is located along the northern and western boundaries. The affected area is described as an irregular 'horseshoe' shaped allotment with the northern and southern portions connected by a narrow spine. The allotment surrounds land also located within the Deferred Urban Zone and that currently contains the Goolwa Secondary College, Goolwa Sports Stadium, Goolwa Skate Park, and Pump Track, as well as a large tract of vacant land.
13. The affected area also interfaces with the Rural Living Zone along its far eastern boundary and the Caravan and Tourist Park Zone along its southernmost boundary. The closest urban neighbourhood type zone is the Neighbourhood Zone, located to the southeast of the affected area. The affected area is located over 100 metres from this Neighbourhood Zone at the closest point.
14. The Integrated Planning SPP 1.2 states '*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.*' It is considered that the proposal does not create an orderly sequence of land development as development of the affected area will essentially 'leapfrog' over the Deferred Urban land closest to the town centre and the current residential boundary of Goolwa. This will also impact upon infrastructure planning, coordination and investment with land located further away from existing infrastructure being proposed to come online before land that is currently located close to the existing infrastructure.
15. The adjacent allotment containing Goolwa Secondary College is owned by the Minister for Education. The smaller allotment containing the sports stadium, skate park etc. is owned by Alexandrina Council. Although these allotments are zoned as deferred urban, the current uses and land ownership lends itself to community facilities zoning. Along with residential development, community facilities are also essential to urban growth and will need to grow and evolve with the Goolwa township. Without understanding the future intent for these allotments, the capacity for this land to be utilised for and integrated with residential development, even in part, is unknown.
16. The proponent has submitted draft concept plans attempting to demonstrate how the affected area would connect with the adjacent land. These plans, however, also show that the affected area relies on the adjacent deferred urban land for road infrastructure connections and a logical layout.
17. [REDACTED]
18. As part of the proponent's engagement with Alexandrina Council, the Council have advised that they are about to commence work in relation to a Goolwa (and Surrounds) Growth Concept Plan process. This will include the consideration of coordinated infrastructure delivery across the wider locality. The findings of this work will contain data and outcomes that will be relevant to the affected area. This work would also feed into the Greater Adelaide Regional Plan (GARP) of which is also currently being developed. Whilst there is an apparent need for more residential land in the Goolwa township to support the projected population growth for the Fleurieu Peninsula, it is also important to provide an orderly sequence of land that can be

integrated efficiently with the existing township, services, and infrastructure. Given this, it is considered that the affected area is inappropriate in its current form and furthermore, strategic planning work currently being undertaken needs to be completed before separate investigations are pursued by the Proponent via a Code Amendment.

**Attachments:**

1. Proposal to Initiate the Goolwa Residential Code Amendment (#20773232)
2. Draft Preliminary Concept Plan – Option A (#21357485)
3. Draft Preliminary Concept Plan – Option B (#21357502)
4. State Planning Commission Advice to the Minister (#20941876)
5. Draft refusal letter to The Proponent (#20941885)
6. Draft refusal letter to Alexandrina Council (#20941879)

Prepared by: Chelsea Spangler

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Endorsed by: Marc Voortman

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Date: 18 April 2024

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