



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE AGENDA & REPORTS

for the meeting

Tuesday, 1 August 2023
at 6.00 pm

in the Colonel Light Room, Adelaide Town Hall

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Members – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith
Councillor Noon (Chair)

Councillor Martin (Deputy Chair)

Councillors Abrahamzadeh, Couros, Davis, Elliott, Giles, Hou, Li, Dr Siebentritt and Snape

1. Acknowledgement of Country

At the opening of the City Planning, Development and Business Affairs Committee meeting, the Chair will state:

‘Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognize and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

2. Apologies and Leave of Absence

On Leave -

Councillor Couros

3. Confirmation of Minutes - 4 July 2023

That the Minutes of the meeting of the City Planning, Development and Business Affairs held on 4 July 2023, be taken as read and be confirmed as an accurate record of proceedings.

View public 4 July 2023 Minutes [here](#).

4. Reports for Recommendation to Council

4.1 City Plan Progress and Targeted Stakeholder Engagement 3 - 13

4.2 Planning and Design Code Amendments 14 - 81

5. Exclusion of the Public

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In accordance with sections 90(2), (3) and (7) of the *Local Government Act 1999* (SA) the City Planning, Development and Business Affairs will consider whether to discuss in confidence the reports contained within section 6 & 7 of this Agenda.

6. Confidential Workshops

6.1 2018 North Adelaide Golf Course Draft Master Plan [s 90(3) ((b), (d))] 86 - 106

7. Confidential Reports for Recommendation to Council

7.1 Former Bus Station Site Redevelopment [s 90(3) ((b), (d))] 107 - 142

8. Closure

City Plan Progress and Targeted Stakeholder Engagement

Strategic Alignment - Strong Economies

Public

Tuesday, 1 August 2023

City Planning, Development and Business Affairs Committee

Program Contact:

Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability

Approving Officer:

Ilia Houridis, Director City Shaping

EXECUTIVE SUMMARY

The purpose of this report is to update Council on City Plan Stage 1 and seek approval to undertake targeted stakeholder engagement in late August to mid-September 2023.

City shaping principles and growth potential options for the City Plan have been updated to reflect Council input in May and June 2023. The growth potential options will be tested with targeted stakeholders in City Plan Stage 2.

Targeted stakeholder engagement activities will occur in a dedicated City Plan studio space with a range of tailored activities from 31 August to 15 September 2023.

RECOMMENDATION

The following recommendation will be presented to Council on 8 August 2023 for consideration

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Approves engagement on City Plan from 31 August to 15 September 2023 with the targeted stakeholders identified in Attachment A to Item 4.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Strong Economies The City Plan is a key deliverable of the 2020-2024 Strategic Plan.
Policy	Not as a result of this report
Consultation	The targeted stakeholder engagement approach aligns with Council's Community Consultation Policy dated 16 July 2019. Consultation is timed to inform and be informed by the City of Adelaide Strategic Plan 2024-2028. Internal consultation and engagement for Stage 1 has included the Executive Leadership Team, Senior Leadership Team, individual sessions with portfolios, teams and work groups and engagement with AEDA.
Resource	The project is an across-organisational project being managed by the City Policy and Heritage team with support from an external multi-disciplinary urban design consultancy. Stage 1 of the project received significant internal resourcing support from the Spatial Systems team.
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The creation of the City Plan and engagement activities will identify new ideas, opportunities and collaborations for the benefit of the city.
23/24 Budget Allocation	City of Adelaide's Annual Business Plan and Budget 2023/24 includes \$390,000 for implementation of City Plan.
Proposed 24/25 Budget Allocation	To be confirmed through the 2024/25 budget process.
Life of Project, Service, Initiative or (Expectancy of) Asset	City Plan will be delivered by June 2024 with a review date of 2027/28.
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	There is a State funding commitment to the project.

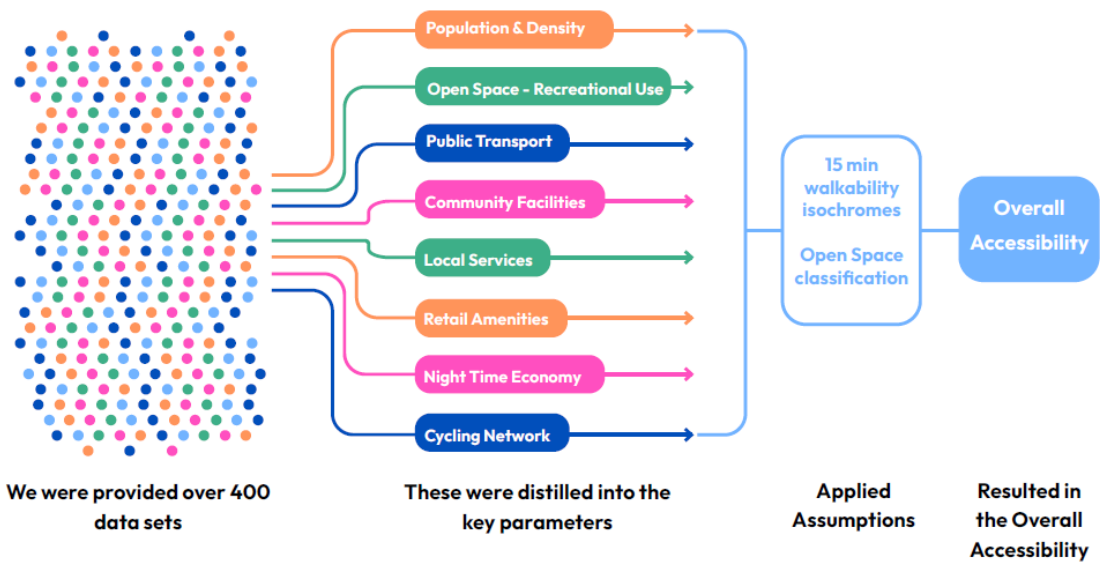
DISCUSSION

City Plan Stage 1

1. The purpose of this report is to provide Council with an overview of the findings of Stage 1 of the City Plan project which will form the basis of targeted stakeholder engagement to test future growth options.
2. The findings are the outcomes of a literature review and analysis of over 400 layers of spatial data (Figure 1), to create a model of access to amenity across the city.

Figure 1 – City Plan spatial analysis

WHAT DID WE ANALYSE?



City Plan Stage 1 - Key Findings

3. The Vision for City Plan has been identified as *Respectful of the Past, Resilient for Future Growth, Welcoming all People*.
4. This vision is supported by the following city shaping principles:
 - 4.1. Heritage and Culture
 - 4.2. People and Nature
 - 4.3. Live, Work, Learn and Play
 - 4.4. Regenerative Practices
 - 4.5. Connections
 - 4.6. Support investment
 - 4.7. Accessibility and inclusivity
 - 4.8. Celebrate Diversity.
5. The future growth options have been developed based on the city shaping principles, using the following methodology (Figure 2):
 - 5.1. Identify the sites that are likely to be redeveloped based on a range of criteria, including lot size, heritage, age and ownership structure.
 - 5.2. Understand where density is best located by examining the sites identified and understanding their proximity to a range of amenities including Park Lands, public transport, community facilities and services.
 - 5.3. Use a place based approach to define planning envelopes that protect the amenity and character of the city and promote good neighbour relationships, taking into consideration existing heights, solar

access to residential properties as well as Park Lands and key streets, heritage interfaces and airspace protection.

Figure 2 – Methodology



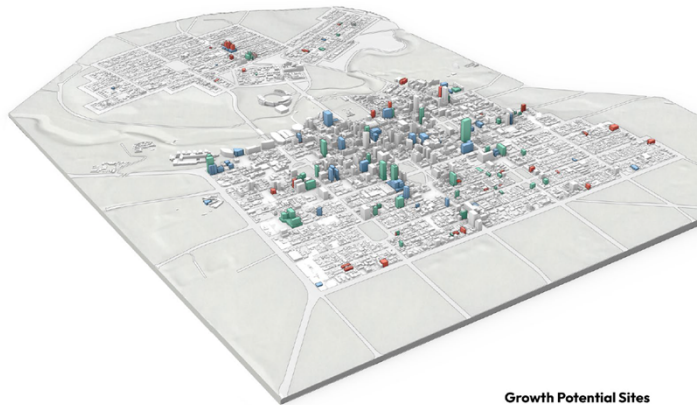
6. The future growth scenarios are based on three growth options (Figure 3):
 - 6.1. Growth Potential 1 – Base Case (by 2041)
 - 6.1.1. Population of 36,000 (additional population over 11,000)
 - 6.1.2. Dwellings of 21,200 (additional dwellings over 6,450).
 - 6.2. Growth Potential 2 – 2036 Growth Target
 - 6.2.1. Population of 50,000 (additional population over 25,000)
 - 6.2.2. Dwellings of 29,500 (additional dwellings over 14,750)
 - 6.2.3. Additional jobs over 6,700.
 - 6.3. Growth Potential 3 – Beyond 2036
 - 6.3.1. Population of 75,000 (additional population over 50,000)
 - 6.3.2. Dwellings of 45,000 (additional dwellings over 30,250)
 - 6.3.3. Additional jobs over 14,600 (21,300 jobs for growth potential 2 and 3).
7. Assessment of each growth potentials included consideration of:
 - 7.1. Population growth
 - 7.2. Climate change and adaptation
 - 7.3. Equitable access
 - 7.4. Economic impact.

Figure 3 – Growth Potentials - Options

Growth Potentials 1 - Base Case



Population	36,000
Dwellings	21,200
Additional Population	+11,000
Additional Dwellings	+6,450



Growth Potential Sites

- Residential
- Mixed Use
- Non-Residential

Growth Potentials 2 - 2036 Growth Target



Population	50,000
Dwellings	29,500
Additional Population	+25,000
Additional Dwellings	+14,750
Additional Jobs	+6,700



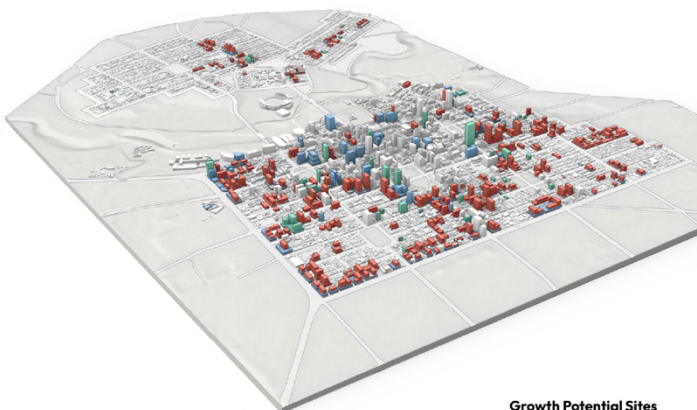
Growth Potential Sites

- Residential
- Mixed Use
- Non-Residential

Growth Potentials 3 - Beyond 2036



Population	75,000
Dwellings	45,000
Additional Population	+50,000
Additional Dwellings	+30,250
Additional Jobs	+14,600
(S2 & S3)	+21,300)



Growth Potential Sites

- Residential
- Mixed Use
- Non-Residential

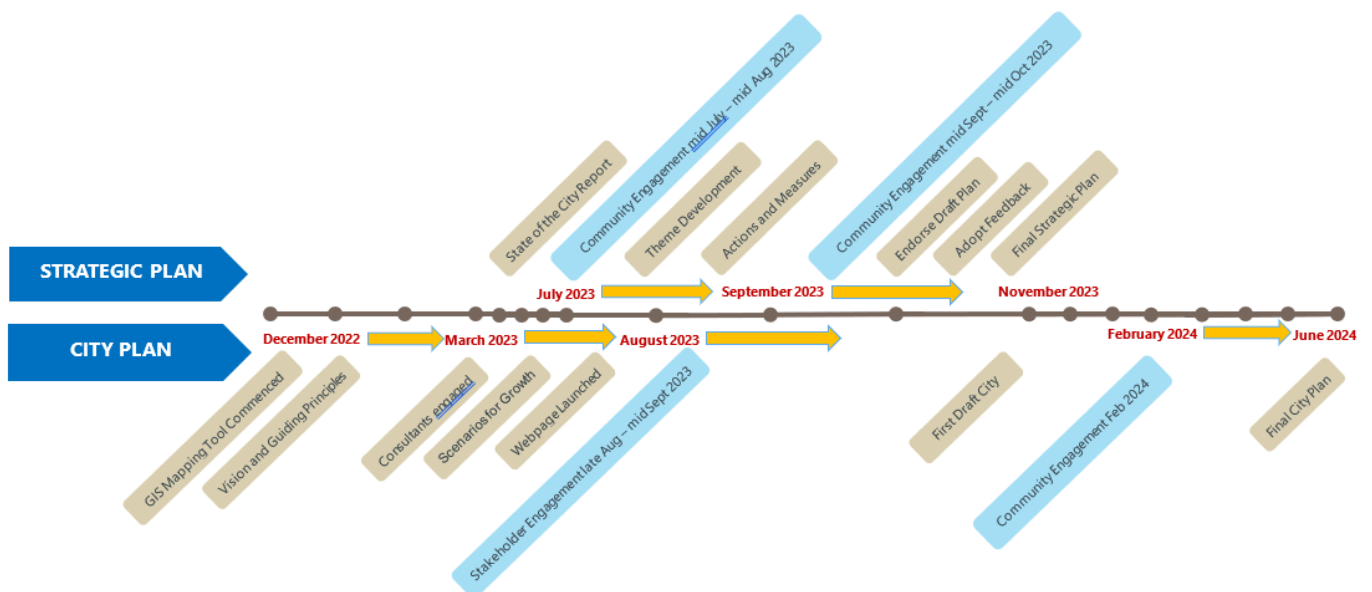
Next Steps: City Plan Stages 2 and 3

8. Stage 2 of City Plan involves targeted stakeholder engagement to inform and test growth potential options in preparation for community consultation in Stage 3 (February 2024).
9. The engagement approach for Stage 2 centres on a series of forums, drop-in sessions and industry events in a dedicated studio space from 31 August to 15 September 2023. Forums will focus on themes that have emerged from Stage 1 analysis and provide opportunities for identification of place-based responses.
10. Stakeholder groups to be consulted are detailed in **Attachment A** and include:
 - 10.1. Precinct groups (residents and businesses)
 - 10.2. Professional groups
 - 10.3. Advisory groups and panels
 - 10.4. Business/industry groups
 - 10.5. State Government representatives
 - 10.6. Researchers.
11. The format of the forums and drop in sessions will be tailored to each stakeholder group to maximise the value of feedback and inputs received. The approach proposed is in line with the workshop presented to the City Planning, Development and Business Affairs Committee on [7 March 2023](#).
12. Council Members will be invited to participate in the opening event, themed forums and open drop-in sessions.
13. A City Plan webpage is being finalised to go live prior to the Stage 2 engagement in August/September 2023. The City Plan webpage will provide an overview of City Plan and enable community members to register to be kept informed of the community engagement opportunities that will be undertaken in Stage 3.
14. The City Plan is on schedule to be delivered by 30 June 2024.

