

ENGAGEMENT REPORT

MIDDLETON CODE AMENDMENT

Section 73(7) of the
Planning, Development and Infrastructure Act 2016

Prepared by Humby Consulting
on behalf of the Designated Entity

MAY 2023

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1 Purpose

This report has been prepared by Andrew Humby of Humby Consulting on behalf of Gums ADHI Pty Ltd (the Designated Entity) for consideration by the Minister for Planning and Local Government (the Minister) in adopting the Middleton Code Amendment (the Code Amendment).

The report details the engagement that has been undertaken, the outcomes of the engagement including a summary of the feedback made and the response to the feedback and the changes to the Code Amendment. In addition, the report evaluates the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved. Any changes to the engagement plan during the process is also outlined.

This report will also address the conditions requested by the Minister for Planning as outlined in the initiation approval granted 28 September 2022 as the conditions must be addressed and are relevant to the outcome of Code Amendment policy.

2 Introduction

What is the Code Amendment?

Gums ADHI Pty Ltd is proposing an amendment to the Planning and Design Code (the Code Amendment) as it relates to land located at Lot 104 Port Elliot Road, Middleton and Lot 105 Mindacowie Terrace, Middleton (the Affected Area) as shown in Figure 1.

The Code Amendment proposes to replace the existing zone, being the Deferred Urban Zone, with the Master Planned Township Zone. The Amendment proposes to introduce numerical standards such as site area and building height.



Locality Plan

MIDDLETON, SA

 Affected Area



March 2022
Scale 1:8500

Figure 1 – Affected Area

Why was this Code Amendment initiated?

The Affected Area comprises 8.78 hectares of land currently used for farming purposes. The Affected Area is currently zoned Deferred Urban to logically expand upon the abutting residential areas to the south and east. Primary production land to the north is contained within the Environment, Food and Production Area which restricts future land division for residential purposes.

What does the Code Amendment hope to achieve?

The proposed Code Amendment seeks to change the zoning of the Affected Area to Master Planned Township Zone.

The new zone will facilitate the redevelopment of the Affected Area with residential development that are complementary in size and scale to the surrounding residential development.

What was the purposes of engagement?

The purpose of engagement is to ensure that individuals, businesses, organisations and communities interested in and/or affected by the proposed Code Amendment are able to provide feedback and influence particular elements of the proposed Code Amendment during the preparation stage, and prior to the finalisation of the Code Amendment.

Specifically, the engagement will:

- Communicate to raise awareness that a Code Amendment is being prepared.
- Provide information about what is proposed by the Code Amendment including the location of where the proposed changes will apply.
- Allow community and stakeholders to understand the future development implications that the proposed Code Amendment may facilitate, and any impacts this may have on them
- Provide the opportunity for stakeholders and community to identify issues and opportunities early, so that they can be considered in the preparation of the Code Amendment.
- Enable stakeholders and community to provide feedback on the Code Amendment prior to it being finalised and submitted to the State Planning Commission and Minister for Planning.
- Close the loop with stakeholders and community to inform them of the outcomes of the engagement process, and how they can access the final version of the Code Amendment.
- Meet statutory requirements as they relate to engagement on a Code Amendment.
- Build relationships and a community of interest to support future activities (i.e. construction) at the site.

3 Engagement Approach

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

The Designated Entity prepared an engagement plan (the Engagement Plan) to apply the principles of the Community Engagement Charter. The purpose of this engagement was to:

- To ensure the Alexandrina Council community and landholders have easy access to the appropriate information about the proposed Code Amendment.
- To provide easy to understand written and graphic materials that explain and demonstrate the impacts of the proposed policy change on the envisaged development in the area.
- To give opportunities for stakeholder engagement to inform the amendment.
- To gain input from community and stakeholders in ways that are inclusive and engaging and inform the amendment.
- To ensure that all affected and interested stakeholders have the ability to provide input.
- The process builds positive relationships between Council and the community, and positions Alexandrina Council as an organisation that is providing sound management decisions.
- Information is provided to the community of the decision following the completion of the consultation process.
- To comply with the Community Engagement Charter and the *PDI Act 2016*.

