


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

## *Precinct 202 Code Amendment*

**By the *City of Victor Harbor (the Proponent)***

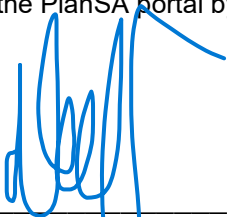


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(Signature Required)

Graham Pathuis, Acting Chief Executive Officer  
***City of Victor Harbor (the Proponent)***

**Date: 18 April 2024**

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.



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(Signature Required)

**MINISTER FOR PLANNING**

**Date:**



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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 42 and 42A Armstrong Road; 11-13 Ewen Terrace; and 15, 17 and 19 George Main Road, Victor Harbor and as identified in the map at Attachment A. (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 City of Victor Harbor (the Council)* and is the owner of part 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.

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. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under section 73(7).

- 1.1.2. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:

- (a) Graham Pathuis, Director Community and Development, City of Victor Harbor
- (b) gpathuis@victor.sa.gov.au
- (c) 8551 0500

The Proponent intends to undertake the Code Amendment by utilising professional expertise of employees of the Proponent including:

- Graham Pathuis –RPIA, Accredited Professional - Planning Levels 1, 2, 3 and 4
- David Read –RPIA, Accredited Professional - Planning Levels 1, 2, 3 and 4

## 1.2. Rationale for the Code Amendment

The vacant portion of the Affected Area comprises two titles (lots 201 and 202) that were previously owned by the Government of South Australia (the Government). The titles were subdivided (DA ref. 453/G015/21) from former lot 101 by the Government with lot 202 purchased by the City of Victor Harbor (the Council) for the intended purpose of the Council developing a community recreation centre facility on the land. This intent and subsequent intent of the Council to rezone was acknowledged in the sale transaction under the **CONTRACT FOR THE SALE AND PURCHASE OF LAND (NON-RESIDENTIAL)** for **Portion of Allotment 101 Deposited Plan 81439 in the area named Victor Harbor, Hundred of Encounter Bay** (ref CSO:1967637) between the Minister for Infrastructure and Transport as the Vendor and the City of Victor Harbor as the Purchaser; wherein Clause 12 of **Annexure A Special Conditions** provided that:

“12. **REZONING OF THE LAND**

12.1 The Vendor acknowledges that the Purchaser:

12.1.1 desires to acquire the Land for the purposes of constructing a new community recreation centre facility thereon (the **Intended Purpose**); and

12.1.2 intends to lodge an application for the Land to be rezoned after settlement, from a Business Neighbourhood Zone to a Community Facilities Zone within the meaning of those terms under the Planning and Design Code (the **Code**) established under the *Planning, Development and Infrastructure Act 2016* (SA) (the **PDI Act**) and the Vendor is supportive of the Purchaser progressing the requisite Statutory application for the change in zoning.”

The development of a Sports and Recreation Precinct on Lot 202 to include indoor sports and outdoor recreation, as well as other key community infrastructure in childcare facilities, is a strategic project for Council in response to the demands and pressures of a growing community and region.

Additionally, Lot 201 created by the aforementioned land division has been retained by the Government. It is understood that the intent for this land is to develop State Emergency Services and/or Sea Rescue Service facilities.

Neither the Government's intended use for Lot 201, nor the Council's intended use for Lot 202, are supported by the current zone (Neighbourhood Business Zone) under the Planning and Design Code. The proposed rezone will therefore give effect to the change in circumstances of both the Government and the Council with respect to the land division and the land transaction contract.

Additionally, the remaining lots in the Affected Area are all owned by either the Government or utility service providers, with uses including a community centre, a TAFE college, a police station and courthouse, and water supply service pumping station. While all are existing land uses, they are not supported under the current zone. Rezoning these lots to Community Facilities Zone would rectify this anomaly and provide for a contiguous and orderly land use zone within the Affected Area.