Strategic Plan and City Plan Alignment

15. The timing of the Stage 2 City Plan engagement has been designed to align with the development of City of Adelaide’s 2024-2028 Strategic Plan.
16. City Plan (Stage 2) targeted stakeholder engagement is concurrent with, but does not overlap, community engagement for the Strategic Plan (Figure 4).
17. Outcomes from the Strategic Plan engagement and Stage 2 City Plan engagement will help shape the draft City Plan for community engagement in Stage 3 (early 2024).

Figure 4 – Strategic Plan and City Plan Consultation Alignment



ATTACHMENTS

Attachment A – Targeted Stakeholder List (City Plan Stage 2)

- END OF REPORT -

Stakeholder Organisations

Government Departments and Organisations

State Planning Commission
 Planning and Land Use Services (PLUS)
 Office for Design and Architecture SA
 Government Architect
 Renewal SA
 Lot Fourteen
 SA Housing Authority
 Department for Infrastructure and Transport (DIT)
 Infrastructure SA
 Department for Environment and Water
 Heritage South Australia
 Dept Climate Change Energy Environment & Water
 (Commonwealth Govt)
 Dept Industry, Innovation & Science - South Australia
 Department for Energy and Mining
 Green Adelaide & Green Adelaide Board
 Department of Premier and Cabinet
 Premier's Climate Change Council
 Botanic Gardens & State Herbarium
 Stormwater Management Authority
 Department for Trade and Investment
 Education SA (Department of Education)
 SA Health
 Wellbeing SA
 SA Tourism Commission
 South Australian Public Transport Authority (SAPTA)
 SA Police
 Consumer and Business Services
 Environmental Protection Authority SA

Waste Management & Resource Recovery Association
 SA
 KESAB

Premier and Government Ministers

Premier
 Deputy Premier
 Treasurer
 Minister for Planning

Commissioners

Commissioner for Children and Young People
 Commissioner for Equal Opportunity

Heritage interest groups

National Trust
 SA Heritage Council
 South Australian History Trust
 South Australian Heritage Council

Adjoining Councils

City of Norwood Payneham and St Peters
 City of Burnside
 City of Charles Sturt
 City of Prospect
 City of Unley
 City of West Torrens
 Town of Walkerville

Resident Groups

The North Adelaide Society Inc.
 South East Residents Association Inc.
 South West City Community Association Inc.
 West End Village Association Inc.
 Hindley Street Roundtable

City Institutions

South Australian Museum
 Art Gallery of South Australia
 Tandanya
 State Library of South Australia
 Adelaide Business Events (Convention Beouro)
 Adelaide Venue Management (Convention Centre)
 Adelaide Zoo
 National Wine Centre
 Adelaide Festival Centre

City Associations

Grote Business Precinct Association
 North Adelaide Precinct Association
 East End Coordination Group
 City South Association
 Hutt Street Traders Association
 Adelaide West End Association
 Gouger Street Traders Association
 Resilient East
 Committee for Adelaide
 AEDA Board
 Adelaide Central Market
 Adelaide Central Market Authority
 Adelaide Park Lands Authority/ Kadaltilla
 Rundle Mall Management Authority
 Adelaide Park Lands Association
 Rundle East Co
 Rundle Mall Plaza
 Adelaide Central Plaza
 Chinatown Adelaide of SA Inc
 Renew Adelaide
 Garden East Precinct

Access and Inclusion

JFA Purple Orange
 Access and Inclusion Advisory Panel
 AMES Australia
 Access2Arts

City Educational Institutions

Torrens University Adelaide
 University of Adelaide
 University of South Australia
 Flinders University
 University of Melbourne (Night Shift Research Team)
 Museum of Discovery (MoD)
 Botanic High School
 Adelaide High School
 Study Adelaide
 Sturt Street community school
 Gilles Street Primary School
 St Mary's College Adelaide
 Adelaide International School
 Pulteney Grammar School
 Christian Brothers College
 South Australian International School
 St Aloysius College
 42 Adelaide Campus
 University Senior College
 Centre for Senior Learning
 Muirden Senior College
 Specialised Assistance School for Youth
 ILSC Adelaide English Language School (Greystone College)
 TAFE SA

North Adelaide Primary School
 Kaplan Business School Adelaide
 St Dominics Priory College, Adelaide

First Nations Community Groups

Kurna Yerta Aboriginal Corporation
 Nunkuwarrin Yunti of SA Inc
 Kuma Kaaru
 Bookabee Services Aust

Religious and Community Groups

Australian Migrant Resource Centre
 Church archdiocese (Catholic/Anglican) & the Mosque
 (in South-West of the city)
 Catholic Church Endowment Society Inc
 Multicultural Communities Council of SA – MCCSA
 Chinese community
 Indian Australian Association of SA (IAASA) MELA
 Multicultural Youth SA Inc.

Youth Groups

Youth Inc.
 Encounter Youth

Ageing Interest Groups

Council of the Ageing (COTA)
 Office for Ageing Well, Department for Health and Wellbeing

Hospitals, healthcare and medical

St Andrews Hospital Inc
 Calvary Health Care Adelaide
 Royal Adelaide Hospital
 Uniting Communities

Professional Bodies

Australian Institute of Architects
 Planning Institute of Australia

Association of Consulting Architects
 Urban Development Institute of SA (UDIA)
 Property Council of Australia - SA
 Young Planners SA
 Social Policy Solutions
 Master Builders Association SA
 Real Estate Institute of South Australia
 Force 40

Property Owners/Investors/Developer Sector

Adelaide Apartment owners association
 Strata community association
 Urban Ecology Australia (Christie Walk)
 Colliers International
 Commercial & General
 Maras Group
 Karidis Corporation
 Polites Property Group
 Samaras group (Kyren)
 Tynte Street Developments Pty
 Shahin Properties
 Perpetual Corporate Trust
 Nikos Property Group
 Mandala Property Group
 Mastracorp Real Property SA
 Angaet Holdings
 Australian Property Group
 Cbus Property Pirie Street
 Cohen Group
 Cxsa Holdings
 Equity Trustees
 Forme Projex

Fortius Rundle No 1
 Gino's Group
 Grand Willow Development
 Independent Collection
 Regen Building Solutions
 Pelligra
 Gurner
 Evans and Ayers
 Quintessential Equity

Commercial Development Sector

URPS
 Future Urban
 Masterplan
 Phillip Brunning & Associates
 Planning Chambers
 Charter Hall
 Walker Corporation
 Sinclair Brook Group
 Cox Architects
 Sonus
 Resonate
 EMM Consulting
 Proske Architects
 Urban Future Exchange
 BYLD
 Hames Sharley
 Woods Bagot

Real Estate Sector

Knight Frank / BEEC Energy Consulting
 SKY City
 Whittles

JLL
 CBRE
 Jads Group
 Duke Group

Infrastructure and Services Providers

Vocus
 TPG
 Telstra
 APA
 SA Water
 SAPN
 SAMFS
 SA Ambulance
 Australian Red Cross
 Crime Stoppers

Transportation Providers

Taxi Council SA
 LinkSA
 Adelaide Metro
 Beam (scooters)
 Transport Action Network
 Australian Electric Vehicle Association
 Australian Institute of Transport Planning & Management (AITPM)
 Electric Vehicle Council/Jet Charge
 Hewlett Packard
 Neuron
 RAA
 Transport Australia Society
 People for Public Transport
 Adelaide Airport Ltd

SeaLink
 Auto Park
 Care Park

Active Travel Groups

Cycling SA
 Bike SA / Bicycle SA
 Bike Adelaide
 Walking SA
 Active Transport Adelaide (City of Adelaide) Bicycle Users Group (BUG)
 Active Living Coalition
 Kidical Mass
 The Heart Foundation

Tourism providers

Tree Climb
 Earth Adventures
 A Taste of South Australia
 Flamboyance Tours Adelaide

Climate Resilience and Circular Economy Industries

Adelaide Sustainable Building Network
 Green Building Council of Australia
 Green Industries SA
 Conservation Council of SA Inc.
 EcoCaddy
 CSM at Teamgage
 Allume/Suntrix
 Carbon Neutral Adelaide network
 Australian Parents for Climate Action
 Australian Youth Climate Coalition
 South Australians For Climate Action

Music and the Arts misc

Illuminate Adelaide
 Gluttony
 Five Four Entertainment
 Gathered Market
 Balya Productions
 Dragon Mill
 Music SA
 Pulsing Heart
 Singing Adelaide Program (Chamber Music)
 Sanaa Ink
 Dozynki (Polish Harvest Festival)
 The Lab
 Festival City Adelaide
 Adelaide Fringe
 Jam Factory
 David Roche Foundation
 Australian Dance Theatre
 Feast Festival
 Pride Adelaide

Housing and Support Service Providers

Community Housing Council
 Shelter SA
 Hutt Street Centre
 Adelaide Zero
 Mental Health Coalition of SA
 Housing Choices
 Junction Housing
 Unity Housing

Tech start up and Innovation groups

Stone & Chalk
 SouthStart

The Australian Centre for Social Innovation
 Collab4Good
 UniSA Business
 Centre for Social Impact

Other Business Associations/Groups

Business SA
 40 under 40
 Tourism Industry Council of SA
 Restaurants and Catering Association
 Solstice Media (City Mag)
 Not So Hospitable
 Defence Teaming Centre
 Entrepreneur
 TABOO Period Products

Recreation and Sporting Industry

Adelaide Oval Limited
 ACSARA - Adelaide Community Sport and Recreation
 Association

Hotel Industry

Hotels Association
 Vibe Hotel Adelaide
 Peppers Waymouth Hotel Adelaide
 Oval Hotel
 Miller Apartments Adelaide
 Apartments Hutt St
 Majestic M Suites
 Eos by SkyCity
 Hilton Adelaide

Student Accommodation Providers

Unilodge Australia
 Urbanest

Scape
 Yugo
 Y Suites

Sharing Accommodation Sector

Development Assessment Panel

Planning and Design Code Amendments

Strategic Alignment - Enabling Priorities

Public

Tuesday, 1 August 2023

City Planning, Development and Business Affairs Committee

Program Contact:

Sarah Gilmour, Associate Director Park Lands, Policy & Sustainability

Approving Officer:

Iliia Houridis, Director City Shaping

EXECUTIVE SUMMARY

This report seeks Council endorsement to progress two statutory Code Amendment Initiation requests to the Minister for Planning to amend the Planning and Design Code (P&DC), as follows:

1. City of Adelaide Historic Area Statements Update Code Amendment, and
2. City of Adelaide Adult Entertainment Premises Code Amendment.

The Planning and Design Code is the statutory instrument under the *Planning, Development and Infrastructure Act 2016 (PDI Act)* for development assessment in the City of Adelaide and across South Australia.

The proposed Code Amendments progress Council's submission to the Expert Panel on the State Planning Implementation Review endorsed in January 2023.

The following recommendation will be presented to Council on 8 August 2023 for consideration

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL:

THAT COUNCIL:

1. Endorses the Proposal to Initiate an Amendment to the Planning and Design Code Historic Area Statements Update Code Amendment by the City of Adelaide in Attachment A to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
2. Endorses the Proposal to Initiate an Amendment to the Planning and Design Code Adult Entertainment Premises Code Amendment by the City of Adelaide in Attachment B to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
3. Notes the Program of Amendments to the Planning and Design Code in Attachment C to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.
4. Authorises the CEO to make amendments to finalise, issue and seek agreement with the Minister for Planning in relation to the initiation of Code Amendments in Attachments A and B to Item 4.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 1 August 2023.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities The program of policy amendments to the Planning and Design Code will support a cross section of Strategic Plan themes and objectives, as realised via development outcomes in the City of Adelaide.
Policy	The Code Amendments seek to amend planning policy contained in the State-wide Planning and Design Code.
Consultation	If the Minister for Planning agrees to initiate the Code Amendments, public consultation on the Code Amendments (once drafted) will be required.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The Code Amendments seek to improve planning policy contained in the Planning and Design Code to assist development assessment in the City of Adelaide including greater certainty for residents and development proponents in relation to local heritage and Adult Entertainment Premises.
23/24 Budget Allocation	Not as a result of this report
Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Changes to planning policy in the Planning and Design Code is through a Code Amendment process.
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Purpose

1. This report seeks Council endorsement to initiate two Code Amendments under Section 73 of the *Planning, Development and Infrastructure Act 2016*, as follows:
 - 1.1. Proposal to Initiate an Amendment to the Planning and Design Code - Historic Area Statements Update Code Amendment by the City of Adelaide (**Attachment A**).
 - 1.2. Proposal to Initiate an Amendment to the Planning and Design Code - Adult Entertainment Premises Code Amendment by the City of Adelaide (**Attachment B**).
2. Council approval is required to Initiate a Code Amendment as per the statutory Code Amendment process (Link 1 view [here](#)).
3. The proposed Code Amendments progress:
 - 3.1. Council's submission to the Expert Panel on the Planning System Implementation Review endorsed in January 2023 (Link 2 view [here](#)).
 - 3.2. Key development policy improvement priorities for the Planning and Design endorsed by Council in August 2021 (Link 3 view [here](#)).

Historic Area Statements Update

4. Council's submission to the Expert Panel on the Planning System Implementation Review recommended urgent update of City of Adelaide's Historic Area Statements to improve guidance for development assessment in historic areas.
5. On 17 March 2023, the Minister for Planning wrote to Councils supporting update of Historic Area Statements and Character Areas (City of Adelaide does not have the latter).
6. City of Adelaide has 14 areas where Historic Area Statements apply (Link 4 view [here](#)).
7. City of Adelaide's proposed Code Amendment for Historic Area Statements seeks to:
 - 7.1. Update existing Historic Area Statements to refine wording, including addition of necessary historical context.
 - 7.2. Identify representative buildings within existing Historic Areas which demonstrate historic features that can be referred to during a contextual design response for proposed development.
8. The Code Amendment does not include assessment of new Historic Areas or Character Areas.

Adult Entertainment Premises

9. City of Adelaide made submissions to the State Government in 2021, 2022 and 2023 seeking definitions and additional policy be included in the Planning and Design Code for Prescribed (Adult) Entertainment.
10. A State-wide Miscellaneous and Technical Enhancements Code Amendment was completed by the State Government on 1 June 2023 which introduces land use definitions for:
 - 10.1. Adult Entertainment Premises
 - 10.2. Adult Products and Service Premises.
11. City of Adelaide's proposed Code Amendment for Adult Entertainment Premises seeks to:
 - 11.1. Introduce development policy to guide assessment of such premises.
 - 11.2. Introduce policy that identifies locations in the City of Adelaide where Adult Entertainment Premises are suitable (or unsuitable).

Next Steps

12. The proposed Code Amendments form part of a comprehensive 24-month program of Code Amendments by City of Adelaide to improve development policy in the Planning and Design Code (**Attachment C**).
13. The Code Amendment program is designed to efficiently progress key issues-based amendments and enable meaningful public engagement on each issue.
14. Timing of the program is indicative as steps in the Code Amendment process are decisions for the State Government and not in Council's direct control.