3.1 Engagement Activities

Pre Engagement

The following pre-engagement activities were conducted prior to the commencement of the formal engagement period:

- (a) A briefing to Alexandrina Council staff on 15 February 2022 regarding the draft Code Amendment and discussion around infrastructure and the future use of Planning and Design Code policies.
- (b) Attendance at Middleton Policy Workshop on 27 October 2022. This workshop, coordinated by the Alexandrina Council discussed the short/medium/long-term strategic directions of the Middleton Township – including the land subject to this Code Amendment. The workshop provided the Designated Entity (represented by Humby Consulting) the opportunity to inform the Alexandrina Council, Community Members, Middleton Town and Foreshore Association and Department for Infrastructure and Transport the intent of the Code Amendment
- (c) A briefing provided to the Elected Members at Alexandrina Council on 12 December 2022. The briefing provided the Elected Members with:
 - An overview of the proposed Code Amendment
 - An opportunity to ask questions of the Designated Entity (represented by Humby Consulting).
- (d) Briefings to the Middleton Town and Foreshore Association on the following dates:
 - 7 February 2022
 - 4 April 2022
 - 2 May 2022
 - 6 June 2022

Engagement

The formal engagement period commenced on Thursday 19 January 2023 and completed on Friday 17 March 2023 for the public and key stakeholders. Additional time was also provided to the Alexandrina Council and Department for Infrastructure and Transport as a consequence of a request for additional time in which to finalise submissions.

The engagement involved:

- Letters* together with a Fact Sheet being sent to the owners and occupiers of land considered to be impacted by the proposed Code Amendment (360 letters in total). The letter and Fact Sheet included information about the proposed Code Amendment and the letter outlined how information could be obtained and how feedback could be provided
- Letter* being sent to the CEO of the Alexandrina Council advising of the proposed Code Amendment, the commencement of the engagement and offering the opportunity to give feedback.
- Letters* (and emails, where addresses known) being sent to the relevant external stakeholders (e.g. LGA, Local MPs, State government agencies and utility providers) advising of the proposed Code Amendment and offering the opportunity to give feedback
- All documentation and correspondence included the name and direct contact details for the representative acting for the Designated Entity
- A dedicated engagement email address was established to ensure all emails were captured. All emails and phone calls were responded to within 24 hours or less and a register maintained of the nature of the query, the response, and whether the matter was satisfactorily addressed.
- Meetings, upon request, were held with the following residents/associations:
 - 6 February 2023 - Middleton Town and Foreshore Association meeting
 - 6 February 2023 - Michael and Michelle Jones – meeting at Seaview Road, Middleton to discuss the project and existing stormwater issues
 - 21 February 2023 – Middleton Storm Disaster Group Meeting, Middleton
 - 10 March 2023 – Meeting on site with Mark Laurie and Peter Gilbert (residents of Middleton)

*All letters were prepared using the templates provided in the Code Amendment Toolkit on the SA Planning Portal.

Community Information Events

Two (2) community information events (community drop-in sessions) were held within Middleton during the peak holiday period in late January / early February. A total of 360 property owners were invited to participate via notification by letter.

The events were held on the following days:

- Saturday January 28th 2023, 10 am till 1 pm – An information station which was set up near the entrance to the Middleton IGA, located centrally within the mainstreet of the Middleton township. There were 3 representatives available on behalf of the Designated Entity to provide assistance to community members and answer any questions.

A total of 80 community members, including one representative from Alexandrina Council attended the session.

- Wednesday 1st February 2023, 11am to 1pm - An information station was set up on the subject land, accessed off Mindacowie Terrace, Middleton. Two representatives were available on behalf of the Designated Entity to provide assistance to community members and answer any questions.

A total of 52 community members, including one representative from Alexandrina Council attended the session.

3.2 Mandatory Requirements

The following mandatory engagement requirements have been met:

- Notice in local paper 'Fleurieu Sun' (Thursday, 19 January 2023) which also included dates for the drop-in sessions
- Notice in local paper 'Victor Harbor Times' (Thursday, 19 January 2023) which also included dates for the drop-in sessions
- Notice and consultation with the Alexandrina Council
- Notice and consultation with the Local Government Association
- Notice and consultation with Owners and Occupiers of Land which is specifically impacted.

4 Engagement Outcomes

Public submissions

In total, we have received 37 public submissions which is some 10% of the total of letters that were distributed. Of the 37 public submissions:

- 20 Do not Support
- 10 Impartial
- 7 Supports, with some suggestions (ie traffic controlling devices/roundabouts).

