

The Hon Vickie Chapman MP



2021/13241/01

25 October 2021

T & J Viney Property Pty Ltd  
c/- Mr Grazio Maiorano  
Director  
URPS

By email: [grazio@urps.com.au](mailto:grazio@urps.com.au)

**Government  
of South Australia**

Deputy Premier

Attorney-General

Minister for Planning  
and Local Government

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Dear Mr Maiorano

I write to advise that under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the McEvoy Road, Virginia Code Amendment.

The initiation approval is on the basis that under section 73(4)(a) of the Act, T & J Viney Property 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 (the 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.
- All appropriate deeds are signed in order to contribute to the funding of key infrastructure, to the satisfaction of the City of Playford, prior to final approval of the Code Amendment.

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

- Department for Infrastructure and Transport
- Landowners located within the Concept Plan Boundary identified on the Code Concept Plans 21 Virginia and 22 Virginia Infrastructure
- Environment Protection Authority (EPA)
- Department for Energy and Mining
- Country Fire Service
- 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:

- Demonstrate that the provision of infrastructure and services can be delivered efficiently based on executed infrastructure agreements, including necessary amendments to existing Concept Plans.
- Demonstrate that the delivery of infrastructure will not impact on the staging or delivery of development within the surrounding Master Planned Township Zone.
- An assessment of potential noise and emission impacts on future residential development and sensitive uses in the affected area from Port Wakefield Highway and the nearby motor racing facility and application of the Noise and Air Emissions Overlay.

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

#### Notes

1. In accordance with sections 44(6) & 73(6)(d) of the Act, consultation in writing must be undertaken with:
  - The City of Playford
  - Owners or occupiers of the land and adjacent land in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.
2. 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](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.

Please contact Ms Nadia Gencarelli, A/Team Leader, Code Amendments, from the Attorney-General's Department on (08) 7109 7036 or email [nadia.gencarelli@sa.gov.au](mailto:nadia.gencarelli@sa.gov.au) if you would like to discuss further.

Yours sincerely



**VICKIE CHAPMAN MP**  
DEPUTY PREMIER  
MINISTER FOR PLANNING AND LOCAL GOVERNMENT