15. In 2023/24 future proposals to Initiate a Code Amendment are planned for:
 - 15.1. Technical amendments and corrections to policy in the City of Adelaide (post-transition Miscellaneous amendment)
 - 15.2. Heritage amendments including State and local heritage and demolition control.
 - 15.3. Sustainability amendments including waste, EV charging, greening and climate ready policies.
-

DATA AND SUPPORTING INFORMATION

Link 1 – Overview of Statutory Code Amendment Process

Link 2 – City of Adelaide Submission to the Planning System Implementation Review

Link 3 – Item 5.4 Planning and Design Code – Update and Future Priorities – 3 August 2021

Link 4 – Historic Areas in the City of Adelaide – Planning and Design Code

ATTACHMENTS

Attachment A – Proposal to Initiate an Amendment to the Planning and Design Code - Historic Area Statements Update Code Amendment by the City of Adelaide

Attachment B – Proposal to Initiate an Amendment to the Planning and Design Code - Adult Entertainment Premises Code Amendment by the City of Adelaide

Attachment C – Program of Amendments to the Planning and Design Code

- END OF REPORT -

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

**Historic Area Statement Update
Code Amendment**

By the City of Adelaide (the Proponent)

_____ (Signature Required)

City of Adelaide (the Proponent)

Date: - insert -

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.

_____ (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 within the Historic Area Overlay of the City of Adelaide Local Government Area (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 Code Amendment will update the Historic Area Statements, within Part 3 – Overlays - Historic Area Overlay – Historic Area Statements – Historic Areas affecting City of Adelaide of the Planning and Design Code. This will ensure the statements contain relevant and clear information to enable effective and efficient decision-making by heritage experts and planners during development assessment.

No changes to the boundaries of the Historic Area Overlay within the City of Adelaide are proposed in the Code Amendment.

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 (the City of Adelaide) 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.

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) Kenneth Chan, Team Leader City Policy & Heritage

Email: k.chan@cityofadelaide.com.au

Telephone: 8203 7203

1.1.3. The Proponent intends to undertake the Code Amendment by:

(a) utilising professional expertise of employees of the Proponent including:

- Kenneth Chan, Team Leader, City Policy and Heritage
- Amanda McConnell, Senior Policy Planner
- Simon Carter, Senior Heritage Advisor

1.2. Rationale for the Code Amendment

The City of Adelaide has 14 Historic Areas, with each area having its own Historic Area Statements referenced by the Historic Area Overlay policies of the Planning and Design Code.

The Statements provide relevant contextual information for applicants to inform how they design proposed developments, including alterations and additions, and are relied upon by planners and heritage specialists and heritage architects during development assessment.

The Planning and Design Code has now been operational for over 2 years and improvement opportunities have been identified based on new knowledge and experience.

The Minister for Planning wrote to all relevant Councils inviting Councils to initiate proposals to update their Historic Area Statements in March 2023.

Council's submission to the Expert Panel's Planning System Review highlighted the need to fast-track updates to the Historic Area Statements.

Progressively updating the Planning and Design Code as it applies in the City of Adelaide is important to ensure the Code is fit-for-purpose.

An initial review of the Historic Area Statements, and review of heritage-related development assessment outcomes in the City of Adelaide reinforces the need to update the existing Historic Area Statements.

Updating the Statements will help to ensure they contain relevant information to enable effective and efficient decision-making by heritage experts and planners during development assessment.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being the land within the Historic Area Overlay within the City of Adelaide as shown in the map in **Attachment A** and detailed in the table below.

2.2. Scope of Proposed Code Amendment

Current Policy	Part 3 – Overlays – Historic Area Overlay – Historic Areas affecting City of Adelaide: <ul style="list-style-type: none">• North Adelaide Hill Street Historic Area Statement (Adel1)• North Adelaide Childers East Historic Area Statement (Adel2)• North Adelaide Wellington Square Historic Area Statement (Adel3)• North Adelaide Tynte Historic Area Statement (Adel4)• North Adelaide Carclew Historic Area Statement (Adel5)
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	<ul style="list-style-type: none"> • North Adelaide Archer West Historic Area Statement (Adel6) • North Adelaide Margaret Street Historic Area Statement (Adel7) • North Adelaide LeFevre Historic Area Statement (Adel8) • North Adelaide Cathedral Historic Area Statement (Adel9) • North Adelaide Women’s and Children’s Historic Area Statement (Adel10) • North Adelaide Stanley Historic Area Statement (Adel11) • North Adelaide Kentish Arms Historic Area Statement (Adel12) • North Adelaide Finniss Historic Area Statement (Adel13) • Adelaide Historic Area Statement (Adel14)
<p>Amendment Outline</p>	<p>The overall objective of this Code Amendment is to update each of the Historic Area Statements to refine wording, include any necessary additional historical context, and to identify representative buildings within each historic area where appropriate.</p>
<p>Intended Policy</p>	<p>Part 3 – Overlays – Historic Area Overlays - Historic Areas</p> <ul style="list-style-type: none"> • Update the Historic Area Statements to: <ul style="list-style-type: none"> ○ refine wording and include any necessary historical context ○ identify representative buildings within each Area Statement ○ include images or diagrams, if considered appropriate. <p>South Australian Property and Planning Atlas (SAPPA)</p> <ul style="list-style-type: none"> • Update mapping of representative buildings within the existing extent of the Historic Area Overlay as it applies within the City of Adelaide.

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.

Key strategic documents, including State Planning Policies, Regional Plan, City of Adelaide Strategic Plan and relevant City of Adelaide policies and action plans are summarised here.

3.1. Summary of Strategic Planning Outcomes

The proposed Code Amendment will align with strategic policy outcomes including, but not limited to:

- Improve heritage protection and heritage guidance.
- Improve interface between land uses
- Achieve broader strategic aims for the city.

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 2 – Design Quality</p> <p>Objective – to elevate the design quality of South Australia’s built environment and public realm.</p> <p>2.5 Prioritise performance-based design quality outcomes in Adelaide City, heritage and character areas, places where medium-rise buildings interface with lower-rise development, mixed-use renewal precincts, transit corridors, and iconic locations that attract high levels of pedestrian activity and/or tourism.</p> <p>2.8 Recognise the unique character of areas by identifying their valued</p>	<p>The Code Amendment will enable the Planning and Design Code policy to encourage design quality via performance-based outcomes in heritage and historic areas.</p> <p>It will provide additional guidance for design and assessment to recognise and respond to the unique character and context of areas.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>physical attributes in consultation with communities.</p> <p>2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.</p>	
<p>SPP 3 – Adaptive Reuse</p> <p>Objective – The adaptive reuse of existing buildings that enhance areas of cultural or heritage value, capitalise on existing investment and/or contribute to vibrant and liveable places.</p> <p>3.3 Repurpose, adapt and reuse historical buildings and places that recognise and preserve our state’s history.</p> <p>3.4 Prioritise the adaptive reuse of buildings in areas of heritage or cultural value where it will contribute to active and vibrant places, or where it is a catalyst for additional development demand.</p> <p>3.5 Facilitate the conversion and adaptation of existing commercial office and industrial buildings to new uses that contribute to the local area.</p>	<p>The Code Amendment will strengthen the potential for adaptive reuse of existing buildings to repurpose, adapt and reuse historical buildings and places that recognise and preserve our State’s history.</p> <p>The proposed inclusion of representative buildings will assist designers and assessing officers to understand which buildings contribute to the local historic character and provide a contextual historic reference point.</p>
<p>SPP 7 – Cultural Heritage</p> <p>Objective – To protect and conserve heritage places and areas for the benefit of our present and future generations.</p> <p>7.1 The sensitive and respectful use of our culturally and historically significant places.</p>	<p>The Code Amendment will effectively encourage the sensitive and respectful use of culturally and historically significant places.</p> <p>It will also help maintain the context of areas of heritage value and provide greater certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>7.3 Recognise and protect places and areas of acknowledged heritage value for future generations.</p> <p>7.4 The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community.</p> <p>7.5 Maintain the context of a place or area of heritage value through appropriate design guidelines that encourage compatible design solutions.</p> <p>7.6 The interpretation potential of heritage places and areas is enhanced to contribute to the economic and cultural sustainability of the state.</p> <p>7.7 Provide certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.</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) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Target 1.1</p> <p>85% of all new housing in metropolitan Adelaide will be built in established urban areas by 2045.</p>	<p>The City of Adelaide supports and promotes population growth within the city. The Code Amendment supports growth and appropriate development whilst protecting the heritage of the city.</p> <p>The Code Amendment will improve the information within the Historic Area</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
	Statements to enable effective and efficient decision making by heritage experts and planners during development assessment.
<p>Adelaide City Centre</p> <p>P14 Strengthen the overall built form of the city, which is characterised by a grid pattern of streets and squares, contrasting with the open space of the Park Lands</p> <p>P22 Sustain the heritage, character and scale of valued residential precincts (including North Adelaide and the south-east and south-west corners) with contextually appropriate development that contributes to the needs of our growing population and provides services to the community.</p> <p>Design Quality</p> <p>P29 Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and provides active interfaces with streets and public open spaces</p> <p>P30 Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place</p> <p>P31 Recognise the unique character of areas by identifying their valued physical attributes</p> <p>Heritage</p> <p>P33 Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully.</p> <p>P34 Ensure heritage places and areas of heritage value are appropriately identified and their conservation promoted</p>	Updating the existing Historic Area Statements in the City of Adelaide as they apply within the Planning and Design Code will improve the ability of planning assessment to contribute to the achievement these key strategic priorities.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>P35 Encourage the innovative and sustainable reuse of heritage places and older building stock in a way that encourages activity and entices people to visit</p> <p>A20 Explore opportunities to review local heritage listing processes within a more integrated framework.</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
City of Adelaide Strategic Plan 2020–2024	The Strategic Plan seeks to encourage smart, creative, adaptive reuse of heritage assets, including through incentives and promotion.
<p>Heritage: Our Future City of Adelaide (2021) Heritage: Our Future - Heritage Strategy 2021-3036 and Action Plan</p>	<p>Outcome 2 – Heritage is valued by our people and our communities</p> <ul style="list-style-type: none"> - Encourage best practice conservation - Ensure appropriate development - Unlock the economic potential of heritage places - Create vibrant precincts - Lead by example <p>Outcome 3 – Our City is renowned for its heritage.</p> <ul style="list-style-type: none"> - Celebrate our built and cultural heritage - Continue to develop our heritage narrative - Promote the value of heritage conservation - Build heritage knowledge.
Other Strategic Policies and Legislation	<p>The Code Amendment will complement the strategic context of heritage within the City of Adelaide.</p> <p>This includes:</p>

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	<p>The National Heritage Management Plan under the <i>Environment Protection and Biodiversity Act 1999 (Commonwealth)</i>.</p> <p>World Heritage protection through the UNESCO World Heritage list tentative list submission (in progress). The City of Adelaide is a partner in the current World Heritage bid for the Adelaide Park Lands and City Layout, and the rural settlement landscapes of the Mount Lofty Ranges.</p> <p>The current nomination with the State Government to add the Park Lands and City Layout to the State Heritage Register under the <i>Heritage Places Act 1993 (SA)</i>.</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
Heritage Assessment Review	Desktop review of planning assessment outcomes for heritage places, the context of heritage places and within Historic Area Overlays.	<p>Under the Planning and Design Code, arguments for contextual impacts need to be prepared in response to certain development types, e.g. visible solar panels, high fences, site-over development (on heritage grounds), lack of setback, lack of landscaping, crossover width etc.</p> <p>A distinct lack of development applications have been prepared a written contextual analysis for consideration with their application.</p>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>The Code Amendment will improve assessment of contextual impacts.</p>
<p>Review of Historic Area Statements</p>	<p>Review of Historic Area Statement Adel1 to discern if the appropriate level of information had been included to allow adequate assessment of the Historic Area Overlay performance outcomes/criteria.</p>	<p>The Planning and Design Code has replaced prescriptive parameters for design with an applicant-led contextual assessment process.</p> <p>The Historic Area Statement is used to guide applicants in their design approach and is assessed through principles of the Performance Outcomes.</p> <p>The review identified that the existing Historic Area Statements do not provide clear guidance for contextual assessment within the Historic Area Overlay by those applying for development.</p> <p>Clearer definitions, less jargon and a focus on what contextual responses are appropriate is required in the Statements, with emphasis on defining Representative Buildings and their prevailing features within the Historic Area Overlay.</p> <p>The Code Amendment will better relate the Historic Area Statements to the guideline documents produced by PlanSA at a local context.</p>

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
Historic Area Statements	Redraft City of Adelaide's Historic Area Statements to improve local contextual assessment and better address the need for 'prevailing patterns' in the Planning and Design Code.
Comparative assessment against other Council areas Historic Area Statements	Benchmark Historic Area Statements in City of Adelaide with Historic Area Statements in the Planning and Design Code to inform the level and type of information to be provided.
Adelaide Vernacular style guideline	Undertake additional research to determine any vernacular expressions of the historic styles that warrant inclusion in the Historic Area Statements.

4.3. Engagement Already Undertaken

In accordance with Practice Direction 2, the State Government's Planning and Land Use Services (PLUS) team has been consulted on this proposal. In summary, the following matters were raised by PLUS:

- Historic Area Statements can include additional contextual information where practicable and beneficial to the objectives of the State-wide planning system.
- There are challenges with defining prevailing patterns within the City of Adelaide Historic Area Overlays as there are numerous prevailing styles, but no identified representative buildings to assist applicants with contextual analysis.
- Councils use different approaches to the Historic Area Statements, ranging from 'black and white' assessment tools to use as general guidelines.
- The need for clearer, less jargoned (or appropriately jargoned) statements with explanatory guidelines to assist applicants with their contextual analysis.
- The possibility to use the State Heritage Area Guidelines recently completed by Heritage SA to format and guide preparation of new Historic Area Statements.
- Historic Area Statements have scope to be expanded with relevant background and contextual information to explain why they are important.
- Existing PlanSA guidance documents for Historic Areas are not statutory and Council may develop their own guidelines to assist applicants to undertake contextual assessment to get better design outcomes.

In addition, the following engagement has also occurred on the proposed Code Amendment:

- Internal consultation with Council heritage advisors relating to the appropriateness of existing Historic Area Statements and opportunities for improvement.

