



23EXT0183

Hallan Nominees Pty Ltd
c/- Ms Belinda Monier
Senior Consultant
Future Urban

By email: belinda@futureurban.com.au

Dear Ms Monier

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 10-20 Halls Road Highbury 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, Hallan Nominees 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.
- 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, as Minister for Planning, 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.
 - A site contamination audit report has been undertaken by a suitably qualified consultant, which confirms that the affected area is suitable to accommodate sensitive land uses, as proposed by the Code Amendment.

OFFICIAL

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

- Environment Protection Authority.
- Department for Energy and Mining.
- Department for Infrastructure and Transport.
- Department for Environment and Water.
- Utility providers, including SA Power Networks, ElectraNet Pty Ltd, 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 investigation in addition to that outlined in the Proposal to Initiate:

- Explore the possible application of the Hills Neighbourhood Zone (or other similar zone from the Code) as an alternative to the General Neighbourhood Zone, noting that the Hills Neighbourhood Zone is generally applied to areas of steeper topography, contains a range of Technical and Numeric Variations (TNV) to cater for suitable allotment sizes and a suite of retaining walls provisions.

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:

- City of Tea Tree Gully.
- 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 online 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 Nadia Gencarelli, Team Leader – Code Amendments, Planning and Land Use Services on (08) 7133 2311 or via email at Nadia.Gencarelli@sa.gov.au.

OFFICIAL

Yours sincerely



Hon Nick Champion MP
Minister for Planning

bs / 2023

Encl: Signed Proposal to Initiate the 10-20 Halls Road Highbury Code Amendment