## 2. SCOPE OF THE CODE AMENDMENT

### 2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being the land in:

Property Address	Lot Number	DP	CT Ref	CT Volume	CT Folio	Current Use
42 Armstrong Road, Victor Harbor SA 5211	Lot 2	D78035	CT602073	6020	738	Community Centre
11-13 Ewen Terrace, Victor Harbor SA 5211	Lot 201	D127921	CT626479	6264	792	Vacant Land
42A Armstrong Road, Victor Harbor SA 5211	Lot 202	D127921	CT626479	6264	793	Vacant Land
15 George Main Road, Victor Harbor SA 5211	Lot 21	D28956	CT537967	5379	672	Pump Station
17 George Main Road, Victor Harbor SA 5211	Lot 41	D70183	CT595753	5957	531	Police Station
19 George Main Road, Victor Harbor SA 5211	Lot 102	D81439	CT607867	6078	678	TAFE SA
Not Specified	Lot 203	D127921	CT626479	6264	794	Median Strip
Not Specified	Lot 12	D47310	CT5467601	5497	601	Median Strip

within the City of Victor Harbor as shown in the map in Attachment A.

## 2.2. Scope of Proposed Code Amendment

### Site 1 - Entire Affected Area

<b>Current Policy<sup>1</sup></b>	<p><i>List all Planning and Design Code policies that currently apply to the site (including zones, subzones, overlays, Technical and Numerical Variations (TNVs))</i></p> <p>Zone: Business Neighbourhood  Subzones: Nil  Overlays: Hazards (Flooding), Hazards (Bushfire – Urban Interface), Hazards (Flooding – General), Native Vegetation, Prescribed Water Resources Area, Traffic Generating Development, Urban Transport Routes, Water Resources</p>
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<sup>1</sup> Note: for sites within the Phase 3 (Urban Areas) Code the Current Policy is draft and may change until the Phase 3 Code is implemented.

	Technical Numerical Variations: Nil
<b>Amendment Outline</b>	<i>Amendment of the current zone to Community Facilities Zone with retention of current overlays.</i>
<b>Intended Policy</b>	<i>Rezone Affected Area to Community Facilities Zone with retention of existing overlays; no sub zones or Technical Numerical Variations proposed.</i>

### 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 proposed Code Amendment aligns with key strategic planning outcomes and relevant strategic documents as outlined in Parts 3.2, 3.3 and 3.4 of this Proposal to Initiate a Code Amendment. Analysis in preparation for the proposal, and as outlined in Part 4.1 has included:

- Integrated land use
- Economic analysis
- Accessibility, inclusion and connectivity
- Sport, recreation and open space needs analysis
- Site contamination
- Flooding impact
- Social infrastructure gap analysis and cost benefit evaluation of community childcare
- Liveability evaluation

#### 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
State Planning Policy 1: <i>Integrated Planning</i>	<p>The proposed rezone enables implementation of sport and recreation land use options for the site that integrates effectively with other key sport, recreation and community facilities (including childcare facilities), and adds to the range of wellbeing and lifestyle choices for Victor Harbor as not only a population growth area, but also a popular and readily accessible tourism location with primacy as a regional centre for the Southern Fleurieu.</p> <p>Victor Harbor's development is reflective of a township settlement pattern. The proposed</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	<p>amendment supports opportunity for ongoing orderly development and enhanced connectivity within this pattern and would realise the creation of a contiguous community facilities precinct (with a predominant focus on sports and recreation providing for an extensive mix of active and passive, and built form and open space form uses) lineally along the Inman River.</p> <p>As a precinct for community facility use and development, the Affected Area provides well connected and convenient access between schools and other sporting precincts, particularly with respect to walking and cycling.</p> <p>To the immediate east of the site boundary is the Victor Harbor Dog Park in turn adjoining the existing Victor Harbor Recreation Centre, which currently services basketball, gymnastics, volleyball, and badminton as well as community meeting rooms and function spaces. Adjoining this is the Victor Harbor High School (approximately 300m to the east) catering for some 800 students, also adjoining the eastern side of the High School is another prominent community and recreation precinct in the Victor Harbor Oval, which serves as a hub for Victor Harbor based sporting clubs including football, cricket, tennis and netball as well as being co-located with the local RSL Club. This precinct is nestled against the western edge of the Victor Harbor CBD and bounded by the Inman River.</p> <p>Directly cross the road from High School/Victor Oval/Recreation Centre precinct is the Council Civic Centre which includes the Victor Harbor Library as a key and very well utilised community facility.</p> <p>Serving as a hub for Encounter Bay based sporting clubs including football, cricket, tennis, netball, lawn bowls and hockey, Encounter Bay Oval is located across Armstong Road immediately to the west of the Affected Area. This is followed by Investigator College, an R-12 school (plus early learning centre) catering for some 700 students located approximately 500m to the West of the Affected Area. Investigator College and Encounter</p>



