

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

Riverbank Precinct Code Amendment

By the Chief Executive



(Signature Required)

CHIEF EXECUTIVE, ATTORNEY-GENERAL'S DEPARTMENT

Date: 18/6/21

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*.



(Signature Required)

MINISTER FOR PLANNING AND LOCAL GOVERNMENT

Date: 16 7 21

1. INTRODUCTION	3
1.1. Designated Entity for Undertaking the Code Amendment	3
1.2. Rationale for the Code Amendment	3
2. SCOPE OF THE CODE AMENDMENT	3
2.1. Affected Area.....	4
2.2. Scope of Proposed Code Amendment.....	4
3. STRATEGIC ALIGNMENT	4
3.1. Alignment with State Planning Policies	5
3.2. Alignment with Regional Plans	6
4. INVESTIGATIONS AND ENGAGEMENT	6
4.1. Investigations Already Undertaken	6
4.2. Further Investigations Proposed	7
4.3. Engagement Already Undertaken.....	7
4.4. Further Engagement Proposed	7
5. CODE AMENDMENT PROCESS	8
5.1. Engagement Plan	8
5.2. Engagement Report	9
5.3. Code Amendment Timetable	9

ATTACHMENTS

Attachment A – Affected Area

Attachment B – Affected Area - Current Zoning

Attachment C – Affected Area – Current Subzones

Attachment D – Timetable for Code Amendment

1. INTRODUCTION

The Chief Executive seeks to amend the Code pursuant to section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment.

The Chief Executive is the 'designated entity' responsible for conducting this Code Amendment process and is required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning and Local Government (the Minister) prior to consideration whether to approve, amend or refuse the Code Amendment.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(b) of the Act, the Chief Executive will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

1.1.1. The Chief Executive acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.

1.1.2. The Chief Executive intends to undertake the Code Amendment by:

- a) Engaging with relevant State Government agencies and local governments, and
- b) Utilising professional expertise of employees of the Department including:
 - professional planning staff
 - communications staff
 - mapping and spatial data expert staff
 - ePlanning staff responsible for the management and operation of the Planning and Design Code.

1.2. Rationale for the Code Amendment

The State Government is progressing infrastructure initiatives of State significance in the Riverbank precinct in the City of Adelaide, including the development of the proposed new Women's and Children's Hospital and Riverbank Arena. These are part of the State Government's wider vision for the Riverbank precinct as a premier health, entertainment and cultural boulevard.

The need to rezone land in a timely manner, particularly in relation to the new Women's and Children's Hospital, presents an opportunity to undertake a wider review of the Riverbank precinct to ensure the current zoning aligns with future strategic directions with respect to land use and built form outcomes.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to consider those parts of the Riverbank Precinct between Port Road and the Adelaide Botanic Gardens up to and including the northern banks of the River Torrens and the Adelaide Zoo area (identified as the Affected Area in **Attachment A**), with a particular focus on the Biomedical and Entertainment Precincts, as shown in the map in **Attachment A**.

2.2. Scope of Proposed Code Amendment

<p>Current Policy</p>	<p>The subject land is primarily located in the City Riverbank Zone in the Planning and Design Code, with parts extending into the Adelaide Park Lands Zone (Attachment B). Four subzones apply within the City Riverbank Zone (Attachment C).</p>
<p>Amendment Outline</p>	<p>The Code Amendment seeks to review planning policy applying to the Riverbank Precinct in the Affected Area to ensure the Planning and Design Code suitably aligns with future strategic land use and built form outcomes.</p> <p>This includes the need to rezone land to support the development of the new Women's and Children's Hospital, as well as the proposed Riverbank Arena and Biomedical facility.</p>
<p>Intended Policy</p>	<p>Subject to investigations, the Code Amendment is anticipated to propose to:</p> <ul style="list-style-type: none"> • Rezone land west of the City Riverbank Zone Health Subzone, and between the Thebarton Police Barracks and old Adelaide Gaol, to accommodate a multi deck car park and supporting services associated with the proposed new Women's and Children's Hospital development • Rezone land to apply the City Riverbank Zone and Entertainment Subzone to the proposed Riverbank Arena and its curtilage • Consider policy refinement to better reflect pedestrian connectivity through / into the precincts (including from land adjacent to the affected area), particularly in relation to the new Women's and Children's Hospital and Riverbank Arena • Review policy to ensure that the built form interface of the Entertainment Precinct with the Park Lands achieves a high amenity and that the North Terrace public realm is of high quality

	<ul style="list-style-type: none"> • Refine built form policy in the area in front of the InterContinental Hotel down to North Terrace to facilitate low scale development • Review the City Riverbank Zone's Innovation Subzone to ensure it achieves the land use and built form outcomes in the Lot Fourteen Master Plan • Review the City Riverbank Zone and Adelaide Park Lands Zone within the Affected Area to determine if any consequential changes or minor refinements may be required.
--	---

