

**Hon Nick Champion MP**



**Government  
of South Australia**

Minister for Trade and  
Investment

Minister for Housing and  
Urban Development

Minister for Planning

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Bluegum Borders Pty Ltd  
C/- Mr Graham Burns  
MasterPlan SA

By email: [GrahamB@masterplan.com.au](mailto:GrahamB@masterplan.com.au)

Dear Mr Burns

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 Old Sturt Highway Nuriootpa 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, Bluegum Borders 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.

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

- South Australian Country Fire Service
- Department for Infrastructure and Transport
- The Barossa Council
- 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:

- Removal of the Limited Land Division Overlay.
- General amenity impacts on adjacent residential development within the Neighbourhood Zone, including building design, hours of operation, servicing and vehicle movements.

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:

- Light Regional 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 Catherine Hollingsworth from Planning and Land Use Services on 0457 837 760 or via email at [catherine.hollingsworth@sa.gov.au](mailto:catherine.hollingsworth@sa.gov.au).

Yours sincerely



**Hon Nick Champion MP**  
Minister for Planning

26 / 6 / 2022

Encl: Signed Proposal to Initiate the Old Sturt Highway Nuriootpa Code Amendment