

The Hon Rob Lucas MLC



**Government
of South Australia**

**Minister for Planning
and Local Government**

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Mr Richard Dwyer
Managing Director
Ekistics
Level 1/16 Vardon Avenue
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Dear Mr Dwyer

I write to advise that I have considered, as the delegated decision maker for the Lot 5 Hampden Way, Strathalbyn, Code Amendment (the Code Amendment), the advice of the State Planning Commission (the Commission) and have approved the Proposal to Initiate the Code Amendment, pursuant to section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The initiation approval is on the basis that, under section 73(4)(a) of the Act, Strath Property Investments Pty Ltd will be the Designated Entity responsible for undertaking the Code Amendment process.

Pursuant to section 73(5) of the Act, the approval is also subject to the following conditions:

- The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code, on the date the Amendment is released for consultation.
- The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

In addition, the Commission has specified, under section 73(6)(e) of the Act, that the Designated Entity must consult with the following stakeholders:

- Strathalbyn and District Tourist Association
- Landowners located within the Concept Plan Boundary identified on the Planning and Design Code Concept Plan 113 Strathalbyn North
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

Further, the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Undertake high-level investigations to identify potential environmental impacts and mitigation measures, having consideration to native vegetation, flora, fauna and the adjacent Angas River and tributary.
- Conduct a search of the Aboriginal Heritage Registers to identify relevant Aboriginal heritage considerations, including any identified cultural sites and objects.
- Prior to engagement commencing, undertake a retail and economic assessment to the satisfaction of the Department.

In addition, it should be noted that further investigations may be required in response to feedback or advice received through the engagement process.

In accordance with sections 44(6) & 73(6)(d) of the Act, consultation in writing must be undertaken with:

- The Alexandrina Council
- Owners or occupiers of the land and adjacent land in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Further, engagement must meet the Community Engagement Charter as guided by the Community Engagement Charter toolkit at: https://plan.sa.gov.au/resources/learning_and_toolkits/community_engagement_charter_toolkit/overview.

I will make a determination on whether to approve the proposed amendments at the completion of the Code Amendment process.

For further information, please contact Ms Nadia Gencarelli, Team Leader, Code Amendments, within the Attorney-General's Department on (08) 7109 7036 or via email Nadia.Gencarelli@sa.gov.au.

Yours sincerely



Hon Rob Lucas MLC

Treasurer

As delegate of the Minister for Planning and Local Government

8 February 2022

Enc Proposal to Initiate the Lot 5 Hampden Way, Strathalbyn, Code Amendment
Cc Mr Ryan Moyle - rmoyle@ekistics.com.au