State Planning Policy (SPP)	Code Amendment Alignment with SPPs
	<p>Bay Oval and Sports Precinct in turn adjoins the Victor Harbor Golf Course to the North.</p> <p>The Affected Area itself contains a Community Centre, TAFE College, Police Station and Court House.</p> <p>As a precinct that would also serve to attract tourism interest and activity (either associated with regional sporting events or some of the more adventure-based activity that is aspired for the site (such as rock climbing and tree-climb type activity), Victor Harbor's two key tourist park sites are in close proximity and easy walking distance to the site.</p> <p>The connectivity to the Affected Area of the various nearby facilities outlined above is not only served by a sufficient road network, more pertinently they are within close proximity to enable safe walking and cycling with alternative route options available comprising both a pedestrian footpath network aligned with the road network, but also the existing Inman River walking and bicycle linear trail, which in turn links to Council's broader walking and cycling trail network.</p> <p>The various access and connection links are demonstrated in the map provided subsequent to this table.</p> <p>The interface of the Affected Area with the Inman River as a significant environmental asset to the community and the lineal trails that in turn connect other key community facility precincts and locations (as identified under SPP 1) provide ongoing connection and interaction opportunities for the entire community. This might otherwise be lost in the Affected Area to Business Neighbourhood Zone uses. Rezone enables better opportunity for high quality green open spaces and a diversity of public activation and interaction opportunities that can be provided through good design. The opportunities for such outcomes are optimised through a master planned approach for the site, ensuring holistic consideration of all elements.</p>



State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>State Planning Policy 15: <i>Natural Hazards</i></p>	<p>As community facilities are by their nature community access buildings, they also serve as safe havens for residents during climate related events (such as extreme weather events, bushfire, flooding). This is a particularly relevant consideration for Victor Harbor's aging community that comprises a significant proportion of its residents, many of whom struggle with the costs of mitigating climate conditions within their homes.</p> <p>As Council owns the land and seeks to develop it into a Sports and Recreation precinct for the benefit of its community, it has greater ability to control climate smart outcomes for subsequent development. This also aligns with Council's Climate Emergency declaration of 2019.</p> <p>Portions of the Affected Area are prone to flooding. This is relevant to the Affected Area regardless of the zone. An outcome for the land that provides for a Sport and Recreation precinct that also integrates the open space recreation areas into a master planned design, can enhance opportunities to work to the conditions of the site.</p>





