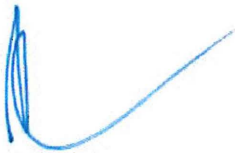


**PROPOSAL TO INITIATE AN AMENDMENT TO THE
PLANNING & DESIGN CODE**

**Mount Compass Golf Course Estate Code
Amendment**

By the Chief Executive



(Signature Required)

A/ CHIEF EXECUTIVE, ATTORNEY-GENERAL'S DEPARTMENT

Date: **5 JULY** 2021

This Proposal to Initiate document 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: **30 7** 2021

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	6
2.1.	Affected Area	6
2.2.	Scope of Proposed Code Amendment	6
3.	STRATEGIC PLANNING OUTCOMES AND ALIGNMENT	7
3.1.	Summary of Strategic Planning Outcomes	7
3.2.	Alignment with Regional Plans	10
3.3.	Alignment with Regional Plans	10
3.4.	Alignment with Other Relevant Documents	10
4.	INVESTIGATIONS AND ENGAGEMENT	11
4.1.	Investigations Already Undertaken	11
4.2.	Further Investigations Proposed	11
4.3.	Engagement Already Undertaken	11
4.4.	Further Engagement Proposed	12
5.	CODE AMENDMENT PROCESS	12
5.1.	Engagement Plan	12
5.2.	Engagement Report	13
5.3.	Code Amendment Timetable	13

ATTACHMENTS

- A Area Affected Maps
- B Code Amendment Timetable

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 of the Act.

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

- a) Engaging with relevant State Government agencies and local governments, to provide the professional services required to undertake the Code Amendment; 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.

