



Government
of South Australia

Hon Zoe Bettison MP
Minister for Tourism
Minister for Multicultural Affairs

2022/12526/01

Mr Jon Whelan
Chief Executive
Department for Infrastructure and Transport
C/- Ms Anita Allen
Associate Director
URPS

By email: aallen@urps.com.au

Dear Ms Allen

I write in relation to the Proposal to Initiate the Adelaide Aquatic Centre Code Amendment. The Minister for Planning, the Hon Nick Champion MP, has declared a conflict of interest and has delegated this matter to me.

I write to advise that under section 73(2)(b)(ii) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the Adelaide Aquatic Centre Code Amendment.

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

The initiation approval is on the basis that under section 73(4)(a) of the Act the Chief Executive of the Department for Infrastructure and Transport will be the Designated Entity responsible for undertaking the Code Amendment process.

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

- With the exception of the creation of a new Adelaide Aquatic Centre Subzone, 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 engagement.
- The new Subzone policy will be drafted by the Code Drafting Team within Planning and Land Use Services (PLUS) in discussion with the Designated Entity.

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- The Designated Entity must seek approval from the State Planning Commission prior to the commencement of community engagement on the draft Code Amendment.
- The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

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

- City of Prospect
- Environment Protection Authority
- Department for Environment and Water
- Office for Recreation, Sport and Racing
- Kaurna Yerta Aboriginal Corporation
- Kadaltilla / Park Lands Authority
- Utility providers including SA Power Networks, ElectraNet, 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 Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigation in addition to those outlined in the Proposal to Initiate:

- Undertake a flora and fauna survey to identify habitat values of the affected area.

Further investigations may be required in response to feedback or advice received through the engagement process.

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

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

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

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

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For further information, please contact Ms Nadia Gencarelli, Team Leader – Code Amendments from Planning and Land Use Services on (08) 7109 7036 or via email at: Nadia.Gencarelli@sa.gov.au.

Yours sincerely



Hon Zoe Bettison MP

MINISTER FOR TOURISM

As delegate for the Minister for Planning

24/11/2022

Encl: Signed Proposal to Initiate the Adelaide Aquatic Centre Code Amendment
Cc: Ms Sarah Lowe, Consultant, URPS (slowe@urps.com.au)