## Various access and connection links

0 195 390 780 Metres



### 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 volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Policy Theme: <i>Health, Wellbeing and Inclusion</i></p>	<p>There are immediate health, wellbeing and inclusion needs in the Victor Harbor community that need to be met. At the heart of the proposed Code Amendment lies the aspiration for a Sport and Recreation Precinct that helps respond to these needs of a growing and diversifying population, now and into the future. A zone that gives this effect at the selected site will provide a strategic link connection to related nearby facilities spatially, while helping to ease the capacity constraints and add to the diversity of offering in a community service delivery sense. An anticipated childcare centre facility for the site also increases opportunity for enhanced health, wellbeing and inclusion outcomes.</p> <p>The proposal aligns well with the policy statements relevant to the <i>Health, Wellbeing and Inclusion</i> policy theme, in turn assisting to deliver on the targets relevant to this theme as set in the 30-Year Plan for Greater Adelaide.</p>
<p>Policy Theme: <i>Open Space, Sport and Recreation</i></p>	<p>The primary goal for the Code Amendment is to enable an appropriate site to support a Sport and Recreation Precinct that is well connected to nearby existing sport, recreation, open space and community related facilities. A central focus is the active transport connection between the elements that will essentially become a linear contiguous community facilities 'zone', with a focus on sport and recreation. The uses across this linear stretch supports and ensures a diverse range of quality public open space and places along with a range of venues for sport and recreation to complement the open space areas. In doing so the proposal will assist in achieving the targets set for this policy theme in the 30-Year Plan for Greater Adelaide.</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Policy Theme: <i>The Economy and Jobs</i></p>	<p>While the main focus of the Sport and Recreation precinct and hence rezone proposal for the Affected Area to Community Facilities is for the benefit and wellbeing of Victor Harbor's resident population now and into the future, Victor Harbor is also a high-profile tourism destination. A secondary component to the development aspirations for the Affected Area are sport and recreation uses that also create tourism interest and attendance. This is sought to be achieved through the use of part of the site for rock climbing and tree climb experiences, as well as potentially a bowling alley, and the food and beverage offerings that are ancillary to these experience based offerings.</p> <p>To achieve these outcomes that will support the economy and jobs, Council is also seeking to partner private investment for the delivery of the precinct, and thereby unlocking private investment into public benefit outcomes. This serves to reduce cost burden on Council's local residents and ratepayers. This directly relates to policies 55 and 63 within the <i>Economy and Jobs</i> policy theme.</p> <p>Recent investigations commissioned by Council have also identified a shortfall of early childcare facilities in Victor Harbor. Cost Benefit Analysis for the provision of such facilities highlights increased workforce opportunity and participation (particularly for women). Rezoning of the site enables increased opportunities for the development of childcare facilities that are centrally located and very accessible.</p>
<p>Policy Theme: <i>Biodiversity</i></p>	<p>A rezone to realise an aspiration for community facilities on the land enables a greater level of engagement with a larger portion of the community than what might otherwise be likely for development under the current zone. It enables protection and improvement of biodiversity within the urban environment of Victor Harbor and enables enhanced public interaction with it.</p>
<p>Policy Theme: <i>Climate Change</i></p>	<p>The ability to aggregate a new Sport and Recreation Precinct to meet the needs of a growing community within a broader contiguous precinct of sport, recreation and community related facilities provides for greater opportunity to mitigate climate change impact. The proposed planning outcome that a rezone brings is</p>



Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Policy Theme: <i>Emergency Management and Hazard Avoidance.</i></p>	<p>particularly conducive to active travel and walkability to reduce reliance on motor vehicles.</p> <p>Additionally, the design aspirations for a sport and recreation centre as an anchor building for the activated uses brings greater opportunity for energy efficient building design outcomes, water sensitive urban design and the use of green technologies.</p> <p>As community facilities are by their nature community access buildings, they also serve as safe havens for residents during climate related events (such as extreme weather events, bushfire, flooding). This is a particularly relevant consideration for Victor Harbor's aging community that comprises a significant proportion of its residents, many of whom struggle with the costs of mitigating climate conditions within their homes.</p> <p>As Council owns the land and seeks to develop it into a Sports and recreation precinct for the benefit of its community, it has greater ability to control climate smart outcomes for subsequent development. This also aligns with Council's Climate Emergency declaration of 2019.</p> <p>The centrality of the site to the Victor Harbor urban footprint, and accessibility to the road network via immediate frontage to arterial roads provides optimal locational advantage for emergency services offered by the current police station and the proposed State Emergency Services and Sea Rescue facility on vacant lot 201.</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
<p>Greater Adelaide Regional Plan Discussion Paper – State Planning Commission</p> <p>Recreation Sport and Racing Strategic Plan 2021-2025 – Government of SA Office for Recreation, Sport and Racing.</p> <p>City of Victor Harbor Urban Growth Management Strategy</p>	<p>The proposal for rezone supports the identification of Victor Harbor as a ‘satellite city’ within the Greater Adelaide Regional Plan (GARP) Discussion Paper and the subsequent population growth ambitions that come with the designation. The outcome aspirations for the Affected Area align well with the proposed outcomes for GARP, and particularly the concept of living locally that permeates throughout.</p> <p>The proposed rezoning aligns with the Vision of the State Sport and Recreation Strategic Plan and will enable Victor Harbor to be optimally placed to service a role in delivering on the Plan’s strategic goals with respect to:</p> <ul style="list-style-type: none"> <li>• Active Lives,</li> <li>• Places and Spaces,</li> <li>• Sporting Excellence,</li> <li>• Strategic Partnerships, and</li> <li>• Business Performance</li> </ul> <p>In turn, the unlocking of the Sport and Recreation Precinct planned for Victor Harbor will play a vital role in helping to deliver on many of the key strategies thereunder.</p> <p>The City of Victor Harbor Urban Growth Management Strategy 2013-2030 provides the following vision and objectives:</p> <p><i>Vision; A thriving and sustainable regional coastal centre offering a wide range of attractive, high amenity lifestyle choices to our local community, and wider Fleurieu region, our visitors, and future generations.</i></p> <p>Objectives:</p> <ol style="list-style-type: none"> <li>1. A strong economy and a supportive business environment.</li> <li>2. The sustainable provision of physical infrastructure and community services.</li> <li>3. Environmental and lifestyle protected against the pressures of projected population growth.</li> </ol>