Other submissions

In addition to the public submissions, a total of 9 submissions were also received from the following key stakeholders:

- Alexandrina Council
 - Support, subject to amendments
- Epic Energy
 - No comment
- APA
 - No comment
- SA Housing Authority
 - Support the application of the Affordable Housing Overlay
- Environment Protection Authority
 - Impartial recognising that the P&D Code provides sufficient policy to address water quality, stormwater, interface and soil contamination
- Department for Environment and Water
 - Notes the investigations of the Code Amendment and reiterate a design for increased Water Sensitive Urban Design and stormwater retention features as part of the future development
- SA Water
 - Augmentation will be required to water network; no sewer mains available.
- Country Fire Service
 - Support subject to appropriate policy
- Department of Transport
 - Support subject to amendments

Summary of Key Themes

A detailed summary of the issues raised in each submission, and the responses to the issues is provided in **Attachment 1**.

A copy of the submissions in full is contained in the attachments as follows:

Attachment 2 – Submissions from the Community

Attachment 3 – Submission from Alexandrina Council

Attachment 4 – Submissions from Other Stakeholders

A summary of the key matters raised in the submissions is provided below:

Zone Selection and Policy

The proposed zone was considered to be a logical extension to the present township and a number of submissions particularly supported the larger allotment size (minimum 1200m²) to retain the existing character of the Middleton township. However, concerns were raised that commercial and industrial activities are envisaged in the zone and that an encumbrance or building envelope should be adopted to prevent the development of land for commercial/industrial development, and/or support energy efficient building design techniques.

Alternatively, there were concerns that the subject land should be retained for future commercial growth of the main street.

A number suggested that the subject land should remain as open space as development of the land will impact on the existing outlook and 'village' character of the township and compromise the visual separation of each township as it sets a precedent for development of each township.

The Alexandrina Council suggested the inclusion of the Urban Tree Canopy Overlay across the Affected Area.

Concept Plan

Many submissions commented on the proposed public open space, suggesting that the drainage ponds will render the open space unusable and that insufficient water resources will be able to sustain the reserve and its flora. There were suggestions that the public open space should be incorporated into the landscape reserve along Basham Beach Road.

Suggestions were also made that the public open space provides opportunity for public art and that the public open space will form part of an important gateway entrance to Middleton.

There were also comments about the road layout and concerns with the position of driveways relative to other existing driveways.

There was general support for the proposed bicycle/walking trail along the railway reserve in many submissions subject to appropriate landscaping, fencing and connections to the reserve from the Affected Area. It was noted that the proposed bicycle/walkway does not link directly with the Encounter Bay Bikeway or cyclist facilities in the Middleton township.

The Alexandrina Council requested that the internal road layout be removed from the Concept Plan.

Housing Affordability

There were concerns raised about the affordability of the proposed allotments.

SA Housing Authority support the application of the Affordable Housing Overlay.

Traffic Movement and Safety

Traffic and safety issues were certainly the most prevalent concerns raised throughout the majority of submissions. There were concerns raised in relation to increasing traffic volumes and congestion generated by the development along Port Elliot Road, and other intersections and surrounding roads. Traffic safety concerns with vehicles attempting to cross over Port Elliot Road (turning right to head towards Goolwa) was raised as a major concern in many submissions. Suggestions of a roundabout at certain intersections to

improve safety, a reduction to speed limit on approach to Middleton township or a bypass around Middleton were included to address the traffic concerns.

The Department of Transport and Infrastructure indicated that final access arrangements or potential infrastructure upgrades will require further traffic assessment and acceptance at the Land Division/Land Use application stage(s). In any event, the intent to limit access to Port Elliot Road to via a new junction and the existing Port Elliot Road/Basham Beach Road junction is supported.

Pedestrian Movement and Safety

Pedestrian safety was also a recurrent concern raised in many submissions. In particular, safety concerns for pedestrians trying to cross over Port Elliot Road, particularly during peak holiday periods, was raised. Pedestrian refuge spots was a suggestion.

Infrastructure and utilities

There were concerns raised that a common effluent scheme has yet to be established in the Middleton township and stormwater infrastructure will not be able to support the additional housing and increased surface run-off.

It was suggested that power infrastructure be installed underground and that appropriate road infrastructure be installed (kerb, gutter, stormwater pipes).

SA Water confirmed that no sewer mains is available to the Affected Area.

Social Infrastructure and Services

Concerns were raised that insufficient social infrastructure and services (shops/schools) are available to support additional housing.