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 of the Code Amendment to landowners and business owners of land within the Historic Area Overlay.	Identify the potential impacts of the Code Amendment outcomes on development in the Historic Area Overlay and provide an opportunity for their input into the Code Amendment to better inform their positions as persons/entities being directly impacted by the Code Amendment
Letters to Government Agencies, including Heritage SA, advising of the Code Amendment	Provide an opportunity for Government Agencies to comment on the proposed outcomes of the Code Amendment and respond to any issues of consistency or otherwise to State agency policy positions.
Letters to representative industry and community groups such as LGA (SA), National Trust (SA), SA Heritage Council, Property Council (SA), UDIA (SA), local trader and main street groups, residents and ratepayer groups	Inform interested stakeholders about the Code Amendment. This will allow for identification of any specific issues or positions from the range of interests represented by the groups, along with their level of support (or otherwise) for the proposed policy framework.
Letters to adjoining Councils and Local MPs	Provide an opportunity for adjoining Councils and/or local MPs to comment on the proposed policy change and to consider broader impacts on their respective community and/or constituents.
Notification and survey on Council's website and links through Council's social media to the broader community.	Broad community consultation to provide an opportunity for any interested community members to be aware of the proposed Code Amendment and make comment on the proposed outcomes of the Code Amendment. This engagement will clearly state what is and isn't in scope for the Code Amendment.
Information placed on PlanSA Portal to inform the community of the Code Amendment, its proposals and its progress.	<p>The Code Amendment Proponent uses the PlanSA Portal to inform the community about the Code Amendment, including:</p> <ul style="list-style-type: none"> • Provide the proponent's contact information. • Provide information on how the community can contribute to the Code Amendment. • Inform the community of the Code Amendment's progress.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
	<ul style="list-style-type: none"> • Provide relevant documentation assigned to each stage, such as the engagement plan, fact sheets and the Code Amendment that allows the community to access the relevant documentation when needed and be informed about the Code Amendment process. • Finalised Code Amendment. • Summary of the Code Amendment’s engagement, which includes how engagement did or did not alter the Code Amendment (and a copy of the Engagement Plan).

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 has prepared a draft Engagement Plan (**Attachment C**) which includes the following mandatory consultation requirements:

- 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.

A draft engagement plan is included as an attachment to this Code Initiation Document, for information purposes only. The proponent reserves the right to amend the consultation plan with the final plan to be published to PlanSA portal.

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 in **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.

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ATTACHMENT A

Map of Affected Area

Figure 1 – Map of Affected Area – existing Historic Area Overlays in the City of Adelaide



Legend

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 (Blue areas) Existing Historic Area Overlays within City of Adelaide LG

ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframes
Approval of the Proposal to Initiate		

Step	Responsibility	Timeframes
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
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 provided to AGD.	Designated Entity	8 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes.	AGD	1 week
Preparation of Materials for Consultation.	Designated Entity	To be 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 Community Engagement Plan .	Designated Entity	To be informed and may be subject to change pending finalisation of Engagement Plan
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD.	Designated Entity	6 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate Timeframe will be put on hold if further information is required, or if there are unresolved issues.	AGD	4 weeks

Step	Responsibility	Timeframes
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 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

ATTACHMENT C

Draft Engagement Plan

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City of Adelaide

Historic Area Statement Update Code Amendment **Draft Engagement Plan**

17 July 2023

Contact details

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Background information

- This Code Amendment will update the existing Historic Area Statements in the City of Adelaide.
- The City of Adelaide has 14 Historic Areas, with each area having its own Historic Area Statements.
- The Historic Area Statements are called by the Historic Area Overlay policies in the Planning and Design Code to assist in making planning decisions.
- The Statements provide information for applicants about local context to inform how they design their developments, including alterations and additions, and are used by planners and heritage specialists to assess development.
- The Planning and Design Code has been operational for over 2 years and improvement opportunities have been identified based on new knowledge and experience.
- The Minister for Planning wrote to all relevant Councils inviting Councils to initiate proposals to update their Historic Area Statements in March 2023.
- Council's submission to the Expert Panel's Planning System Review highlighted the need to fast-track updates to the Historic Area Statements.
- Progressively updating the Planning and Design Code as it applies in the City of Adelaide is important to ensure the Code is fit-for-purpose.
- Updating the Statements will help to ensure they contain relevant information to enable effective and efficient decision-making by heritage experts and planners during development assessment.

Engagement purpose

The purpose of the engagement is to:

- Raise stakeholder, affected and interested community awareness of the proposed changes to the Historic Area Statements.
- Seek feedback from stakeholders, affected and interested community on the Draft Code Amendment to enable their needs, ideas, and concerns to be considered in the Code Amendment.
- Raise awareness of the Final Code Amendment and close the loop on community engagement.
- Meet statutory requirements for engagement on a Code Amendment.

Engagement objectives

The engagement objectives are to:

- Seek feedback on the proposed updates to the Historic Area Statements which apply within the existing Historic Character Areas within the City of Adelaide.
- Allow stakeholders and community to provide feedback on the content of each of the existing 14 Historic Area Statements, including buildings that represent local character.
- Communicate that other heritage or character-related policy matters are not part of the scope of this Code Amendment, and will be addressed separately as part of Council's forward-program of Code Amendments.
- Clarify with stakeholders and community the matters that can and cannot be addressed through Planning and Design Code policy (and planning system).

Scope of influence

Aspects of the project which stakeholders and the community *can* influence are:

- Informing the project team about how updated Historic Area Statements can better inform development assessment in the City of Adelaide.
- Providing feedback on the proposed policy approach, including on any proposed representative buildings within the City of Adelaide.

Aspects of the project which stakeholders and the community *cannot* influence are:

- This Code Amendment will not remove any of the existing Historic Areas from the Historic Area Overlay of the Planning and Design Code.
- This Code Amendment does not propose to introduce any new Historic Areas within the City of Adelaide.
- The scope of the Code Amendment will not consider policy changes outside the boundaries of the City of Adelaide.

Key messages

The following key messages will underpin the engagement regarding the Historic Area Statement Update Code Amendment:

- The Planning and Design Code is used to assess development that occurs in the City of Adelaide.
- Historic Area Overlays in the Planning and Design Code includes contain planning policy for 14 existing Historic Areas in the City of Adelaide. The policies rely on the Historic Area Statements which contain information about each Historic Area.
- The overall objective of this Code Amendment is to update each of the Historic Area Statements to refine wording, include any necessary additional historical context, and to identify representative buildings within each historic area where appropriate.
- Updating the Statements will help to ensure they contain relevant information to enable effective and efficient decision-making by heritage experts and planners during development assessment.
- No changes to the boundaries of the Historic Area Overlay within the City of Adelaide are proposed in the Code Amendment.
- The Code Amendment relates only to the City of Adelaide and does not seek to introduce new policy that would affect any other Council area.

Level of Engagement

- The City of Adelaide is committed to undertaking community engagement in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.
- The principles are:
 - Engagement is genuine
 - Engagement is inclusive and respectful
 - Engagement is fit for purpose
 - Engagement is informed and transparent
 - Engagement processes are reviewed and improved.

Stakeholder Mapping

The following table outlines stakeholders for the Code Amendment.

Stakeholder and community mapping

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
City of Adelaide – planning and development staff	High	High	Implications for development assessment.	Regular conversations and updates.	Involve
City of Adelaide – Infrastructure, City Operations, Park Lands, City Culture	High	High	Implications for delivery of key City of Adelaide strategic and operational outcomes.	Regular conversations and updates. Keep informed throughout progression of Code Amendment	Consult/Involve
City of Adelaide – Council Members	High	High	Broad interest in the balance of community, historic, heritage and economic outcomes within the City of Adelaide.	Keep informed throughout progression of Code Amendment. Decision maker.	Consult/Involve
Adelaide Economic Development Agency	High	High	Interest in development, residential growth and housing outcomes for the city.	Keep informed throughout progression of Code Amendment.	Inform/Consult
Local Government Association	Medium	Medium	Interest in approach to updating Historic Area Statements to inform other local government areas.	Statutory requirement to inform LGA as part of engagement plan.	Inform/Consult
State Planning Commission	High	High	Interest in balancing development with historic area conservation outcomes.	Keep informed throughout progression of Code Amendment. Actively seek feedback at key points.	Consult/Involve
PlanSA/PLUS	High	High	Interest in balancing development with historic area conservation outcomes. Actively encouraging City of Adelaide to update these statements.	Keep informed throughout progression of Code Amendment. Decision maker. Actively seek feedback at key points.	Consult/Involve
Local MPs - State Member for Adelaide – Lucy Hood - Federal Member for Adelaide – Steve Georganas	Medium	Medium	Interest in responding to concerns from constituents.	Keep informed throughout progression of Code Amendment.	Inform/Consult
Department of Environment and Water – Heritage SA	High	High	Technical expertise and high level of interest in how the Historic Character Statements are updated.	Keep informed throughout progression of Code Amendment. Actively seek feedback at key points.	Consult/Involve
Department of Infrastructure and Transport - roads	Low	Low	Interest in how the policy update may interact with development assessment related to roadways.	Keep informed throughout progression of Code Amendment.	Consult/Involve

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
Adjoining Councils <ul style="list-style-type: none"> - City of Burnside - City of Walkerville - City of Prospect - City of Charles Sturt - City of West Torrens - City of Unley - City of Norwood, Payneham and St Peters 	Medium	Medium	Interest in relationship with heritage and character policy and its operation within their respective local government areas.	Keep informed throughout progression of Code Amendment.	Inform/Consult
Property Council	Low	Low	Interest in effect of these land uses on property values and rental viability.	Provide opportunities to be informed	Inform/Consult
Planning Institute of Australia	Medium	Medium	Interest in planning policy and development assessment balancing development with historic area conservation outcomes.	Keep informed throughout progression of Code Amendment, actively seek feedback	Consult/Involve
Australian Institute of Architects	Medium	Medium	Interest in built form outcomes and development assessment processes.	Keep informed throughout progression of Code Amendment, actively seek feedback	Consult/Involve
Urban Development Institute of Australia	Low	Low	Interest in tracking the outcomes of this work and how it may relate to other local government areas including growth areas.	Provide opportunities to be informed	Inform/Consult
SA Tourism Commission	Low	Low	Potential interest in tourism value of Historic Areas to the City of Adelaide and South Australia.	Provide opportunities to be informed	Inform/Consult
Kadaltilla/Adelaide Park Lands Authority	Medium	Medium	Interest in relationship with adjoining Park Lands, including squares.	Keep informed throughout progression of Code Amendment	Inform/Consult
Relevant organisations located within Historic Character Areas, for example <ul style="list-style-type: none"> - Calvary Hospital - Churches - Universities - Etc. Note: all properties within the affected area will be informed, as described elsewhere in this table.	Medium	Medium	Interest in how the updated statements will affect their properties.	Keep informed throughout progression of Code Amendment	Inform/Consult

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
Main Street Groups – O’Connell Street, Hutt Street, Melbourne Street	High	Medium	Interest in role of Historic Character Areas in the local area.	Keep informed throughout progression of Code Amendment, actively seek feedback.	Inform/Consult
North Adelaide Society	Medium	Medium	Interest in role of Historic Character Areas in the local area.	Keep informed throughout progression of Code Amendment, actively seek feedback.	Inform/Consult
South East City Residents Association	Medium	Medium	Interest in role of Historic Character Areas in the local area.	Keep informed throughout progression of Code Amendment, actively seek feedback.	Inform/Consult
South West City Community Association	Low	Low	Interest in role of Historic Character Areas in the local area.	Keep informed throughout progression of Code Amendment, actively seek feedback.	Inform/Consult
West End Village Association	Low	Low	Interest in role of Historic Character Areas in the local area.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
SA Heritage Council	High	High	Interest in how the updates to the Historic Character Statements will support heritage outcomes in the City of Adelaide.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
National Trust of SA	High	High	Interest in how the updates to the Historic Character Statements will support heritage outcomes in the City of Adelaide.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Housing Industry Association	Low	Low	Interest in any changes to policy affecting housing development.	Interest in any changes to policy affecting housing development	Inform/Consult
Master Builders Association	Low	Low	Interest in any changes to policy affecting the building industry.	Interest in any changes to policy affecting the building industry	Inform/Consult
Affected Area Property Owners	High	High	Interest in any change of policy relating to their property or local area.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
City of Adelaide ratepayers/residents	Medium	Medium	Interest in any change of policy relating to their property or local area.	Keep informed throughout progression of Code Amendment	Inform/Consult
Broader Community	Low	Low	General interest in whether and/or where these land uses could be enabled.	Keep informed to enable a response of interested persons	Inform/Consult

Risk Assessment

Area of Risk	Risk Analysis	Risk Rating	Mitigation Strategies	Intended Mitigation Outcome
Conflicting engagement outcomes	The risk is that the variety of stakeholders express conflicting issues, opportunities and concerns that aren't easily translated into a policy outcome	Low	Clear messaging to stakeholders of how planning can address issues and find connections between stakeholder feedback.	Stakeholders understand the project is to provide policy to reduce potential land use and community conflicts.
Timeframe doesn't allow consideration of each key stakeholder's perspective prior commencement of engagement.	Engagement misses key issues, concerns, and opportunities that the Code Amendment should consider/ address	Medium	Seek early feedback from key stakeholders and provide a variety of ways to meet, such as, online and in person.	Key stakeholder provide early input into the project which informs engagement materials.
Lack of support for amendment	Community members do not support changes to policy	Low	Explain rationale and need for updated statements clearly.	Community members are informed and have an opportunity to influence outcomes.
Technical information is difficult to communicate	Information amongst stakeholder and the community misrepresents the issues and proposed changes / impacts.	Medium	Provide clear and easy to understand information across a variety of platforms.	Clear understanding of issues and policy, and informed submissions.

Engagement Techniques

Key engagement techniques that can be used during this Engagement include:

- Fact sheets
- Face to face or online meetings
- Webpage on PlanSA Portal
- Submission Form/Online Survey on City of Adelaide "YourSay" webpage
- Letters/Electronic Direct Mail
- Social Media
- Phone and email inquires.

Engagement Period Activities

Stakeholder	How we will engage
City of Adelaide – planning and development staff	Via regular project team meetings.
City of Adelaide – Infrastructure, City Operations, Park Lands, City Culture	Via regular project team meetings and leadership meetings.
City of Adelaide – Council Members	Via Council meetings and regular Council E-News.
Adelaide Economic Development Agency	Via Board meetings.
Local Government Association	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
State Planning Commission	Correspondence informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
PlanSA/PLUS	One on one meetings. Via PlanSA Portal
Local MPs - State Member for Adelaide – Lucy Hood - Federal Member for Adelaide – Steve Georganas	Correspondence informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.

Stakeholder	How we will engage
Department of Environment and Water – Heritage SA	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Department of Infrastructure and Transport - roads	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Adjoining Councils <ul style="list-style-type: none"> - City of Burnside - City of Walkerville - City of Prospect - City of Charles Sturt - City of West Torrens - City of Unley - City of Norwood, Payneham and St Peters 	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Property Council	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Planning Institute of Australia	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Australian Institute of Architects	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Urban Development Institute of Australia	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
SA Tourism Commission	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Kadaltilla/Adelaide Park Lands Authority	Correspondence to the Executive Officer informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Relevant organisations located within Historic Character Areas, for example: <ul style="list-style-type: none"> - Calvary Hospital - Churches - Universities - Etc. Note: all properties within the affected area will be informed, as described elsewhere in this table.	Correspondence to affected area property owners informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Main Street Groups – O’Connell Street, Hutt Street, Melbourne Street inc. Master Planning groups	Correspondence to the Chair and to the City of Adelaide Main Street coordinators informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
North Adelaide Society	Correspondence to the Chair informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
South East City Residents Association	Correspondence to the Chair informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
South West City Community Association	Correspondence to the Chair informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
West End Village Association	Correspondence to the Chair informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
SA Heritage Council	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
National Trust of SA	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Housing Industry Association	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Master Builders Association	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.