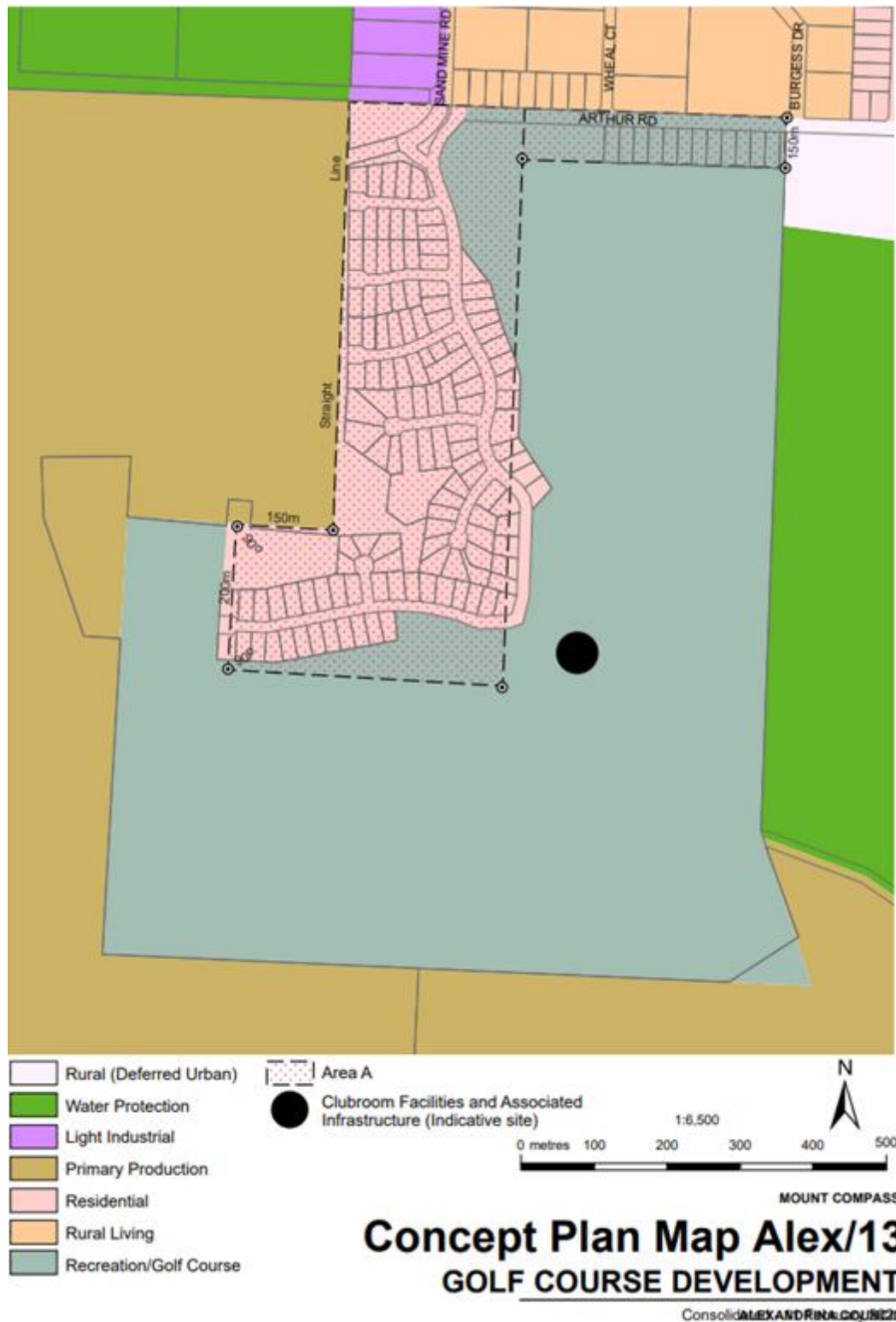
1.2. Rationale for the Code Amendment

The affected area is approximately 86 hectares and comprised primarily of an established residential area, with approximately 150 residential allotments/dwellings, and an existing 18-hole golf course and clubrooms. The land was rezoned from primary production/rural land to residential development and a private golf course in the 1990s.

Prior to the introduction of the Code, the entirety of the subject land was contained within the Residential Zone, and the 'Mount Compass Golf Course Policy Area 20' also applied to the golf course and clubrooms portion of the land. In addition to this, *Concept Plan Map Alex/13 – Golf Course Development* (See below) applied to the

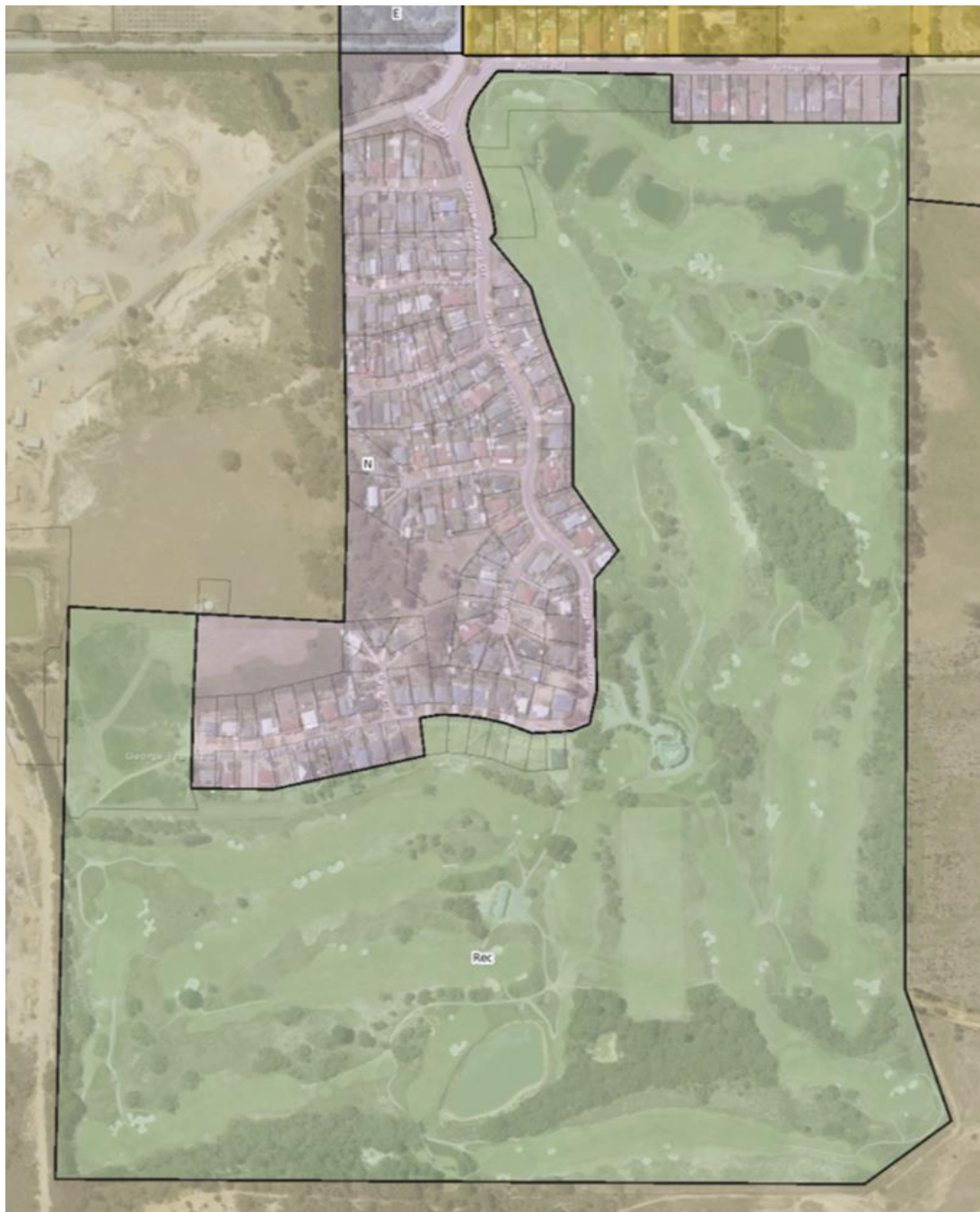
entire site and was used to differentiate between residential and recreation areas. The Concept Plan defined an area (Area A), and for the purposes of assessment, land division that resulted in the creation of additional allotments was non-complying within Policy Area 20, except where it was located within Area A.