Other Relevant Document	Code Amendment Alignment with Other Relevant Document
City of Victor Harbor Community Plan 2030.	<p>Numerous actions within the strategy that reinforce the strategic nature of the proposed Code Amendment bear out of these objectives, including:</p> <p>1.1.3 Encourage cooperation between landowners and businesses to attract investment into the city.</p> <p>1.1.4 Identify key land parcels and secure via zoning for future employment generating business activities.</p> <p>1.2.3 Strengthen medium scale tourism development including conference centres within Victor Harbor.</p> <p>1.4.5 Encourage and promote the development of tourism products that increase the year round appeal of Victor Harbor as a visitor destination.</p> <p>1.7.1 Investigate strategies to increase the proportion of permanent residents including supporting initiatives that lead to the creation of full time jobs.</p> <p>The proposal aligns with numerous strategies and priorities under each of the Aspiration Statements within the City of Victor Harbor Community Plan 2020, with the most pertinent ones as follows:</p> <p><b>Aspiration 1:</b> We are a caring, connected and active community.</p> <p><i>Strategies:</i></p> <ul style="list-style-type: none"> <li>• Encourage initiatives that facilitate social interaction and connection with the community;</li> <li>• Provide safe, welcoming and accessible places;</li> <li>• Provide a variety of open space and recreation opportunities;</li> <li>• Improve the health and well-being of community;</li> <li>• Support a vibrant community culture</li> </ul> <p><i>Priority</i> – support the growth of local and regional sporting clubs and facilities.</p> <p><b>Aspiration 5:</b> We have services and infrastructure that meet our community needs.</p> <p><i>Strategies:</i></p> <ul style="list-style-type: none"> <li>• Provide key community infrastructure;</li> <li>• Facilitate capacity to deal with emergencies</li> </ul>

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
<p>Victor Harbor Sport, Recreation and Open Space Strategy 2023-2033 (including Background and Needs Analysis Report)</p>	<p>Provides broader strategic direction for the open space, recreation and sporting spaces, nature spaces and public realm spaces within the City of Victor Harbor local government area. It provides insight into the facilities and amenities in the region to help guide management, development and/or preservation of open space assets. It will help guide development of the proposed sport, recreation and open space components of the Affected Area under the following strategic priorities:</p> <p>SP1 – Our open spaces will be well distributed, connected and accessible by everyone in our community, regardless of where they reside or frequent within the city.</p> <p>SP2 – We will strive for our spaces to reflect the principles of universal design by promoting physical access for all abilities and genders.</p> <p>SP3 – Our sport and recreation facilities will be non-exclusive, fit for purpose and share resources to reduce the burden of our volunteers and ratepayers.</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.