Stakeholder	How we will engage
Affected Area Property Owners	Direct letters for properties within or abutting an Historic Character Area. Also, via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media. Opportunity to attend drop-in sessions at City Library, North Adelaide Library and/or Hutt Street library.
City of Adelaide Ratepayers/Residents	Via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media, possibly via rates notice if the timing is right. Promote the consultation through a display board to be placed in the City Library, North Adelaide Library, Hutt Street Library
Broader Community	Via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media. Opportunity to attend drop-in sessions at City Library, North Adelaide Library and/or Hutt Street library. Additional methods of engagement will also be considered as appropriate, subject to timing, resourcing and effectiveness.

*this information does not need to be provided to the Minister

Measuring success

At the completion of the engagement, all participants will be invited to assess the success of the engagement against performance criteria one to four, below. The project manager, with assistance from communications and engagement specialists, will assess the success of the engagement against criteria five to nine. This evaluation will be included in the statutory report (section 73(7) of PDI Act) that is sent to the State Planning Commission and the Minister for Planning and which details all engagement activities undertaken. It will also be referenced in the Commission Report (section 74 (3)(b) that is issued to the Governor of South Australia and the Environment Resources and Development Committee of Parliament. Any issues raised about the engagement during the engagement process will be considered and action will be taken if considered appropriate.

#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement
1	Principle 1: Engagement is genuine	<ul style="list-style-type: none"> People had faith and confidence in the engagement process. 	Community	I feel the engagement genuinely sought my input to help shape the proposal	Likert scale - strongly disagree to strongly agree	Per cent from each response.
2	Principle 2: Engagement is inclusive and respectful	<ul style="list-style-type: none"> Affected and interested people had the opportunity to participate and be heard. 	Community	I am confident my views were heard during the engagement	Likert scale - strongly disagree to strongly agree	Per cent from each response.
			Project Lead	The engagement reached those identified as community of interest.	<ul style="list-style-type: none"> Representatives from most community groups participated in the engagement Representatives from some community groups participated in the engagement There was little representation of the community groups in engagement. 	Per cent from each response.
3	Principle 3: Engagement is fit for purpose	<ul style="list-style-type: none"> People were effectively engaged and satisfied with the process. People were clear about the proposed change and how it would affect them. 	Community	I was given sufficient information so that I could take an informed view.	Likert scale - strongly disagree to strongly agree	Per cent from each response.
				I was given an adequate opportunity to be heard	Likert scale - strongly disagree to strongly agree	Per cent from each response.
4	Principle 4: Engagement is informed and transparent	<ul style="list-style-type: none"> All relevant information was made available and people could access it. People understood how their views were considered, the reasons for the outcomes and the final decision that was made. 	Community	I felt informed about why I was being asked for my view, and the way it would be considered.	Likert scale - strongly disagree to strongly agree	Per cent from each response.
5	Principle 5: Engagement processes are reviewed and improved	<ul style="list-style-type: none"> The engagement was reviewed and improvements recommended. 	Project Lead	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement	<ul style="list-style-type: none"> Reviewed and recommendations made Reviewed but no system for making recommendations Not reviewed 	Per cent from each response.
6	Engagement occurs early	<ul style="list-style-type: none"> Engagement occurred before or during the drafting of the planning policy, strategy or scheme when there was an opportunity for influence. 	Project Lead	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme	<ul style="list-style-type: none"> Engaged when there was opportunity for input into scoping Engaged when there was opportunity for input into first draft Engaged when there was opportunity for minor edits to final draft Engaged when there was no real opportunity for input to be considered 	Per cent from each response.
7	Engagement feedback was considered in the development of planning policy, strategy or scheme	<ul style="list-style-type: none"> Engagement contributed to the substance of a plan or resulted in changes to a draft. 	Project Lead	Engagement contributed to the substance of the final plan	<ul style="list-style-type: none"> In a significant way In a moderate way In a minor way Not at all 	Per cent from each response.
8	Engagement includes 'closing the loop'	<ul style="list-style-type: none"> Engagement included activities that 'closed the loop' by providing feedback to participants/ community about outcomes of engagement 	Project Lead	Engagement provided feedback to community about outcomes of engagement	<ul style="list-style-type: none"> Formally (report or public forum) Informally (closing summaries) No feedback provided 	Per cent from each response.
9	Charter is valued and useful	<ul style="list-style-type: none"> Engagement is facilitated and valued by planners 	Project Lead	Identify key strength of the Charter and Guide Identify key challenge of the charter and Guide		

Closing the loop and reporting back

How will you respond to participants?	Who's responsible?	When will you report back?
Acknowledges responses to engagement	City of Adelaide	Within 3 weeks of a response being provided.
Website updates (SA Planning Portal) with the final Code Amendment and Engagement Report	City of Adelaide	When the Code Amendment is finalised and the Engagement Report is approved for public release by Council.
A close the loop email will be sent to participants with links to the SA Planning Portal, including an Exit Survey/Follow Up Survey	PlanSA/City of Adelaide	After Code Amendment Finalisation.

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

**Adult Entertainment Premises
Code Amendment**

By the City of Adelaide (the Proponent)

_____ (Signature Required)

City of Adelaide (the Proponent)

Date: - insert -

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.

_____ (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 the recent introduction by the Minister for Planning of Adult Entertainment Premises and Adult Products and Services Premises as Land Use Definitions.

The spatial extent of the application of any potential policy changes is limited to within the City of Adelaide Council boundaries.

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).

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.
- 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) Colleen McDonnell, Manager, City Planning and Heritage
Email: c.mcdonnell@cityofadelaide.com.au
Telephone: 82037203
- 1.1.3. The Proponent intends to undertake the Code Amendment by engaging a consultancy to provide the professional services required to undertake the Code Amendment:

1.2. Rationale for the Code Amendment

The State Government introduced land use definitions for Adult Entertainment Premises and Adult Products and Services Premises into the Planning and Design Code in June 2023 through the Miscellaneous and Technical Enhancements Code Amendment (MTECA).

The inclusion of these definitions within the Code is as follows:

Defined Term	Meaning
<i>Adult Entertainment Premises</i>	<i>Means a premises used for the exhibition, display, or performance of any entertainment or act which is sexually explicit such as nude dancing or lap dancing, and to which</i>

Defined Term	Meaning
	<i>admittance by minors is restricted by law but does not include a personal or domestic services establishment</i>
<i>Adult products and services premises</i>	<p data-bbox="630 347 1359 504"><i>Means a premises used for the sale, exchange, hire, exhibition, loan, delivery or display, or to otherwise render accessible or available to the public, sexually explicit material including:</i></p> <ul style="list-style-type: none"> <li data-bbox="630 515 1359 627"><i>a) publications classified as restricted or prohibited under the Classification (Publications, Films and Computer Games) Act 1995; and/or</i> <li data-bbox="630 638 1359 784"><i>b) material compounds, objects or devices (other than contraception and medical treatments) designed to be used in connection with sexual behaviour or activities; and/or</i> <li data-bbox="630 795 1359 1008"><i>c) films, video films or tapes, any other form of optical or electronic records from which a visual image may be produced or any other pictorial matter, the sale, delivery, exhibition, advertisement or display of which is restricted or prohibited under the Classification (Publications, Films & Computer Games) Act, 1995.</i> <p data-bbox="630 1019 1359 1068"><i>It does not include premises used for prostitution.*</i></p>

The purpose of this Code Amendment is to identify locations within the City of Adelaide where these land uses are either suitable or unsuitable. Locations need to reflect the City of Adelaide’s strategic context and desire to create a vibrant city that attracts and supports a growing population through the provision of entertainment and music venues, a thriving night-time economy and high-quality residential amenity.

The Code Amendment investigations will consider locations where adult entertainment could reasonably be contemplated and areas where it is considered unsuitable (or in conflict with other land uses).

Identifying suitable locations ensures that appropriate policies in the Planning and Design Code (P&DC) can be applied that support these land uses where appropriate, while protecting the operation, amenity and character of existing land uses.¹

The amended planning framework will assist in:

- Reducing land use conflicts.
- Improving development assessment of these specific land uses.
- Providing clarity and efficiency to planning and licensing outcomes.

¹ Note: The planning system, including the Planning and Design Code, is not responsible for controlling activities which are illegal, and as such does not provide a policy framework for such activities. As such, the Adult Products and Services Premises land use definition does not include or support prostitution. It is important to note that the definitions do not include “tattoo parlours” land use definition. It is not intended that the proposed Code Amendment explore further controls or policies on these land uses.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being the land within the Historic Area Overlay within the City of Adelaide as shown in the map in **Attachment A** and detailed in the table below.

2.2. Scope of Proposed Code Amendment

<p>Current Policy</p>	<p>The proposed Code Amendment will investigate locations in the following Zones/Subzones:</p> <ul style="list-style-type: none"> • Capital City Zone • City Living Zone • City Main Street Zone • City Riverbank Zone • Melbourne Street West Subzone (of the Business Neighbourhood Zone) • WCH and Memorial Hospital Precinct Subzone & St Andrews Hospital Precinct Subzone (of the Community Facilities Zone).
<p>Amendment Outline</p>	<p>The intended scope of the Code Amendment is to address and better articulate:</p> <ul style="list-style-type: none"> • Locations where Adult Entertainment Premises and Adult Products and Services Premises are suitable and unsuitable. • Policy to manage impacts on amenity from such premises to the character of localities (excluding noise impacts). • Policy to guide the external appearances and advertising of adult entertainment premises. • Any specific measures and controls that will strengthen the application of Crime Prevention Through Environmental Design to such premises. • Appropriate development assessment pathways. <p>It is expected that the principal focus for policy amendment will be at the Sub-Zone or Zone level, however, the amendment will also examine the role or gaps of Overlays and general modules, where appropriate.</p>
<p>Intended Policy</p>	<p>The Code Amendment investigations will consider which of the City of Adelaide Zones and Subzones may be suitable or unsuitable for each of the following land uses:</p> <ul style="list-style-type: none"> • Adult Entertainment Premises • Adult Products and Services Premises

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.

Key strategic documents, including State Planning Policies, Regional Plan, City of Adelaide Strategic Plan and relevant City of Adelaide policies and action plans are summarised here.

3.1. Summary of Strategic Planning Outcomes

The proposed Code Amendment will align with strategic policy outcomes including, but not limited to:

- Avoid land use conflicts between new and established land uses.
- Provide clarity and consistency in assessment and reduce legal disputes.
- Achieve broader strategic aims for the city.

These relate to providing activated and attractive places, and high-quality and amenity rich areas, including increasing night-time activities, as well as increasing the resident population of the city, through new housing and mixed-use development.

The Code Amendment seeks to implement a suite of contemporary policies and a planning framework, including assessment pathway that will provide greater clarity, to better achieve the balance of these strategic goals, particularly where they may conflict.

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
SPP2: Design Quality 2.5. Prioritise performance-based design quality outcomes in Adelaide City, heritage and character areas, places where medium-rise buildings interface with lower-rise development, mixed-use renewal precincts, transit corridors, and iconic locations that attract high levels	<p>The Code Amendment seeks to prioritise high-quality design outcomes that appropriately respond to the City of Adelaide's variety of land uses and areas, especially high visitation areas.</p> <p>The Code Amendment supports the appropriate management of neighbourhood characteristics, both from a land use and external appearance viewpoint, particularly in locations where the established character and function of main streets</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p>of pedestrian activity and/or tourism.</p> <p>2.9. Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.</p>	<p>differs to those typically associated with Adult Entertainment Premises.</p>
<p>SPP9: Employment Lands</p> <p>9.7 Encourage appropriate retail development through the implementation of best practice retail planning guidelines (see Figure 5).</p> <p>9.10 Strengthen the primacy of the Adelaide city centre as the cultural, entertainment, tourism and economic focus of South Australia.</p> <p>9.11 Encourage the development of integrated employment and residential mixed-use precincts where conflicts between uses can be managed.</p>	<p>The Code Amendment seeks to protect the amenity, retail character and form of the City centre by incorporating land use policies that support Adult Entertainment Premises and Adult Products and Services Premises, whilst targeting their preferred locations in areas aimed for nightlife, entertainment, and tourism-based industries. This provides certainty to residential land uses, and retail and commercial activities.</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) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>Target 1.1</p>	<p>The City of Adelaide supports and promotes population growth within the city.</p> <p>The Code Amendment will identify where Adult Entertainment and Adult Products and</p>

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<p>85% of all new housing in metropolitan Adelaide will be built in established urban areas by 2045.</p>	<p>Services Premises are suitable or not in the city, and establish clearer policy guidance about managing their establishment, and visual appearance to minimise interface impacts with growing populations in residential areas.</p>
<p>Adelaide City Centre</p> <p>P9. Develop activity centres as vibrant places by focusing on mixed-use activity, main streets and public realm improvements.</p> <p>P13. Strengthen the primacy of the Adelaide City centre as the cultural, entertainment, tourism and economic focus of Greater Adelaide. Enhance its role as the centre for peak legal, financial and banking services, specialty health and medical services, higher education, the arts, and high-quality specialty retailers.</p> <p>P17. Reinforce the special character of the main streets of Gouger, Hindley, Rundle and Hutt Streets through contextual design responses that increase activity and vibrancy while also preserving the elements that make these places special.</p> <p>P22. Sustain the heritage, character and scale of valued residential precincts (including North Adelaide and the south-east and south-west corners) with contextually appropriate development that contributes to the needs of our growing population and provides services to the community.</p> <p>Design Quality</p> <p>P30. Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place.</p>	<p>The Code Amendment recognises that Adult Entertainment Premises and Adult Products and Services Premises exist and form part of the entertainment and service offering within the City centre.</p> <p>It considers and respond to the appropriate main street settings where these facilities are anticipated, and establish clearer policy guidance about managing their establishment, and visual appearance to appropriately reflect their setting and broader activation aims.</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>City of Adelaide Strategic Plan 2021 - 2024</p>	<p>The Strategic Plan identifies a Vision for Adelaide as the most liveable City in the world, emphasising (amongst other things) a great place to be for residents and businesses, and our reputation for safety.</p> <p>Outcome - Strong Economies</p> <ul style="list-style-type: none"> • Activate main streets and develop unique precincts to support a diverse range of businesses and communities. • Development spatial plans to support future growth in the city. <p>The Code Amendment will improve policy guidance and certainty for proponents and the community for Adult Entertainment Premises and Adult Products and Services Premises.</p>
<p>Adelaide City of Music – Live Music Action Plan 2017-2020</p>	<p>The Code Amendment addresses land use and residential amenity outcomes in locations where live music is envisaged.</p>
<p>Safer City Action Plan 2019-2023</p>	<p>The Code Amendment supports Crime Prevention through Environmental Design policies in the Planning and Design Code.</p>
<p>Adelaide City Council Liquor Licensing Policy 2017</p> <p>City of Adelaide Review of Liquor Licensing Policy, Kelliedy Jones, 2023</p>	<p>The Policy lists principles, including licensed premises to be consistent with surrounding character and amenity, create safer places, reduce approval complications and costs of legal intervention. Hindley Street East is recognised as the City's late night entertainment precinct.</p> <p>The Code Amendment seeks to locate Adult Premises in areas in the city that are deemed suitable.</p>
<p>City of Adelaide Draft Housing Policy, 2023</p>	<p>Housing Policy is being drafted during 2023 and the interaction between this Code Amendment and any existing or emerging housing policy will be considered.</p>
<p>Planning System Implementation Review – City of Adelaide Submission – 1 February 2023</p>	<p>The proposed Code Amendment progresses a recommendation from Council to the Expert Panel's review of the Implementation of the South Australian Planning System relating to reintroduction of definitions for Adult Entertainment</p>

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
	Premises and Adult Products and Services Premises. With the definitions now live this Amendment will introduce policy to support the assessment process.
City Plan, Main Street Master Planning, Market District Plans	Consideration will be given to key planning initiatives being undertaken across the City of Adelaide, such as the City Plan, Main Street Master Planning and Market District Plans.