Diagram 1: Concept Plan Map Alex/13 – Alexandrina Council Development Plan



The zone configuration approved in the Code resulted in the Neighbourhood Zone being applied to the established residential land and the Recreation Zone being applied to the golf course (See below). A concept plan map was not introduced into the Code for this area.

Diagram 1: Planning and Design Code – Zone Configuration



The Golf Course Estate Zone was intended to be applied to golf course estates that include a mix of residential and golf course related development. The Golf Course Estate Zone was introduced into the Code as part of the Phase Two and Phase Three Code Amendments and was applied to similar golf course estates in Berri Barmera, Port Hughes, Waikerie, Robe and McCracken.

It has been identified that the subject golf course and residential estate may be more appropriately zoned Golf Course Estate Zone.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The affected area is located on the southern side of Arthur Road and approximately 1 kilometre south west of the existing township of Mount Compass. The subject land is approximately 86 hectares and currently comprised of an established residential area and an 18-hole golf course with associated clubrooms. The affected area is located entirely within the existing Neighbourhood Zone and Recreation Zone. The Affected Area is shown in **Attachment A**.

2.2. Scope of Proposed Code Amendment

The proposed Code Amendment aims to review the existing zone configuration and consider the suitability of rezoning the land within the affected area from Neighbourhood Zone/Recreation Zone to Golf Course Estate Zone.

The Golf Course Estate Zone provides a policy framework that anticipates a golf course and allows for additional residential development and opportunities for other land uses that will help to preserve the long term viability of the golf course.

The investigations will confirm whether the Golf Course Estate Zone is appropriate for the affected area, and whether a Concept Plan should apply to identify the extent of the golf course.

Site Specific Code Amendment

Current Policy	<p>ZONES</p> <ul style="list-style-type: none">• Neighbourhood Zone• Recreation Zone <p>OVERLAYS</p> <ul style="list-style-type: none">• Affordable Housing• Environment and Food Production Area• Hazards (Bushfire - High Risk)• Hazards (Flooding - Evidence Required)• Limited Land Division• Murray Darling Basin• Native Vegetation• Prescribed Water Resources Area• River Murray Tributaries Protection Area• Water Protection Area• Water Resources.
-----------------------	--

Amendment Outline	The amendment intends to rezone the land within the affected area to Golf Course Estate Zone.
Intended Policy	<p>Subject to investigations, the Code Amendment seeks to apply a more suitable Code Zone to the Affected Area. It is anticipated that the policies within the Golf Course Estate Zone will allow for modest residential expansion and provide greater opportunities for other non-residential forms of development associated with the operation of the golf course, such as tourism development and small scale retail development that will contribute to the long term viability of the Mount Compass Golf Course.</p> <p>A concept plan may assist in outlining the extent of the golf course to guide the location of associated land uses.</p>

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.

The subject land is located on the western fringe of the Mount Compass township, which is located approximately 60km from Adelaide and 25km to the township of Victor Harbor. The land was rezoned from primary production/rural land to residential development and a private golf course in the 1990s. The residential portion of the land has been substantially developed with only a small number of vacant or undeveloped allotments.

The Australian Bureau of Statistics shows that the population of Mount Compass is approximately 1,450 people and in 2020 there was approximately 570 dwellings, an increase of only 15 dwellings since 2016.

The subject land is surrounded primarily by Rural Zone with a piece of Rural Living Zone and a smaller piece Employment Zone located immediately to the north. Victor Harbor Road connects the town to Adelaide via the Southern Expressway. The town is also connected to larger regional centres such as Victor Harbour (approx. 25km) and Noarlunga Centre (approx. 30km) which provide additional shopping, education and medical facilities.