Environmental impact and considerations

Basham Beach is home to the endangered Hooded Plover and there were concerns that development of the subject land will impact on the Hooded Plover and other local fauna, especially during breeding season. Concerns were also raised that stormwater run-off from the development of the site disposing into the sea will impact on the marine environment.

The Environment Protection Authority indicating that the current policy framework of the Planning and Design Code provides sufficient policy to address water quality, stormwater, interface and soil contamination.

The Department of Environment reiterated that future development will be required to consider Water Sensitive Urban Design and stormwater retention features.

Cockle Train

The heritage and tourist value of the Cockle Train was identified in a number of submissions. There were suggestions that the train station should be upgraded and comments that further information be sought around fencing along the rail reserve, access to Middleton Station from the proposed bike/walking path, stormwater management to protect the railway line and any upgrades to the level crossings.

There was also concern raised with the potential for fire risk (ignition from train embers) given the close proximity of the railway line to the subject land.

5 Post Engagement Changes to the Code Amendment

In response to the matters raised in the submissions, a table was prepared that summarises the issues raised through the engagement (**Attachment 1**).

The Designated Entity considered that further traffic and pedestrian movement investigations were required to appropriately address the concerns raised in the submissions. As a result, the Designated Entity engaged CIRQA to review the traffic and pedestrian related comments and provide a response. In summary, CIRQA concluded that:

- the level of traffic generation associated with the potential development of the Affected Area is very low.
- the small increase in traffic volumes would have minimal impact on crossing conditions for pedestrians on Port Elliot Road.
- The final location for the new intersection on Port Elliot Road can be confirmed as part of a future land division (or land use) application for the site. This would include associated design inputs as well as further liaison with the Department for Infrastructure and Transport. The treatment of Basham Beach Road can also be further reviewed as part of future land division (or land use) applications in conjunction with DIT (who would be a referral agency as required by the Planning and Design Code).

Following the review of the Engagement Report, the various written submissions received throughout the Engagement, and the additional traffic and movement investigation, the Designated Entity has formed the view that the following changes are required to the Code Amendment:

- Application of the Urban Tree Canopy Overlay.

A copy of the Designated Entity's response to the written submissions is provided in **Attachment 1**. **Attachment 5** contains a copy of the review undertaken by CIRQA in relation to the traffic, parking and pedestrian comments.

6 Evaluation of Engagement

To ensure the principles of the Community Engagement Charter (the Charter) are met, an evaluation of the engagement process for the Code Amendment has occurred.

6.1 Performance Indicators for Evaluation

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

Evaluation of Engagement by Community Members

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
2. **Confident their views were heard** during the engagement.
3. They were given an adequate **opportunity to be heard**.
4. They were given **sufficient information** so that they could take an informed view.
5. **Informed** about why they were being asked for their view, and the way it would be considered.

This evaluation was undertaken through:

1. Post Engagement Letter

Following the close of the engagement period, a letter was emailed to all community members (as well as sent by mail where an email address was not provided) who had contacted the Designated Entity (via Humby Consulting) during the engagement period and/or made a submission on the proposed Code Amendment.

The letter provided:

- A 'What We Have Heard' summary of the submissions that had been received.
- An overview of the next steps in the Code Amendment process.
- A link and QR Code to access a survey on the engagement process.

A copy of the post-engagement letter is provided in **Attachment 6**.

2. Post Engagement Survey

As indicated above, the covering letter included a link and QR Code to access an online engagement evaluation survey. Of the 37 people who were sent the survey, a total of five (5) responded (13.5%).

The post engagement survey was created using 'Survey Monkey'. The questions asked in the survey had a direct link to the minimum mandatory performance indicators.

The Community engagement surveys and results can be found in **Attachment 7**.

In addition to the above mandatory performance indicators, respondents were also asked whether they would like to provide any feedback on how the consultation process could be improved; no comments or suggestions were made by all respondents.

Evaluation of Engagement by the Designated Entity

A further evaluation of the engagement process is required to be undertaken by (or on behalf of) the Designated Entity. The minimum performance indicators require an evaluation by the Designated Entity of whether (or to what extent) the engagement:

1. **Occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme.
2. **Contributed to the substance** of the final draft Code Amendment.
3. **Reached those identified** as communities or stakeholders of interest.
4. **Provided feedback to community** about outcomes of engagement.
5. Was **reviewed throughout** the process and **improvements put in place**, or recommended for future engagement.

