

The Hon Vickie Chapman MP



21MPL1522

4 June 2021

**Government
of South Australia**

Deputy Premier

Attorney-General

**Minister for Planning
and Local Government**

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Clyde and Janice Phillips
c/- Stephen Holmes
Director
Holmes Dyer

By email: stephen@holmesdyer.com.au

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 the Hindmarsh Island Code Amendment.

The initiation approval is on the basis that, under section 73(4)(a) of the Act, Clyde and Janice Phillips 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.

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
- Country Fire Service
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water and EPIC Energy, NBN and other telecommunications
- The State Member of Parliament for the electorate 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 the proposal will not limit any future expansion of the existing urban area required to accommodate future growth and that the provision of infrastructure and services can be delivered efficiently

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) and 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.
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 Belinda Monier, Senior Planner from the Attorney-General's Department on 8343 2719 or email belinda.monier@sa.gov.au if you would like to discuss further.

Yours sincerely



VICKIE CHAPMAN MP
DEPUTY PREMIER
MINISTER FOR PLANNING AND LOCAL GOVERNMENT