DRAFT

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
Review of Planning Policies	<p>Review of the Planning and Design Code policies that relate to Adult Entertainment Premises and Adult Products and Services Premises, including:</p> <ul style="list-style-type: none"> • policies governing noise generation • operating hours • management of behavioural impacts on the character and safety of surrounding localities. <p>The assessment included the level of coverage of these matters within Zone, Sub-zone, and relevant Overlays and General Policies.</p>	<p>Noise and Air Emissions Overlay policies are adequate to protect existing and potential sensitive receivers.</p> <p>Policy to manage disorderly behaviour associated with licensed premises or adult entertainment premises may be warranted.</p> <p>Additional policy guidance on the visual appearance of the Adult Premises and advertising is warranted.</p>
Review of Adult Premises - Development Plan Amendment Report - July 2002	<p>The Development Plan Amendment provides past insight into the rationale for where adult entertainment premises and adult products and services premises are suitable and unsuitable throughout the Council area.</p>	<p>The Affected Area for this Code Amendment is informed by assessment of potential locations where premises are suitable and unsuitable.</p> <p>Policy direction is needed in Zones / Sub-zones that support night and late night activities.</p>
Review of Development Applications (Development Plan and Planning and Design Code)	<p>Review of development applications where changes to liquor licenses have been sought and triggered a land use change development application.</p>	<p>Additional policy guidance to manage conflicts between land uses seeking entertainment and extended night-time activities, and the growth of residential accommodation within the CBD is warranted.</p>
Processing pathway options	<p>Consideration of the processing pathways available within the <i>Planning, Development and Infrastructure Act, 2016</i>.</p>	<p><u>Accepted development and Deemed-to-satisfy pathways</u> These pathways are considered likely to provide insufficient assessment of the impacts.</p> <p><u>Restricted development</u></p>

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<p>This pathway requires a thorough assessment of the proposal's impacts and mandates the notification of the application to adjacent landowners and occupiers.</p> <p>Developments assessed via a Restricted Pathway are assessed against the relevant policies within the Planning and Design Code but are not bound by these provisions.</p> <p><u>Performance Assessed Pathway</u> This pathway provides for notification of any application and, more targeted policies addressing such land uses.</p> <p>The investigations for the Code Amendment will ultimately determine the most appropriate development assessment pathway, that will then be tested and reviewed through the engagement process.</p>

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, Table 4.2 outlines what additional investigations that will be undertaken to support the Code Amendment.

Table 4.2 Further Investigations Proposed

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Advertising	Review of policy relating to the visual appearance of venues and advertising including consideration of local context and display of inappropriate materials that may be visible to minors.
Spatial Assessment	Assessment of the Hindley Street, Rundle Street, Gouger and Grote Street, Hutt Street and City Main Street Sub-zones to identify suitable and unsuitable locations for Adult Entertainment Premises.
Policy Assessment	Identify a policy suite for Adult Premises in the City of Adelaide including review of the Code's Policy Hierarchy, use (or otherwise) of Overlays, assessment pathways and public notification requirements.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Licensed Premises	Assessment of the interaction between policy amendments identified in the Code Amendment and existing policy for licensed premises, for clarity and consistency where appropriate.

4.3. Engagement Already Undertaken

In accordance with Practice Direction 2, the State Government's Planning and Land Use Services (PLUS) team has been consulted on this proposal.

City of Adelaide's submission to the State Government's *Planning System Implementation Review* included engagement with key stakeholders and the community.

Council's submission supports additional policy direction around specific land uses (including adult entertainment premises) which form the basis for this Code Amendment.

In addition, preliminary engagement has also occurred with the following with key stakeholders:

- Australian Hotels Association (SA)
- SA Police (Licensing Enforcement Branch)
- Business and Consumer Services (Attorney-General's Department)
- Property Council of Australia (SA Branch)
- Urban Development Institute Australia (SA Division)
- Planning and Land Use Services (Department for Trade and Investment)
- East End Association

A summary of outcomes or matters raised through engagement already undertaken is as follows:

- Amenity impacts of adult entertainment premises relate principally to noise and patron behaviour.
- An increase in objections to proposed licences for new licenced premises (not adult entertainment premises) in the city from surrounding residents.
- Consistency of definitions in the *Liquor Licensing Act 1997 (SA)* and the Planning and Design Code (as well as interpretations) will support application processing.
- Residential amenity in mixed use areas and in near proximity to licenced premises.

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 of the Code Amendment to landowners and business owners of established Adult Entertainment Premises and Adult Products and Services Premises in the city, as well as the properties within the Sub-zones in which the proposed policy amendments will take place.	Identify the potential impacts of the proposed Code Amendment outcomes on new Adult Entertainment Premises and provide an opportunity for their input into the Code Amendment to better inform their positions as persons/entities being directly impacted by the proposed Code Amendment.
Letters to Government Agencies, including SA Police, Consumer and Business Services and EPA advising of the Code Amendment	Provide an opportunity for Government Agencies to comment on the proposed outcomes of the Code Amendment and respond to any issues of consistency or otherwise to State agency policy positions.
Letters to representative industry and community groups such as LGA (SA), AHA (SA), Property Council (SA), UDIA (SA), local trader and main street groups, residents and ratepayer groups	Inform interested stakeholders about the Code Amendment, including as a follow up to those initially engaged as part of the process of informing the Code Initiation. This will allow for identification of any specific issues or positions from the range of interests represented by the groups, along with their level of support (or otherwise) for the proposed policy framework.
Letters to adjoining Councils and Local MPs	Provide an opportunity for adjoining Councils and/or local MPs to comment on the proposed policy change and to consider broader impacts on their respective community and/or constituents.
Notification and survey on Council's website and links through Council's social media to the broader community.	Broad community consultation to provide an opportunity for any interested community members to be aware of the proposed Code Amendment and make comment on the proposed outcomes of the Code Amendment. This engagement will clearly state what is and isn't in scope for the Code Amendment.
Information placed on PlanSA Portal to inform the community of the	The Code Amendment Proponent uses the PlanSA Portal to inform the community about the Code Amendment, including: <ul style="list-style-type: none"> • Providing the proponent's contact information

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Code Amendment, its proposals and its progress.	<ul style="list-style-type: none"> • Links on how the community can contribute to the Code Amendment. • Inform the community of the Code Amendment’s progress. • Providing relevant documentation assigned to each stage, such as the engagement plan, fact sheets and the Code Amendment that allows the community to access the relevant documentation when needed and be informed about the Code Amendment process. • Finalised Code Amendment. • Summary of the Code Amendment’s engagement, which includes how engagement did or did not alter the Code Amendment (and a copy of the Engagement Plan).

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 has prepared a draft Engagement Plan (**Attachment C**) which includes the following mandatory consultation requirements:

- 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.

A draft engagement plan is included as an attachment to this Code Initiation Document, for information purposes only. The proponent reserves the right to amend the consultation plan with the final plan to be published to PlanSA portal.

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.

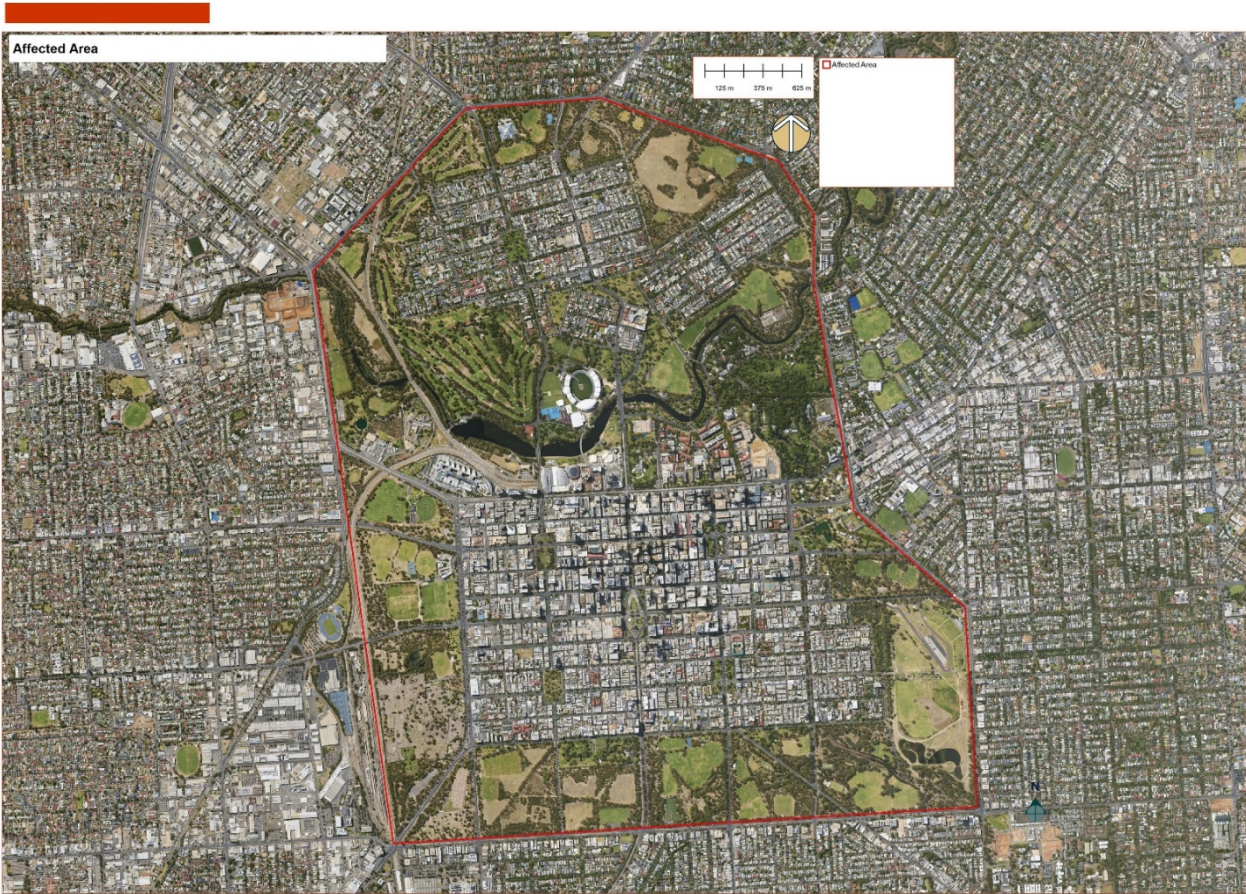
The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The 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

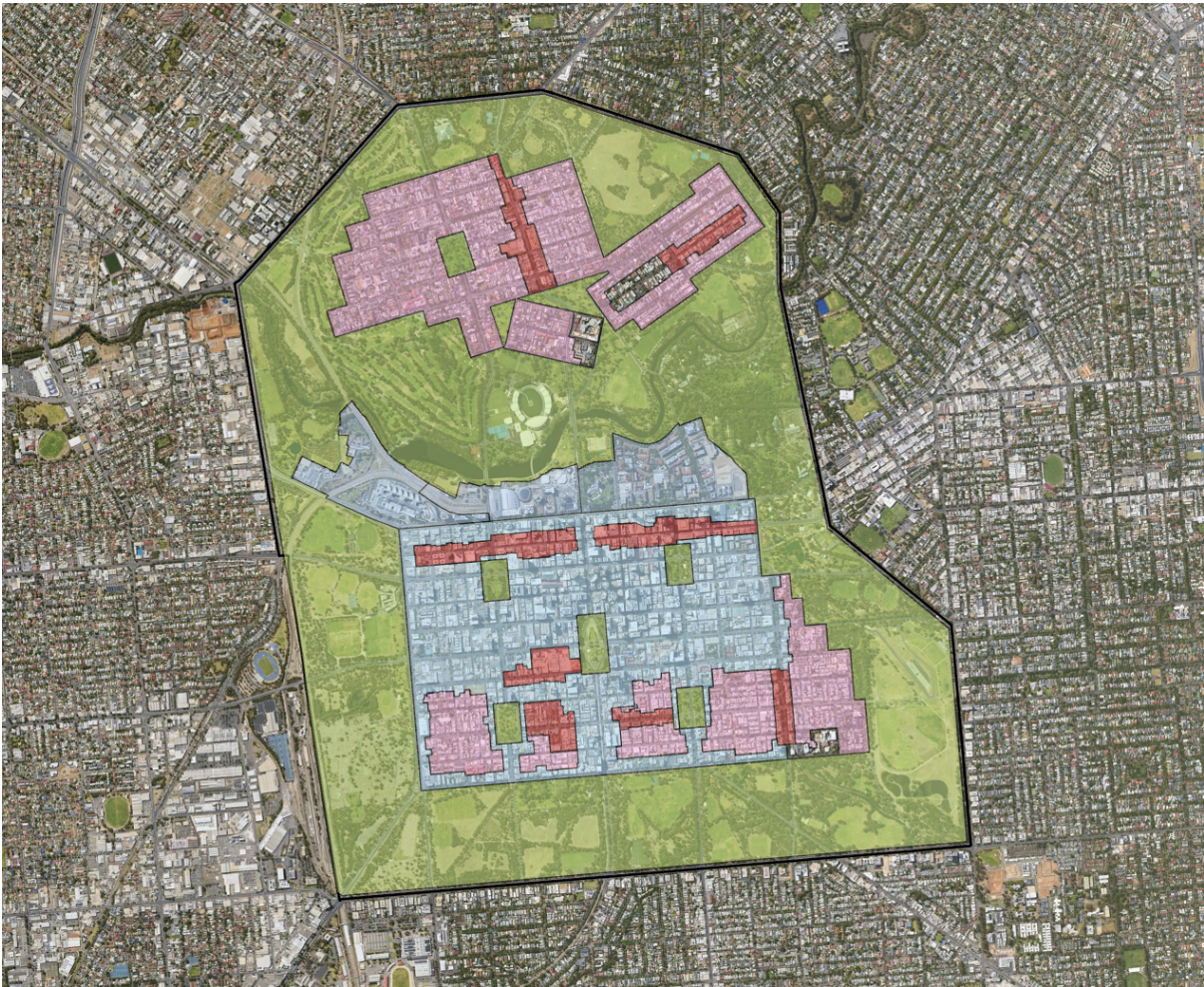
The Proponent (where it is also the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined in **Attachment B**. If a timeframe is exceeded (or expected to be exceeded) the Proponent agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

