

Hon Nick Champion MP



Government
of South Australia

Minister for Trade and
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Minister for Housing and
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Minister for Planning

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550 Main North Road Ltd Pty
C/- Mr Michael Osborn
Director
Future Urban

By email: michael@futureurban.com.au

Dear Mr Osborn

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 550-554 Main North Road, Evanston Park Code Amendment.

A copy of the signed Proposal to Initiate is enclosed for your reference.

The initiation approval is on the basis that under section 73(4)(a) of the Act, 550 Main North Road 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. This includes the creation of new Technical and Numerical Variation (TNV) capabilities.
- The Designated Entity must seek approval from the Commission prior to the commencement of community engagement on the draft Code Amendment.
- 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.
- Prior to approval of the Code Amendment, the Designated Entity must demonstrate to my satisfaction that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).



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
- Department for Environment and Water – Heritage
- Utility providers including SA Power Networks, ElectraNet, 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 those outlined in the Proposal to Initiate:

- Analysis of the suitability of existing zones in the Code besides the Employment Zone for large format employment generating land uses.
- Investigations to consider the interface with the adjacent residential uses and how amenity can be maintained for adjacent residential land uses.
- A search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations, including any identified cultural sites and objects.

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

It is noted that the intention to retain all current Overlays may not accord with Code drafting principles, depending on Zone selection. In particular, it may be necessary to propose removal of the following Overlays if, for instance, the Employment Zone is ultimately proposed for application to the area affected:

- Stormwater Management
- Urban Tree Canopy.

Pursuant to section 44(6) and 73(6)(d) of the Act, consultation in writing must be undertaken with:

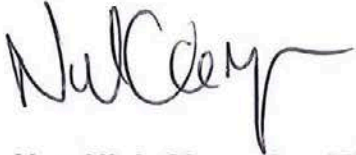
- The Town of Gawler
- Owners or occupiers of the land and adjacent land, in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Engagement must be undertaken on the Code Amendment in accordance with the Community Engagement Charter. More information on the Community Engagement Charter is available in 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 Monika Matej from Planning and Land Use Services on (08) 7109 7020 or via email at Monika.Matej@sa.gov.au.

Yours sincerely

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

Hon Nick Champion MP
Minister for Planning

30/8/2022

Encl: Signed Proposal to Initiate the 550-554 Main North Road, Evanston Park Code Amendment