

The Hon Vickie Chapman MP,



21MPL1434

4 May 2021

ACP Mooringe Pty Ltd
C/- Stephen Holmes
Director
Holmes Dyer

By email: stephen@holmesdyer.com.au

**Government
of South Australia**

Deputy Premier

Attorney-General

Minister for Planning
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Dear Mr Holmes

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 for the 65-73 Mooringe Avenue, Plympton Code Amendment.

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

Under 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:

- Department for Infrastructure and Transport
- Environment Protection Authority
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water and EPIC Energy, NBN and other telecommunications
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

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

- Explore the application of the Housing Diversity Neighbourhood Zone (the Urban Tree Canopy and Stormwater Management Overlays, amongst others, would be applicable with the use of this zone) as an alternative to the Master Planned Neighbourhood Zone.
- Explore application of the Affordable Housing and 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 West Torrens
 - 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

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 7109 7036 or email 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