The evaluation of the engagement was undertaken by Andrew Humby of Humby Consulting on behalf of the Designated Entity. The results of the evaluation are contained in **Attachment 8** to this Engagement Report.

6.2 Evaluation Results against the Charter principles

The following is a summary of the evaluation of the engagement against the five principles of the Charter. The full results of the evaluation can be found in **Attachment 7** and **Attachment 8** to this Engagement Report.

Evaluation Results - Community Members

The following summarises the data captured via the post engagement online survey and covering letter. All questions were presented as a Likert scale with respondents being able to choose the option closest to how they felt (ie strongly disagree to strongly agree).

Charter Principle 1: **Engagement is genuine**

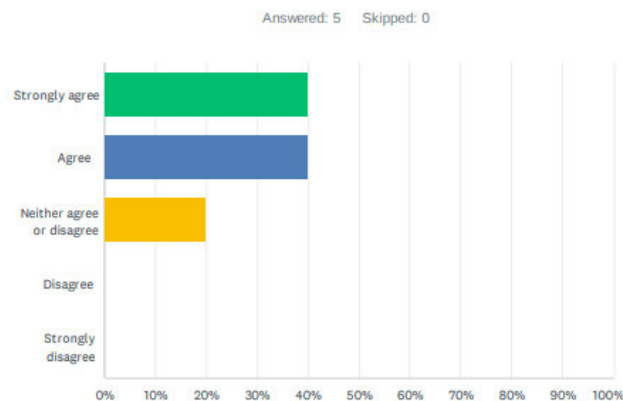
Performance Outcome: People had faith and confidence in the engagement process

Members of the community that had lodged a submission and/or were located within the catchment for consultation, were asked the following survey question(s):

I feel the engagement genuinely sought my input to help shape the proposal

Survey result includes:

Q6 I feel the engagement genuinely sought my input to help shape the proposal:



Discussion: A total of 5 responses were received in relation to this question, with the majority of respondents in agreement that the engagement was genuine.

The following opportunities were provided to enable the community to genuinely seek and provide feedback.

- Letters were sent to the owners and occupiers of land within the catchment for community consultation. Letters were sent to interested parties ahead of time to ensure they were received prior to the commencement of the formal engagement period.
- Notice was placed in the local papers
- Participants were able to view the draft Code Amendment online or in person at the Council Office
- Participants were able to contact Andrew Humby of Humby Consulting via email or by telephone, and arrange a time to meet personally upon request during the entirety of the consultation period
- Two (2) community drop-in sessions were held within Middleton;
 - one on a Saturday morning (10 am – 2pm) under shelter and at the front of the local convenience store (IGA) and during the peak summer holiday period;
 - the second drop-in session was held at the Affected Area during the week (Wednesday 11am – 1pm).
 - The community drop-in sessions were held close to the beginning of the formal consultation period to enable sufficient time to clarify any queries and/or one-on-one meetings to be arranged.

The sessions were held on different days and at different times to capture as many people as possible.

- All engagement material was based on a suite of documents complemented by diagrams and figures to ensure that the documents were easy to understand
- A Fact Sheet providing a simplified version of the draft Code Amendment was made available at the Council office and library and at the drop-in sessions. The Fact Sheet was also emailed to the community members within the catchment for community consultation.

The engagement sought to genuinely seek robust discussion and feedback in a variety of ways and via a variety of tools and methods. The engagement activities were held in accessible locations and during times when the community was able to attend.

Charter Principle 2: Engagement is inclusive and respectful

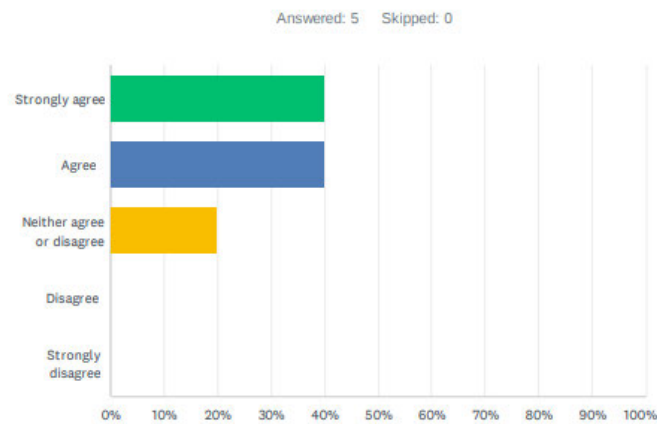
Performance Outcome: Affected and interested people had the opportunity to participate and be heard.

