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Mr Andrew Goodsell  
Acting Chief Executive Officer  
Town of Gawler

By email: [andrew.goodsell@gawler.sa.gov.au](mailto:andrew.goodsell@gawler.sa.gov.au)

Dear Mr Goodsell

I write to advise that under section 73(10)(f) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the 550-554 Main North Road, Evanston Park Amendment by 550 Main North Road Pty Ltd (Designated Entity) and have resolved to decline the proposed amendment to the Planning and Design Code. The Code Amendment sought to rezone land in the Town of Gawler (Council).

Whilst I acknowledge the work undertaken by the Designated Entity to progress the proposed Code Amendment to this point, I note there has been a significant lack of support expressed by the community during the public engagement stage.

The state's new planning system was established on the premise that the community will have increased opportunity to comment on rezoning proposals – through the Community Engagement Charter. In exchange, public notification and appeal rights have been reduced at the development application stage. In this context, on balance, I am of the view that the community objections outweigh the planning merits on this occasion.


However, I note that Council's position on the Code Amendment changed throughout the process, being initially indicating a general level of support on 11 May 2022, subject to attention being given to a list of matters. This was then followed by Council ultimately objecting to the proposal. I also note that detailed negotiations with the Designated Entity were undertaken and in-principle agreement on a Land Management Agreement was reached, indicating a level of support for the intended development outcomes for the site.

Whilst I acknowledge that Council's final resolution was informed by the outcomes of community engagement, I question how the final position hinged on a view that the proposal was at variance with the *Gawler Community Plan 2030+* when it does not appear to have been raised as a concern with the Designated Entity earlier in the Code Amendment process. Had Council been more upfront about its concerns, I may not have initiated the Code Amendment in the first instance, saving the Designated Entity a significant amount of time and expense.

OFFICIAL

For further information, please contact Ms Nadia Gencarelli, Team Leader – Code Amendments, Planning and Land Use Services, on 08 7133 2311 or by email to [Nadia.Gencarelli@sa.gov.au](mailto:Nadia.Gencarelli@sa.gov.au).

Yours sincerely



**Hon Nick Champion MP**  
Minister for Planning

8 / 1 / 2024