While not all investigations are specific to the Affected Area, the following reports and investigations have guided consideration for the development outcomes anticipated by the proposed rezone (and are provided under separate cover):

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
City of Victor Harbor Sport, Recreation and Open Space Strategy Background and Needs Analysis Report.	Investigation and subsequent strategy document identifying the broader need and distribution of sport, recreation and open spaces within a growth community.	The needs analysis particularly highlights the diversity of use demands, accessibility and facilities/space interconnectedness.
Victor Harbor Regional Community Sport and Recreation Precinct – Project Needs and Scoping Summary	Background document outlining scope and summarising the need for a Regional Community, Sport and Recreation Precinct on a portion of the Affected Area	Summarises key themes identified through community engaged (see also community engagement section below) as follows: <ul style="list-style-type: none"> <li>• Diversity is key – should be multi-purpose, accessible to all, intergenerational.</li> <li>• A facility that is fit for purpose and caters for a range of recreation activities but particularly those that are in demand such as basketball and gymnastics.</li> <li>• Inclusion and connectivity are priorities (eg universal design, nature based, passive experiences, links to community/school spaces)</li> <li>• Future proofed and sustainable (financial and environmental)</li> </ul>

Regional Community, Sport and Recreation Precinct Options Study and Economic Impact Assessment 2023	Economic impact assessment of sport precinct proposal for a portion of the Affected Area and identification of value-add benefits for the local economy.	<ul style="list-style-type: none"> <li>Cost is a key consideration for both community and Council.</li> </ul> <p>Recommendations relating to model for business operations of the proposed precinct and optimisation of uses. Identifies positive economic impact outcomes for both construction phase and operations as relevant to local, regional and state employment.</p>
City of Victor Harbor Social Infrastructure Assessment 2023	<i>An audit and assessment of social infrastructure supply, capacity and demand within the City of Victor Harbor local government area. Social infrastructure is comprised of the facilities, spaces, services and networks that support the quality of life and wellbeing of communities, and contributes to social identity, inclusion and cohesion.</i>	<p>Among other things, but as specifically relevant to the development aspirations for the Affected Area, the Social Infrastructure Assessment identified existing and/or future shortfall in the provision of:</p> <ul style="list-style-type: none"> <li>Community Centre Space</li> <li>Early Childhood Education and Care</li> <li>Youth Centres/Facilities.</li> </ul>
2023 Australian Liveability Census – City of Victor Harbor	<p>Liveability is defined ‘as an assessment of what it is like to line in a place’. The results reveal what really matters to local communities and their priorities and ideas for making their neighbourhood better for them. Categories for evaluation are:</p> <ol style="list-style-type: none"> <li>1. Community Values;</li> <li>2. Place Experience;</li> <li>3. Strengths and Priorities; and</li> <li>4. Community Ideas.</li> </ol>	<p>Among other things, but as specifically relevant to the development aspirations for the Affected Area, the 2023 Liveability Census identified that Victor Harbor is performing lower than the national average for:</p> <ul style="list-style-type: none"> <li>Childcare services;</li> <li>Local employment opportunities; and</li> <li>Spaces suitable for play.</li> </ul> <p>It also identified the following areas as being highly valued:</p> <ul style="list-style-type: none"> <li>General condition of public open space</li> <li>Protection of the natural environment</li> </ul>

Victor Harbor Childcare and Education Centre Cost Benefit Analysis	A component of the planning for the precinct includes a childcare centre, possibly in the form of a not-for-profit community childcare centre. The provision of sufficient and holistic childcare options for a community provides significant health and wellbeing, social and economic benefits. This report identifies this through the application of a Cost Benefit Analysis.	<ul style="list-style-type: none"> <li>• Quality of public open space</li> </ul> <p>Key direct and indirect social and economic benefits for a community childcare centre are identified by the report to be:</p> <ul style="list-style-type: none"> <li>• Sustaining and/or increasing workforce participation.</li> <li>• Increased levels of education attainment.</li> <li>• Avoided healthcare and education costs.</li> <li>• Crime prevention and avoided costs.</li> <li>• Community fundraising and support.</li> <li>• Service delivery improvement and effectiveness for child health and community services.</li> </ul>
Site Contamination Report	High level preliminary site investigation (PSI) comprising a desktop review, site visual assessment and collection and testing of surface samples from potentially contaminating features; conducted in general accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 and relevant EPA guidelines.	<p>Concentration of contaminants of interest in samples tested did not exceed the adopted guideline screening values for protection of human health and the environment, for sensitive land use.</p> <p>No impacts were detected in samples collected and tested or during the PSI that would currently preclude the site from recreational, industrial or sensitive land uses.</p>
Victor Harbor Watercourses Floodplain Mapping Study 2019	Identifies, models and maps flood levels for Inman River. Mapping available at WaterConnect website.	Modelling for the Inman River includes detail of river flooding impact on the Affected Area, including 1% ARI, enabling