ATTACHMENT A

Map of Affected Area



Map of Zones and Affected Area



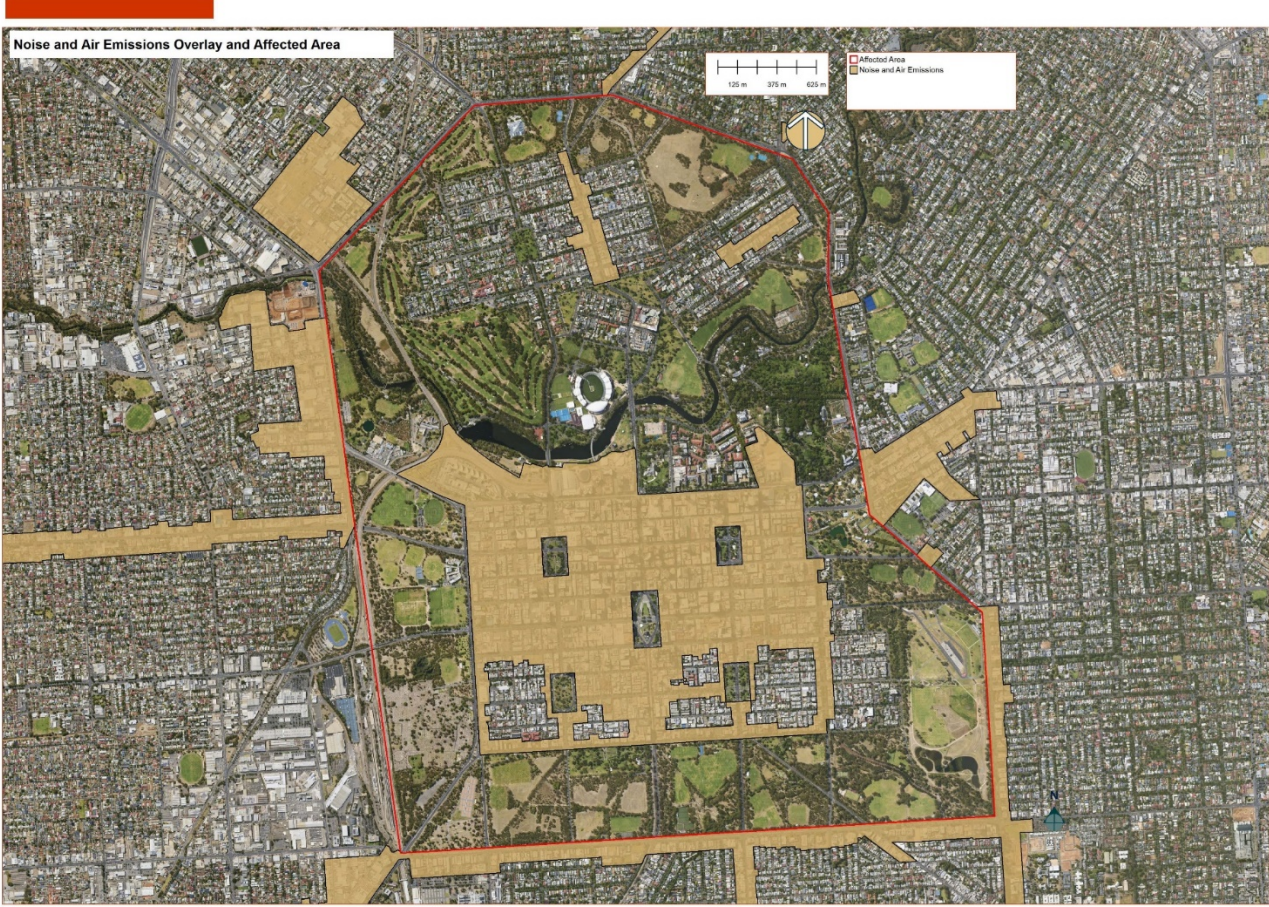
- ▲ Zones
- ▲ Capital City Zones
 - Adelaide Park Lands Zone
 - Capital City
 - City Living
 - City Main Street
 - City Riverbank

Map of Subzones and Affected Area



- ▾ Subzones
 - ▾ Capital City Subzones
 - Adelaide Aquatic Centre
 - City Frame
 - City High Street
 - Cultural Institutions
 - East Terrace
 - Entertainment
 - Gouger and Grote Street
 - Health
 - Hindley Street
 - Innovation
 - Medium-High Intensity
 - Melbourne Street West
 - North Adelaide Low Intensity
 - Rundle Mall
 - Rundle Street

Map of Noise and Air Emissions Overlay and Affected Area



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ATTACHMENT B

Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframes
Council endorsement to initiate Code Amendment		
Council meeting endorsing Proposal to Initiate to be sent to the Minister for Planning	CoA	8 August 2023
Council sends Proposal to Initiate to Minister	CoA	30 August 2023
Approval of the Proposal to Initiate		
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	13 September 2023 <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	27 September 2023
Referral to Government Agencies for comment (where necessary).	AGD, Relevant Government Agencies	11 October 2023
Consideration of Proposal to Initiate and advice to the Minister.	Commission (Delegate)	1 November 2023 3 weeks
	Commission	22 November 2023
Proposal to Initiate agreed to by the Minister	Minister	6 December 2023
Preparation of the Code Amendment		
Engagement Plan Prepared. Investigations conducted; Code Amendment Report prepared. The Drafting instructions and draft mapping provided to AGD.	Designated Entity	14 February 2024
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes.	AGD	21 February 2024
Preparation of Materials for Consultation.	Designated Entity	6 March 2024
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community	Designated Entity	6 weeks, 17 April 2024, 33 weeks from

Step	Responsibility	Timeframes
Engagement Charter and the prepared Community Engagement Plan .		initiation (30 August 2023) [noting may be subject to change pending finalisation of Engagement Plan]
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD.	Designated Entity	12 June 2024
Assess the amendment and engagement. Prepare report to the Commission or delegate Timeframe will be put on hold if further information is required, or if there are unresolved issues.	AGD	10 July 2024
Consideration of Advice	Commission (Delegate)	24 July 2024 <i>(includes 1 week to process through Minister's office)</i>
	Commission	14 August 2023
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	4 September 2024
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA portal	AGD	2 October 2024
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	AGD	27 November 2024

ATTACHMENT C

Draft Engagement Plan

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City of Adelaide

Adult Entertainment Premises Code Amendment

Draft Engagement Plan

17 July 2023

Contact details

Name: Colleen McDonnell

Position: Manager, City Planning and Heritage

Email: c.mcdonnell@cityofadelaide.com.au

Phone: 8203 7203

Background information

- This Code Amendment will provide greater clarity around the assessment and location of Adult Entertainment Premises in the City of Adelaide.
- Land use definitions for Adult Entertainment Premises and Adult Products and Services Premises was introduced to the Planning and Design Code by the Minister for Planning as part of the Miscellaneous and Technical Enhancements Code Amendment on 1 June 2023.
- The Code Amendment will identify where Adult Entertainment Premises should be located in the City of Adelaide.
- The Code Amendment will recommend policies to be used during assessment of this type of development.

Engagement purpose

The purpose of the engagement is to:

- Raise stakeholder, affected and interested community awareness of any proposed changes to policy.
- Seek feedback from stakeholders, affected and interested community on the Draft Code Amendment to enable their needs, ideas, and concerns to be considered in finalising the Code Amendment.
- Raise awareness of the Final Code Amendment and close the loop on community engagement
- Meet statutory requirements for engagement on a Code Amendment.

Engagement objectives

The engagement objectives are to:

- Identify policy gaps in the Planning and Design Code and City of Adelaide Zones and Subzones, that relate to Adult Entertainment Premises and Adult Products and Services Premises.
- Allow stakeholders and community to provide feedback on what they think the challenges, opportunities, and constraints are in better managing the impacts and land use conflicts of Adult Entertainment Premises in the current policy framework.
- Enable stakeholders and community to provide ideas and thoughts on how and what policy measures would be appropriate.
- Clarify matters that can and cannot be addressed through Planning and Design Code policy (and the planning system) with stakeholders and community.

Scope of influence

Aspects of the project which stakeholders and the community *can* influence are:

- Informing the project team about how improved policies can best guide the assessment of Adult Entertainment Premises, and Adult Products and Services Premises, in the City of Adelaide.
- Feedback on the proposed policy approach, including where Adult Entertainment Premises and Adult Products and Services Premises should, and should not, be located within the City of Adelaide.

Aspects of the project which stakeholders and the community *cannot* influence are:

- This engagement will not remove the definition of Adult Entertainment Premises nor Adult Products and Services Premises from the Planning and Design Code.
- The engagement will not consider policy relating to any activities which are illegal or are not defined as development under the *Planning, Development and Infrastructure Act, 2016*.
- The engagement will not consider policy changes outside the boundaries of the City of Adelaide.

Key messages

The following key messages will underpin the engagement regarding the Adult Entertainment Premises Code Amendment:

- The Planning and Design Code is used to assess development that occurs in the City of Adelaide.
- Adult Entertainment Premises and Adult Products and Services Premises are land use definitions introduced to the Planning and Design Code by the Minister for Planning on 1 June 2023.
- City of Adelaide is considering how the Planning and Design Code policies should be updated to guide the location and assessment of this type of development.
- Policy changes will seek to reduce potential future land use conflicts by introducing policy to assess development of Adult Entertainment Premises and Adult Products and Services Premises.
- The scope of this Code Amendment relates only to the City of Adelaide and does not seek to introduce new policy that would affect any other Council area.

- The engagement will not consider policy relating to any activities which are illegal or are not defined as development under the *Planning, Development and Infrastructure Act, 2016*

Level of Engagement

- The City of Adelaide is committed to undertaking community engagement in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.
- The principles are:
 - Engagement is genuine
 - Engagement is inclusive and respectful
 - Engagement is fit for purpose
 - Engagement is informed and transparent
 - Engagement processes are reviewed and improved.

Stakeholder Mapping

The following table outlines stakeholders for the Code Amendment.

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Stakeholder and community mapping

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
City of Adelaide – planning and development staff	High	High	Implications for development assessment.	Regular conversations and updates	Involve
City of Adelaide – Council Members	High	High	Broad interest in the balance of community and economic outcomes within the City of Adelaide.	Keep informed throughout progression of Code Amendment. Decision maker	Consult/Involve
Adelaide Economic Development Agency	High	High	Interest in development and business growth for the city.	Keep informed throughout progression of Code Amendment	Inform/Consult
Local Government Association	Medium	Low	Interest in the application of the land use definition for other local government areas.	Statutory requirement to inform LGA as part of engagement plan	Inform/Consult
State Planning Commission	High	High	Interest in management of Adult Entertainment Premises and Adult Products and Services land uses across the state.	Keep informed throughout progression of Code Amendment. Decision maker. Actively seek feedback at key points	Consult/Involve
PlanSA/PLUS	High	High	Interest in management of Adult Entertainment Premises and Adult Products and Services land uses across the state.	Keep informed throughout progression of Code Amendment. Decision maker	Consult/Involve
Local MPs - State Member for Adelaide – Lucy Hood - Federal Member for Adelaide – Steve Georganas	Medium	Medium	Interest in responding to concerns from constituents regarding impact of Adult Entertainment on residential amenity and city liveability.	Keep informed throughout progression of Code Amendment	Inform/Consult
Adjoining Councils - City of Burnside - City of Walkerville - City of Prospect - City of Charles Sturt - City of West Torrens - City of Unley - City of Norwood, Payneham and St Peters	Medium	Medium	Interest in relationship with heritage and character policy and its operation within their respective local government areas.	Keep informed throughout progression of Code Amendment	Inform/Consult

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
Property Council	Low	Low	Interest in effect of these land uses on property values and rental viability.	Keep informed throughout progression of Code Amendment	Inform/Consult
South Australia Police	High	Medium	Interest in managing interactions between these land uses, general community safety and other operational interactions such as liquor licensing.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Urban Development Institute of Australia	Low	Low	Interest in tracking the outcomes of this work and how it may relate to other local government areas including growth areas.	Keep informed to enable a response if needed	Inform/Consult
Liquor License Commission/CBS	Medium	Medium	Interest in interactions with liquor licensing legislation and functions.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Main Street Groups/East End Association/West End Association	High	Medium	Interest in managing public realm impacts associated with Adult Entertainment Premises and/or Adult Products and Services Premises.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Hotels Association	Low	Low	Interest in the interaction of these two land uses with the operation of hotels.	Keep informed throughout progression of Code Amendment	Inform/Consult
SA Tourism Commission	Low	Low	Potential interest in tourism value of Adult Entertainment Premises and Adult Products and Services land uses to the City of Adelaide and South Australia.	Keep informed to enable a response if needed	Inform/Consult
Adult Entertainment Premises staff and patrons	Medium	Low	Interest in economic outcomes, safety and management of interface with neighbouring land uses/public realm.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Adult Products and Services staff and patrons	Medium	Low	Interest in economic outcomes, safety and management of interface with neighbouring land uses/public realm.	Keep informed throughout progression of Code Amendment, actively seek feedback	Inform/Consult
Environment Protection Authority	Low	Low	Interest in noise emissions associated with these land uses.	Keep informed throughout progression of Code Amendment	Inform/Consult
Master Builders Association	Low	Low	Interest in any changes to policy affecting the building industry.	Interest in any changes to policy affecting the building industry	Inform/Consult
Affected Area Property Owners	High	Low	Interest in whether or not these land uses are anticipated to occur near their properties. If specific locations within the City of Adelaide are proposed to enable these land uses.	Keep informed to enable a response if needed. If specific locations within the City of Adelaide are proposed to enable these land uses then engagement can be designed to target these areas.	Inform/Consult

Stakeholder	Level of interest in the project (i.e. high, medium or low)	Level of influence	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
Broader Community	Low	Low	General interest in whether and/or where these land uses could be enabled.	Keep informed to enable a response if needed.	Inform/Consult

Risk Assessment

Area of Risk	Risk Analysis	Risk Rating	Mitigation Strategies	Intended Mitigation Outcome
Conflicting engagement outcomes	The risk is that the variety of stakeholders express conflicting issues, opportunities and concerns that aren't easily translated into a policy outcome	Low	Clear messaging to stakeholders of how planning can address issues and find connections between stakeholder feedback.	Stakeholders understand the project is to provide policy to reduce potential land use and community conflicts.
Timeframe doesn't allow consideration of each key stakeholder's perspective prior commencement of engagement.	Engagement misses key issues, concerns, and opportunities that the Code Amendment should consider/ address	Medium	Seek early feedback from key stakeholders and provide a variety of ways to meet, such as, online and in person.	Key stakeholders provide early input into the project which informs engagement materials.
Lack of support for amendment	Community members do not support changes to policy	Low	Explain rationale and need for updated statements clearly.	Community members are informed and have an opportunity to influence outcomes.
Technical information is difficult to communicate	Information amongst stakeholder and the community misrepresents the issues and proposed changes / impacts.	Med	Provide clear and easy to understand information across a variety of platforms.	Clear understanding of issues and policy, and informed submissions.

