

Hon Nick Champion MP



Government  
of South Australia

Minister for Trade and  
Investment

Minister for Housing and  
Urban Development

Minister for Planning

GPO Box 11032  
ADELAIDE SA 5001

T: (08) 8235 5580

E: [ministerchampion@sa.gov.au](mailto:ministerchampion@sa.gov.au)

22EXT0157

Gums ADHI Pty Ltd  
C/- Andrew Humby  
Director  
Humby Consulting

By email: [andrew@humbyconsulting.com.au](mailto:andrew@humbyconsulting.com.au)

Dear Mr Humby

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 Middleton 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, Gums ADHI 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:

- Apply the Affordable Housing Overlay to the affected area or provide clear planning rationale as to why it should not be applied.
- 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.

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

- Ramindjeri / Ngarrindjeri People
- Department for Infrastructure and Transport
- Country Fire Service
- Middleton Town and Foreshore Association
- Affordable Housing Unit of SA Housing Authority



- 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:

- Conduct a search of the Aboriginal Sites and Objects Register (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.
- Investigate potential interface issues with surrounding land uses and consideration of interface treatments with the railway reserve, surrounding residential, open space and commercial land uses.

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

Pursuant to section 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*.

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](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 Belinda Monier from Planning and Land Use Services on (08) 8343 2719 or via email at [Belinda.Monier@sa.gov.au](mailto:Belinda.Monier@sa.gov.au).

Yours sincerely



**Hon Nick Champion MP**  
Minister for Planning

25/9 / 2022

Encl: Signed Proposal to Initiate the Middleton Code Amendment