		planned built-form land uses to be located and designed accordingly.
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## 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.

The proposed Code Amendment is effectively a 'down zoning' of the Affected Land, with the outcome resulting in a less intensive land use. Subsequently it is intended to predominantly rely on the investigations outlined in the previous table with the addition of the following investigations:

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Traffic Impact Statement	A Traffic Impact Statement will be prepared by an appropriately qualified traffic engineer. This will identify matters pertaining to traffic generation (quantum and type) anticipated by the proposed Sport and Recreation Precinct in the context of existing uses with the Affected Area. It will identify road network impact and upgrades that may be required to support development anticipated by the rezoning and the timing of any upgrades that may be identified.
Aboriginal Sites and Objects search	A search of the Register of Aboriginal Sites and Objects through the Government of South Australia <i>Taa wika</i> Information Management System will be undertaken and results documented.

## 4.3. Engagement Already Undertaken

This Code Amendment has been instigated by Council as the proponent, and as such no other entity has sought to engage Council on the Code Amendment.

Council, however, undertook extensive community engagement to appreciate the needs and desires of local sporting clubs and the general community with regard to opportunities and facilities, and also with regard to preferred location for a Sport and Recreation Precinct. A copy of the Engagement Plan, Council report and Community Engagement Summary that collates and distils the feedback received during the engagement is provided under separate cover.

The engagement work as summarised represents the most recent community engagement efforts regarding a Sport and Recreation Precinct in Victor Harbor. It follows numerous Council consultation and engagement activities with respect to the subject matter over many years.

#### 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
Code Amendment engagement	Engagement on the proposed Code Amendment will be conducted with proposed engagement activities and process to be detailed in an Engagement Plan for the matter.

## **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 B

### Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframes
<b>Approval of the Proposal to Initiate</b>		
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
<a href="#">Proposal to Initiate</a> agreed to by the Minister	Minister	2 weeks
<b>Preparation of the Code Amendment</b>		
Engagement Plan Prepared. Investigations conducted; <a href="#">Code Amendment Report</a> prepared. The Drafting instructions and draft mapping provided to AGD.	Designated Entity	6 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes.	AGD	1 week
Preparation of Materials for Consultation.	Designated Entity	
<b>Engagement on the Code Amendment</b>		
<a href="#">Code Amendment Report</a> released for public consultation in accordance with the Community Engagement Charter and the prepared <a href="#">Community Engagement Plan</a> .	Designated Entity	6 weeks
<b>Consideration of Engagement and Finalisation of Amendments</b>		
Submissions summarised; Amended drafting instructions provided, <a href="#">Engagement Report</a> prepared and lodged with AGD.	Designated Entity	4 weeks
Assess the amendment and engagement.	AGD	4 weeks

Step	Responsibility	Timeframes
Prepare report to the Commission or delegate Timeframe will be put on hold if further information is required, or if there are unresolved issues.		
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks
<b>Decision Process</b>		
Minister considers the <a href="#">Code Amendment Report</a> and the <a href="#">Engagement Report</a> and makes decision	Minister	3 weeks
<b>Implementing the Amendment (operation of the Code Amendment)</b>		
Go- Live- Publish on the PlanSA portal	AGD	2-4 weeks
<b>Parliamentary Scrutiny</b>		
Referral of approved <a href="#">Code Amendment</a> to ERDC	AGD	8 weeks