3.1. Summary of Strategic Planning Outcomes

The Golf Course Estate Zone was applied to a number of similar sites throughout the state as part of the Phase Three Code Amendment, and was introduced to provide a policy framework to manage the assessment of development on sites, which contain a mix of residential development and a golf course. The policies within the zone allow

for residential development, tourist accommodation and small scale retail development, such as shops and restaurants.

The subject land is located within the key tourism region of the Fleurieu Peninsula and comprised of an established residential area and an existing golf course and associated clubrooms. If this land was rezoned to Golf Course Estate Zone it may allow for the modest expansion of the residential development and provide opportunities for complementary land uses and activities that would help preserve the long term viability of the golf course.

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
<p>SPP 1: Integrated Planning</p> <p>Objective <i>To apply principles of integrated planning to shape regions in a way that enhances our liveability, economic prosperity and sustainable future.</i></p> <p>SPP 1.6 <i>Plan for strategic infrastructure that helps to shape the pattern of settlement in a way that enhances quality of life and supports long-term sustainability.</i></p>	<p>The proposed amendment seeks to provide greater opportunities to support the long term viability of the golf course. The golf course provides recreational land, which improves the quality of life for people living in the township.</p>
<p>SPP 6: Housing Supply and Diversity</p> <p>Objective <i>To promote the development of a well-serviced and sustainable housing and land choices where and when required.</i></p> <p>SPP 6.3 <i>Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities.</i></p>	<p>The Golf Course Estate Zone may provide the opportunity for the modest expansion of the existing established residential area as well opportunities for other forms of accommodation associated with the existing golf course.</p> <p>The preservation of the golf course will help to maintain a healthy neighbourhood with access to quality open space, recreation and sporting facilities.</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) is the relevant volume of the Planning Strategy for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>The proposed rezoning is largely consistent with the following key policies and targets of the Regional Plan, including open space, sport and recreation, health, wellbeing and inclusion, and tourism development:</p> <p>Policy 47: Plan future suburbs and regenerate and renew existing ones to be healthy neighbourhoods that include:</p> <ul style="list-style-type: none">• sporting and recreation facilities <p>Policy 63: Provide for sustainable tourism development across Greater Adelaide by:</p> <ul style="list-style-type: none">• protecting, enhancing and promoting the qualities that attract tourism and are of value to the whole community• providing appropriate support infrastructure for tourism• facilitating sustainably designed tourism accommodation in suitable locations• facilitating tourism-related developments such as restaurants, specialty retail accommodation and other value adding activities. <p>Policy 102: Strategically locate sports and recreational facilities to cater for community needs.</p>	<p>The proposal seeks to maintain a healthy neighbourhood and promote physical activity and participation in sports and clubs by helping to preserve the existing golf course and clubrooms.</p> <p>The existing golf course is located adjacent to an established residential development and approximately 1 kilometre from the Mount Compass township, it is therefore well positioned to cater to the needs of the local community and visitors to the region.</p> <p>The subject land is located within the key tourism region of the Fleurieu Peninsula and the Golf Course Estate Zone may provide greater opportunities for sustainable tourism development including tourism accommodation and tourism-related developments such as restaurants, specialty retail accommodation and other value adding activities.</p>

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:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
<i>Nil</i>	<i>Nil</i>

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
<i>Nil</i>	<i>Nil</i>	<i>Nil</i>

4.2. Further Investigations Proposed

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
Application of Golf Course Estate Zone	Review existing and proposed Code policies to determine the potential impacts of the proposed amendment. This review will consider but is not limited to a review of the development types currently envisaged in each of the zones and the development types envisaged in the Golf Course Estate Zone, to determine the suitability of those uses for this land.
Concept Plan	Consider the application of a Concept Plan to clearly define where residential development can occur within the proposed Golf Course Estate Zone.

4.3. Engagement Already Undertaken

To date, public engagement / consultation has not been undertaken in relation to this Proposal.

However, the proposed rezoning of this land was considered as part of the Phase Three Code Amendment, and the views of the Alexandrina Council were sought.

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
Notify landowners 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.
Notify Alexandrina Council	Seek the Council's views on the suitability of policy change and any local impacts.
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 Alexandrina 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.