Engagement Techniques

Key engagement techniques that can be used during this Engagement include:

- Fact sheets
- Face to face or online meetings
- Webpage on PlanSA Portal
- Submission Form/Online Survey on City of Adelaide "YourSay" webpage
- Letters/Electronic Direct Mail
- Social Media
- Phone and email inquires.

Engagement Period Activities

Stakeholder	How we will engage
City of Adelaide – planning and development staff	Via regular project team meetings.
City of Adelaide – City Safety, Social Planning, Main Street Coordinators	Via regular project team meetings and/or leadership meetings.
City of Adelaide – Council Members	Via Council meetings and regular e-news.
Local Government Association	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Adelaide Economic Development Agency	Via Board meetings.

Stakeholder	How we will engage
State Planning Commission	Correspondence informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
PlanSA/PLUS	One on one meetings. Via PlanSA Portal
Local MPs <ul style="list-style-type: none"> - State Member for Adelaide – Lucy Hood - Federal Member for Adelaide – Steve Georganas 	Correspondence informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Adjoining Councils <ul style="list-style-type: none"> - City of Burnside - City of Walkerville - City of Prospect - City of Charles Sturt - City of West Torrens - City of Unley - City of Norwood, Payneham and St Peters 	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Property Council	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
South Australia Police	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Urban Development Institute of Australia	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Liquor License Commission/CBS	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Main Street Groups/East End Association/West End Association	Correspondence informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback. One on one meeting with each group.
Hotels Association	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Adult Entertainment Premises staff and patrons	Correspondence to the business manager informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Adult Products and Services staff and patrons	Correspondence to the business manager informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Department for Education	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Department for Health and Wellbeing	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Environment Protection Authority	Correspondence to the CEO informing that the Code Amendment has commenced, how and who we are engaging and methods for feedback.
Affected Area Property Owners	Direct letters for properties within or abutting a zone or subzone which specifically envisages Adult Entertainment Premises Via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media.
City of Adelaide Ratepayers/residents	Via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media Promote the consultation through a display board to be placed in the City Library and/or other relevant locations to be determined. Consider the opportunity to attend drop-in sessions at the City Library, North Adelaide Library and/or Hutt Street Library or community centres.
Broader Community	Via PlanSA Portal, City of Adelaide YourSay page and awareness of engagement via social media. Opportunity to attend drop-in sessions at City Library, North Adelaide Library and/or Hutt Street library. Additional methods of engagement will also be considered as appropriate, subject to timing, resourcing and effectiveness

*This information does not need to be provided to the Minister

Measuring success

At the completion of the engagement, all participants will be invited to assess the success of the engagement against performance criteria one to four, below. The project manager, with assistance from communications and engagement specialists, will assess the success of the engagement against criteria five to nine. This evaluation will be included in the statutory report (section 73(7) of PDI Act) that is sent to the State Planning Commission and the Minister for Planning and which details all engagement activities undertaken. It will also be referenced in the Commission Report (section 74 (3)(b) that is issued to the Governor of South Australia and the Environment Resources and Development Committee of Parliament. Any issues raised about the engagement during the engagement process will be considered and action will be taken if considered appropriate.

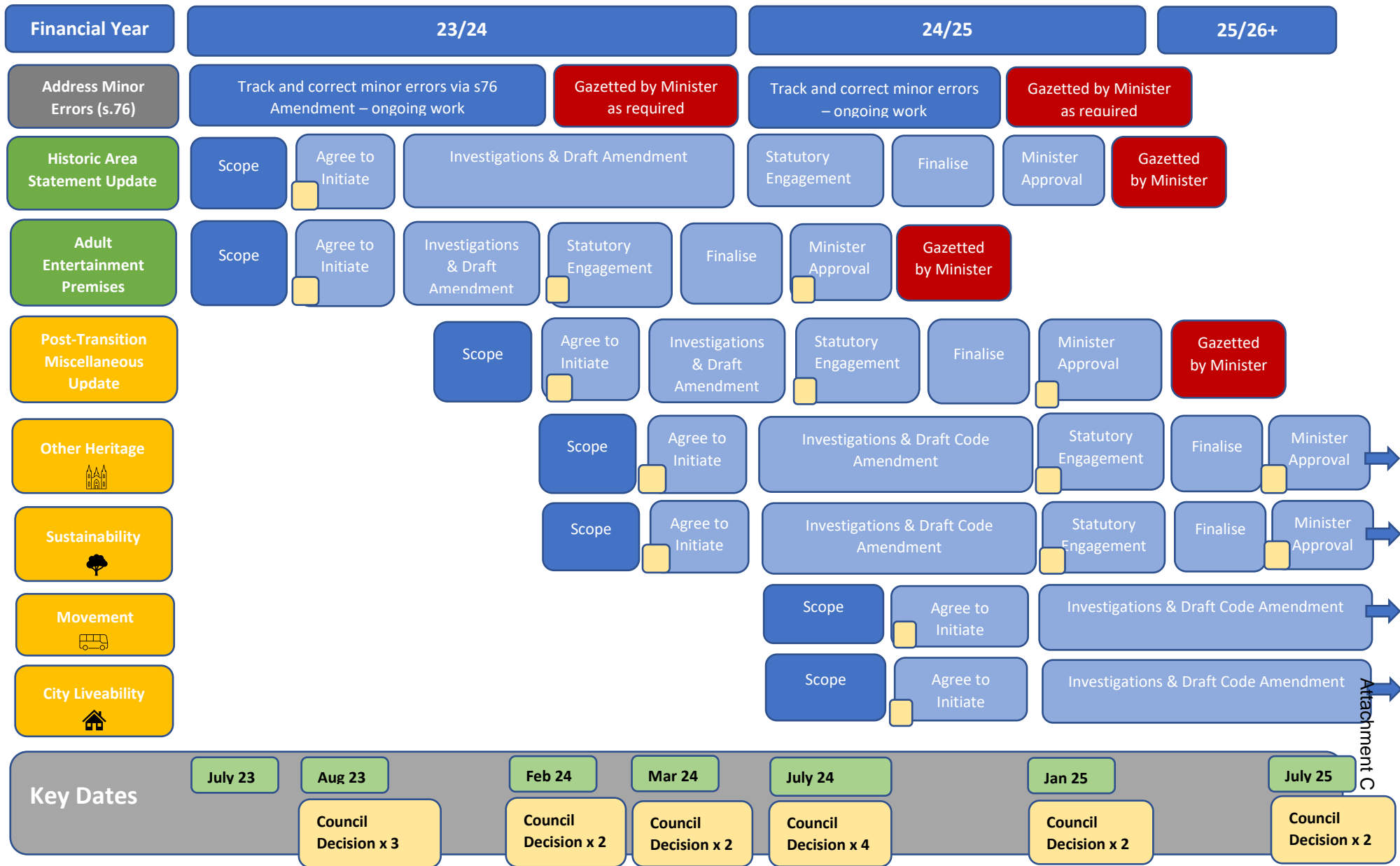
#	Charter criteria	Charter performance outcomes	Respondent	Indicator ²	Evaluation tool ³ Exit survey / follow-up survey	Measuring success of project engagement
1	Principle 1: Engagement is genuine	<ul style="list-style-type: none"> People had faith and confidence in the engagement process. 	Community	I feel the engagement genuinely sought my input to help shape the proposal	Likert scale - strongly disagree to strongly agree	Per cent from each response.
2	Principle 2: Engagement is inclusive and respectful	<ul style="list-style-type: none"> Affected and interested people had the opportunity to participate and be heard. 	Community	I am confident my views were heard during the engagement	Likert scale - strongly disagree to strongly agree	Per cent from each response.
			Project Lead	The engagement reached those identified as community of interest.	<ul style="list-style-type: none"> Representatives from most community groups participated in the engagement Representatives from some community groups participated in the engagement There was little representation of the community groups in engagement. 	Per cent from each response.
3	Principle 3: Engagement is fit for purpose	<ul style="list-style-type: none"> People were effectively engaged and satisfied with the process. People were clear about the proposed change and how it would affect them. 	Community	I was given sufficient information so that I could take an informed view.	Likert scale - strongly disagree to strongly agree	Per cent from each response.
				I was given an adequate opportunity to be heard	Likert scale - strongly disagree to strongly agree	Per cent from each response.
4	Principle 4: Engagement is informed and transparent	<ul style="list-style-type: none"> All relevant information was made available and people could access it. People understood how their views were considered, the reasons for the outcomes and the final decision that was made. 	Community	I felt informed about why I was being asked for my view, and the way it would be considered.	Likert scale - strongly disagree to strongly agree	Per cent from each response.
5	Principle 5: Engagement processes are reviewed and improved	<ul style="list-style-type: none"> The engagement was reviewed and improvements recommended. 	Project Lead	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement	<ul style="list-style-type: none"> Reviewed and recommendations made Reviewed but no system for making recommendations Not reviewed 	Per cent from each response.
6	Engagement occurs early	<ul style="list-style-type: none"> Engagement occurred before or during the drafting of the planning policy, strategy or scheme when there was an opportunity for influence. 	Project Lead	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme	<ul style="list-style-type: none"> Engaged when there was opportunity for input into scoping Engaged when there was opportunity for input into first draft Engaged when there was opportunity for minor edits to final draft Engaged when there was no real opportunity for input to be considered 	Per cent from each response.
7	Engagement feedback was considered in the development of planning policy, strategy or scheme	<ul style="list-style-type: none"> Engagement contributed to the substance of a plan or resulted in changes to a draft. 	Project Lead	Engagement contributed to the substance of the final plan	<ul style="list-style-type: none"> In a significant way In a moderate way In a minor way Not at all 	Per cent from each response.
8	Engagement includes 'closing the loop'	<ul style="list-style-type: none"> Engagement included activities that 'closed the loop' by providing feedback to participants/ community about outcomes of engagement 	Project Lead	Engagement provided feedback to community about outcomes of engagement	<ul style="list-style-type: none"> Formally (report or public forum) Informally (closing summaries) No feedback provided 	Per cent from each response.
9	Charter is valued and useful	<ul style="list-style-type: none"> Engagement is facilitated and valued by planners 	Project Lead	Identify key strength of the Charter and Guide Identify key challenge of the charter and Guide		

Closing the loop and reporting back

How will you respond to participants?	Who's responsible?	When will you report back?
Acknowledges responses to engagement	City of Adelaide	Within 3 weeks of a response being provided.
Website updates (SA Planning Portal) with the final Code Amendment and Engagement Report	City of Adelaide	When the Code Amendment is finalised and the Engagement Report is approved for public release by Council.
A close the loop email will be sent to participants with links to the SA Planning Portal, including an Exit Survey/Follow Up Survey	PlanSA/City of Adelaide	After Code Amendment Finalisation.

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Program of Amendments to Planning & Design Code - City of Adelaide 2023-2025 – Indicative Topics and Timeframes



Tuesday, 1 August 2023

Exclusion of the Public

**City Planning,
Development and Business
Affairs Committee**

Program Contact:
Alana Martin, Manager
Governance 8203 7092

2018/04291
Public

Approving Officer:
Clare Mockler, Chief
Executive Officer

EXECUTIVE SUMMARY

Section 90(2) of the *Local Government Act 1999 (SA)* (the Act), states that a Council may order that the public be excluded from attendance at a meeting if the City Planning, Development and Business Affairs Committee considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.

It is the recommendation of the Chief Executive Officer that the public be excluded from this City Planning, Development and Business Affairs Committee meeting for the consideration of information and matters contained in the Agenda.

For the following Presentation seeking consideration in confidence

6.1 2018 North Adelaide Golf Course Draft Master Plan [section 90(3) (b) & (d) of the Act]

For the following Chief Executive Officer Reports seeking consideration in confidence

7.1 Former Bus Station Site Redevelopment [section 90(3) (b) & (d) of the Act]

The Order to Exclude for Items 6.1 and 7.1:

1. Identifies the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.

ORDER TO EXCLUDE FOR ITEM 6.1

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [2018 North Adelaide Golf Course Draft Master Plan] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This item is commercial information of a confidential nature where confidence consideration is sought to protect the commercial position of the Council and the operating position of Council's business entities operating in a competitive marketplace. Disclosure of this information to competitors may be to Council's commercial detriment.

Public Interest

Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of this information to competitors in advance may be to Council's commercial detriment.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 6.1 [2018 North Adelaide Golf Course Draft Master Plan] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.

ORDER TO EXCLUDE FOR ITEM 7.1

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (b) & (d) and section 90(2) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 7.1 [Former Bus Station Site Redevelopment] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential as it contains certain confidential information (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a person which whom the Council is conducting business, prejudice the commercial position of the Council and prejudice the commercial position of the person who supplied the information and confer a commercial advantage to a third party.

The disclosure of information in this report could reasonably prejudice the commercial position of the Council with respect to its commercial dealings with the land as well as prejudice the commercial position of parties who have supplied intellectual property and commercial in confidence information.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information in the report, including certain financial and contractual information, may prejudice Council's future commercial dealings regarding its strategic land holding. In addition, information within this report contains the intellectual property and commercial in confidence information of parties who have supplied information which if released could negatively impact Council. On this basis, the disclosure of such information may severely prejudice the City of Adelaide's ability to influence the proposal for the benefit of the City of Adelaide and community in this matter

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Planning, Development and Business Affairs Committee dated 1 August 2023 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 7.1 [Former Bus Station Site Redevelopment] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (b) & (d) of the Act.
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DISCUSSION

1. Section 90(1) of the *Local Government Act 1999 (SA)* (the Act) directs that a meeting of Council must be conducted in a place open to the public.
2. Section 90(2) of the Act, states that a Council may order that the public be excluded from attendance at a meeting if Council considers it to be necessary and appropriate to act in a meeting closed to the public to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Act.
3. Section 90(3) of the Act prescribes the information and matters that a Council may order that the public be excluded from.
4. Section 90(4) of the Act, advises that in considering whether an order should be made to exclude the public under section 90(2) of the Act, it is irrelevant that discussion of a matter in public may -
 - (a) *cause embarrassment to the council or council committee concerned, or to members or employees of the council; or*
 - (b) *cause a loss of confidence in the council or council committee; or*
 - (c) *involve discussion of a matter that is controversial within the council area; or*
 - (d) *make the council susceptible to adverse criticism.*
5. Section 90(7) of the Act requires that an order to exclude the public:
 - 5.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 5.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public.
 - 5.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) of the Act - how information open to the public would be contrary to the public interest.
6. Section 83(5) of the Act has been utilised to identify in the Agenda and on the Report for the meeting, that the following report is submitted seeking consideration in confidence.
 - 6.1 Information contained in Item 6.1 – 2018 North Adelaide Golf Course Draft Master Plan
 - 6.1.1 Is subject to Existing Confidentiality Orders.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
 - 6.2 Information contained in Item 7.1 – Former Bus Station Site Redevelopment
 - 6.1.1 Is subject to an Existing Confidentiality Order date 11/4/2023.
 - 6.1.2 The grounds utilised to request consideration in confidence is section 90(3) (b) & (d) of the Act
 - (b) information the disclosure of which –
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

ATTACHMENTS

Nil

- END OF REPORT -

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