3. STRATEGIC ALIGNMENT

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 and seek to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>SPP9 – Employment Lands</p> <p>To provide sufficient land supply for employment generating uses that supports economic growth and productivity</p>	
<p>SPP9: Employment Lands</p> <p>9.1 Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.</p> <p>9.10 Strengthen the primacy of the Adelaide city centre as the cultural, entertainment,</p>	<p>The proposed changes to support the development of the new Women's and Children's Hospital and potential Biomedical Facility would further reinforce the Biomedical Precinct as one of the state's premier health precincts.</p> <p>The proposed changes to support the development of the new Riverbank Arena would further reinforce the Biomedical Precinct</p>

tourism and economic focus of South Australia.	as one the state's premier entertainment precincts.
--	---

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)* 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><i>30-Year Plan for Greater Adelaide (2017 Update)</i></p> <p>Policy Theme: Adelaide City centre</p> <p>P.20 Continue to develop the Riverbank Precinct as a world-renowned health, sporting, educational and biomedical precinct with strong connections to the city centre while reinforcing North Terrace as a premier cultural boulevard with a new vibrant public plaza that will be the heart of entertainment and cultural events.</p>	<p>The Code Amendment will further support the development of the Riverbank's biomedical precinct, and establishment of additional entertainment facilities.</p> <p>It will also seek to ensure policy in the Code supports excellent design outcomes along North Terrace and at the River Torrens' interface with the Park Lands.</p>

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
SA Health preliminary site investigations – New Women's and Children's Hospital, Car Parking and Hospital Uses	Consideration of the provisional area likely to be required for the car parking facility and ancillary hospital services, associated with the new Women's and Children's Hospital.	Identification of the area likely to be required for the car parking facility and ancillary hospital services, associated with the new Women's and Children's Hospital.

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.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Review of relevant strategic plans/master plans	<p>Ensuring the Planning and Design Code suitably aligns with the land use and built form outcomes contained in relevant strategic master plans is the principal outcome sought by the Code Amendment. A detailed review will be undertaken of any relevant plans, compared with policy contained in the Planning and Design Code, to ensure that strategic objectives can be facilitated.</p> <p>A Master Plan has already been prepared for the Lot Fourteen precinct and will be subject to review.</p>
Infrastructure Analysis	<p>Considering traffic / access impacts and requirements associated with the new Women's and Children's Hospital, Riverbank Arena and Biomedical Facility will identify any impacts on the road system, whether access arrangements are suitable for development envisaged.</p> <p>Consideration of access requirements across the railway line is necessary to ensure ongoing rail operations are not impacted.</p>
Site Analysis	<p>Identification of suitable zone and subzone boundaries is necessary in areas proposed to be rezoned, particularly in regard to the current Adelaide Park Lands Zone, to ensure zone and subzones are located to support envisaged development.</p> <p>A detailed description of the sites affected by the rezoning will assist in the consideration of the potential impact on any key site features, and whether further policy in the relevant zone or subzone is required.</p>

4.3. Engagement Already Undertaken

Previous engagement has been undertaken on the Riverbank over a number of years, with a series of master planning processes over the land. Preliminary engagement has been undertaken with Renewal SA and SA Health on the scope of this amendment.

4.4. Further Engagement Proposed

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

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Notification and meeting with land owners within the affected area and neighbouring landowners	Identify the potential impact of the proposed Code Amendment on land within the affected areas, and on neighbouring land.
Community consultation	Broader community consultation to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

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):

- Given the proposal is specifically relevant to a particular Council (where Council did not initiate the proposal), the Adelaide City Council must be consulted;
- Given the Code Amendment has a specific impact on one 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 on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

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

5.3. Code Amendment Timetable

The Code Amendment is intended to be undertaken in line with the timeframe outlined **Attachment D**.

ATTACHMENT A

Affected Area



ATTACHMENT B

Affected Area - Current Zoning

Current Planning and Design Code: City Riverbank Zone (CR) and Adelaide Park Lands Zone (APL)



ATTACHMENT C

Affected Area - Current Subzones

Current Planning and Design Code City Riverbank Subzones: Heath (He), Entertainment (Ent), Cultural Institutions (Cul) and Inn (Innovation)



ATTACHMENT D
Timetable for Code Amendment

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Proposal to Initiate agreed to by the State Planning Commission	Chief Executive (as Designated Entity)	2 weeks
Preparation of the Code Amendment		
Engagement Plan prepared Code Amendment Report prepared Pre-consultation with SA Health and Renewal SA Amendment Instructions prepared	Designated Entity	4 weeks
Preparation of Amendment Instructions and Mapping and provides to relevant Government Agencies	AGD	1 week
Preparation of Materials for Consultation	Designated Entity	Informed by Engagement Plan
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Engagement Plan	AGD/PLUS on behalf of the Commission	Informed by the Engagement Plan
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared	AGD/PLUS on behalf of the Commission	4 weeks
Commission consider and approve report to the Minister <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 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