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of South Australia**

**Minister for Trade and
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**Minister for Housing and
Urban Development**

Minister for Planning

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Mr Phu Nguyen
Chief Executive Officer
City of Onkaparinga

By email: phu.nguyen@onkaparinga.sa.gov.au

Dear Mr Nguyen

I write to advise that under section 73(2)(b)(iv) 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 McLaren Vale Township Code Amendment.

I would like to take this opportunity to commend the City of Onkaparinga for progressing this important strategic work with a view to providing increased opportunities for employment and housing diversity whilst also strengthening the valued characteristics of the McLaren Vale township.

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, the City of Onkaparinga 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:

- With the exception of the creation of a new Character Area Statement, 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 (TNVs) provided for under the published Planning and Design Code (on the date the Amendment is released for consultation).
- The new Character Area Statement is prepared by the Designated Entity in close collaboration with the Code Drafting Team within Planning and Land Use Services (PLUS) in line with the Commission's 'three-pronged approach' to character and heritage reform. Consideration should be given to providing guidance for future desired built form to help drive the establishment of a strong 'main street' feel.



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- With the exception of reducing allotment sizes to accommodate residential flat buildings and group dwellings, amendments to TNVs within the Established Neighbourhood Zone are not included in the Code Amendment (i.e. increased minimum allotment sizes/frontage widths, and reduction of building heights to one storey).
- The Designated Entity seeks 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.

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

- Affordable Housing Unit of the SA Housing Authority.
- South Australian Country Fire Service.
- Department for Education.
- Department for Infrastructure and Transport.
- Department for Water and Environment.
- Environment Protection Authority.
- 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 investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Further investigate the extent of the Gateway Overlay and overlap/interaction with the Character Area Overlay to ensure policies do not conflict and will enable the intended development outcomes at the township entrance.
- Investigate the potential increase of building heights within a core section of the proposed Township Main Street Zone to maximise opportunities for retail growth and commercial viability, and to drive the establishment of a strong 'main street' feel.
- Assess the impact of the proposed amendment on potential dwelling supply in the township of McLaren Vale and the City of Onkaparinga.

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:

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

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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, PLUS, on 08 7133 2311 or via email at Nadia.Gencarelli@sa.gov.au.

Yours sincerely



Hon Nick Champion MP
Minister for Planning

26 / 8 / 2023

Encl: Signed Proposal to Initiate the McLaren Vale Township Code Amendment

cc: Mr Jonathan Luke, Team Leader Development Policy, City of Onkaparinga
(Jonathan.Luke@onkaparinga.sa.gov.au)