



23EXT0365

Ms Emily Nankivell
Associate Director
Future Urban

By email: engagement@futureurban.com

Dear Ms Nankivell

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 Wallaroo 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, Demo Super Fund, Silvergate (SA) Pty Ltd and Silvergate (SA) No. 2 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:

- Prior to the adoption of the Code Amendment, the Designated Entity must demonstrate, to the satisfaction of the 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, to the satisfaction of all relevant infrastructure providers.
- 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.

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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 Energy and Mining
- Department for Education
- Affordable Housing Unit of the SA Housing Authority
- Department for Environment and Water
- Department for Infrastructure and Transport
- Department of Primary Industries and Regions
- Environment Protection Authority (EPA)
- South Australian Country Fire Service
- 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 that outlined in the Proposal to Initiate:

- Investigate potential Interface Management issues, given the sensitivity of the surrounding land use activities.
- Stormwater investigations to ensure there is no run-off to the Conservation Zone and surrounding land.
- Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify any relevant Aboriginal heritage considerations, including any identified cultural sites and objects.

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:

- Copper Coast 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.

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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

Yours sincerely



Hon Nick Champion MP
Minister for Planning

19 / 12 / 2023

Encl: Signed Proposal to Initiate the Wallaroo Code Amendment