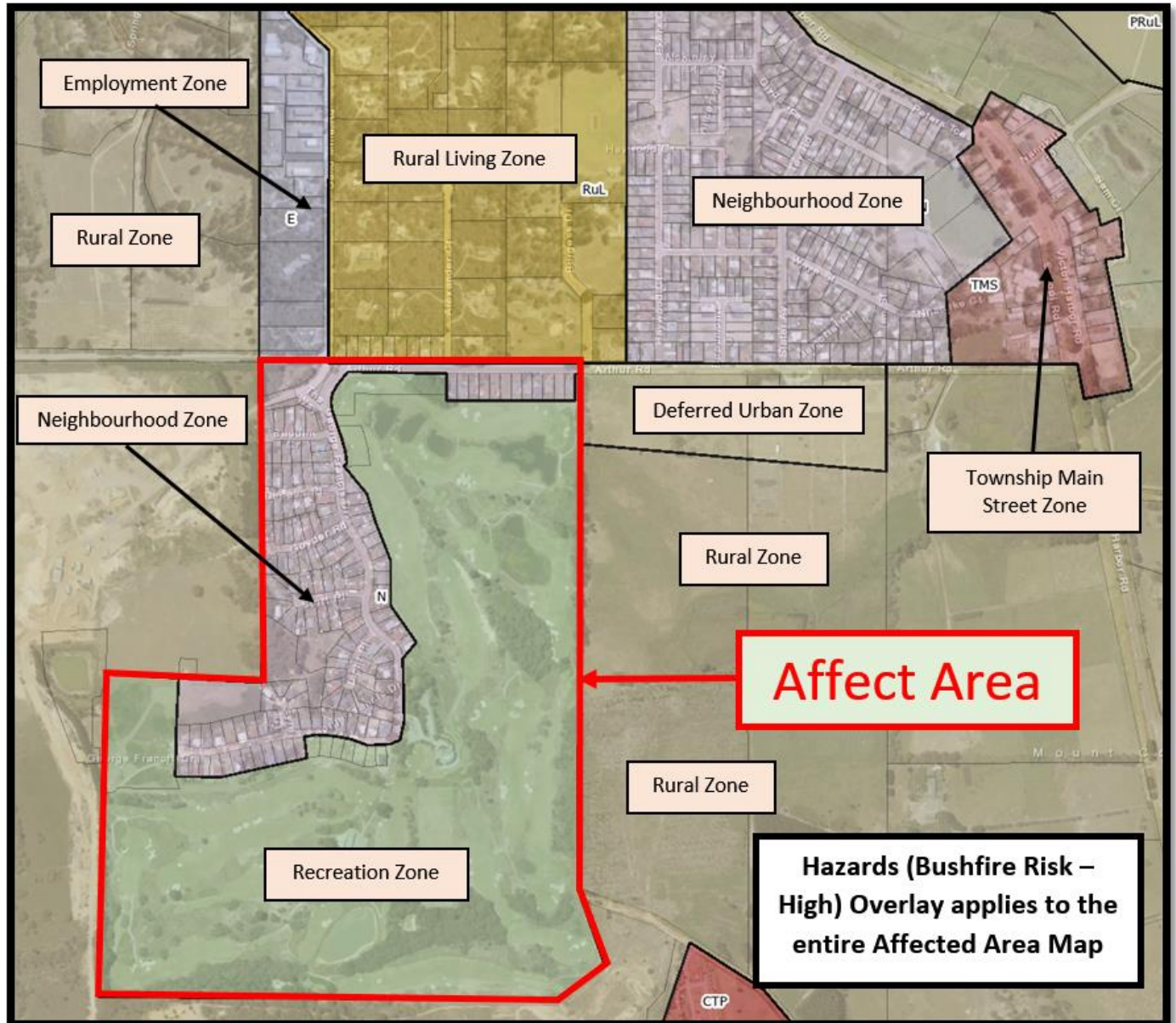
5.3. Code Amendment Timetable

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

ATTACHMENT A

Map of Affected Area

Affected Area Map - Mount Compass Golf Course Code Amendment Current Zone Configuration



ATTACHMENT B

Timetable for Code Amendment by the Chief Executive

Step	Responsibility	Timeframe
Approval of the Proposal to Initiate		
Consideration of Proposal to Initiate and advice to the Minister	Commission	4 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 prepared	Chief Executive (as Designated Entity)	4-8 weeks <i>(estimate)</i>
Preparation of Materials for Consultation	Chief Executive (as Designated Entity)	Informed by the Engagement Plan
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	Chief Executive (as Designated Entity)	To be informed by Engagement Plan
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Code Amendment amended, Engagement Report prepared	Chief Executive (as Designated Entity)	Minimum 8 weeks <i>(depending on extent of mapping review work required and as above, amount of spatial data processing required)</i>
Prepare Report to the Commission	AGD	4 weeks
Consideration of Advice	Commission	5 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