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19 December 2022

Level 10
83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

1800 752 664
saplanningcommission@sa.gov.au

Hon Nick Champion MP
Minister for Planning

By email: DTI.ChampionMinisterials@sa.gov.au

Dear Minister

Hackham Code Amendment by the Chief Executive, Department for Trade and Investment (22EXT0330)

Thank you for your letter of 14 December 2022 to the State Planning Commission (the Commission) regarding the Hackham Code Amendment (the Code Amendment) by the Chief Executive of the Department for Trade and Investment (the Designated Entity), pursuant to section 73(1) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The Commission has reviewed the Engagement Plan and Engagement Report prepared for the Code Amendment and has considered the changes proposed to the draft Code Amendment by the Chief Executive in response to the engagement feedback.

The Commission notes that *The 30-Year Plan for Greater Adelaide: 2017 Update* identifies the area affected by the Code Amendment as 'Planned urban lands to 2045' (this referring to land within the metropolitan growth area boundary which will be used for future urban expansion purposes).

The Commission notes that some within the community are looking to the Code Amendment to safeguard against urban development of the area affected to preserve the current open/rural character of the land. However, the Commission is of the opinion that there is sufficient land set aside for conservation and natural character purposes in the surrounding area and is satisfied that the public interest will be better served by providing an additional supply of housing at Hackham to address the current shortage in the Outer South Region of Adelaide.

The Commission is also of the opinion that the policy approach proposed by the Code Amendment will realise development that responds appropriately to the area's natural character and undulating topography, noting that the proposed Concept Plan would benefit from further amendments to show contours and more steeply sloping areas.

In relation to procedural matters, the Commission has formed the view that:

- The Code Amendment process has been undertaken transparently and independent of the two key landowners (YAS Property & Development and Renewal SA) who have funded the Code Amendment.
- The engagement undertaken by the Chief Executive complied with the principles, performance outcomes and mandatory requirements of the Community Engagement Charter, and other requirements identified in the Act and *Practice Direction – 2 Preparation and Amendment of Designated Instruments*.

The Commission is also satisfied that the changes proposed to the Code Amendment in response to feedback received through the engagement process demonstrates an appropriate balance between addressing the concerns raised while providing for the key strategic outcomes of the Code Amendment to be realised.

Finally, the Commission expresses its support for your intention to refrain from adopting the Code Amendment until such time as interim infrastructure agreements are finalised and executed for the area affected by the Code Amendment. The Commission considers the interim infrastructure agreements a mechanism capable of ensuring that infrastructure requirements and costs will be resolved, and equitable cost sharing arrangements put in place ahead of development of the area affected. This is considered essential and will provide an appropriate and tangible response to those submissions (some 44 per cent of all submissions) received in response to engagement that highlighted the provision of infrastructure as a key concern with the proposed rezoning.

If you would like any further information, or wish to discuss this matter in person, please do not hesitate to contact me on 0417 878 364. I trust this information is of assistance in your deliberations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Craig Holden', with a long horizontal flourish extending to the right.

Craig Holden
Chair