Members of the community that had lodged a submission and/or were located within the catchment for consultation, were asked the following survey question(s):

I am confident my views were heard during the engagement

Survey result indicates:

Q9 I am confident my views were heard during the engagement and consultation period:



Discussion: A total of 5 responses were received in relation to this question, with the majority of respondents in agreement that their views were heard during engagement. Correspondence prepared on behalf of the designated entity (contained in **Attachment 6**) provided an acknowledgement of the submission and a brief summary of themes that were raised during consultation.

In addition, this engagement summary report provides a detailed analysis of all issues raised by the community and stakeholders. **Attachment 1** also contains a brief response to the issues raised. Given the strong responses to traffic concerns, the Designated Entity engaged CIRQA to review the issues raised to assist in informing whether any amendments are needed for the Code Amendment.

Charter Principle 3: **Engagement is fit for purpose**

Performance Outcome: People were effectively engaged and satisfied with the process.
People were clear about the proposed change and how it would affect them.

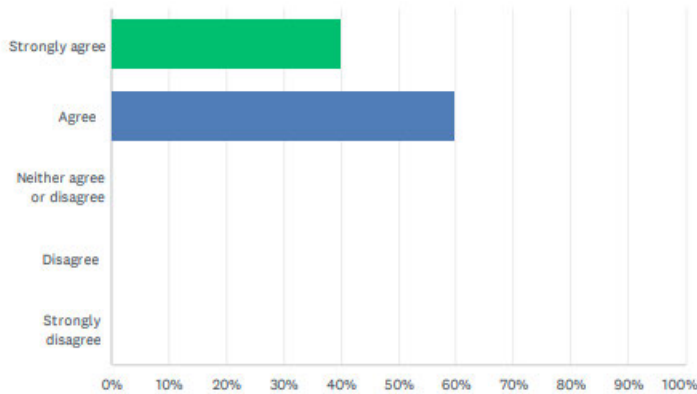
Members of the community that had lodged a submission and/or were located within the catchment for consultation, were asked the following survey question(s):

I was given an adequate opportunity to be heard
I was given sufficient information so that I could take an informed view

Survey result indicates:

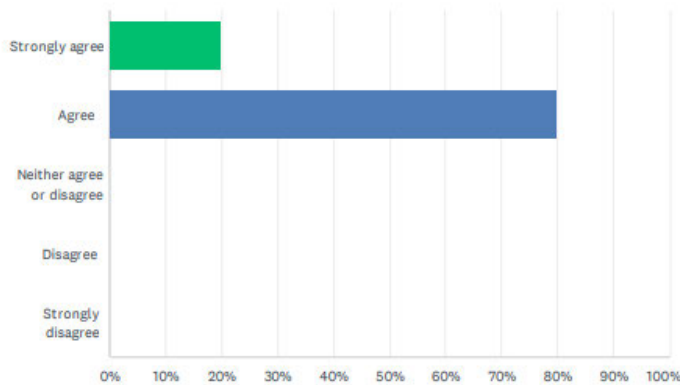
Q8 I was given adequate opportunity to provide my feedback:

Answered: 5 Skipped: 0



Q5 I was given/been provided access to sufficient information so that I could make an informed view about what is proposed:

Answered: 5 Skipped: 0



Discussion: A total of 5 responses were received in relation to each question, with positive results from the respondents in relation to the above 2 questions.

The engagement approach provided various opportunities for community and stakeholders to access information that was presented in plain English. Fact sheets and covering letters were circulated within the catchment area and copies were also made available in hard copy at the Alexandrina Council office.

In addition, two (2) community drop-in sessions were held during the formal engagement period which allowed discussion and/or queries, and a range of options were used to enable people to provide feedback – including in person, by phone, by email, by PlanSA written submission. Attendance of the community drop-in sessions were well attended. Some respondents to Question 5 of the survey indicated:

“Our concerns acknowledged, suitable documentation readily available and face to face discussions very helpful.”

“Multiple options to obtain information”

All feedback received during the engagement period have been analysed and included in this Engagement Report. The eight (8) week consultation period was an adequate timeframe to allow people to absorb the information, ask any questions and provide feedback.

Principle 4: Engagement is informed and transparent

Performance Outcome: All relevant information was made available and people could access it

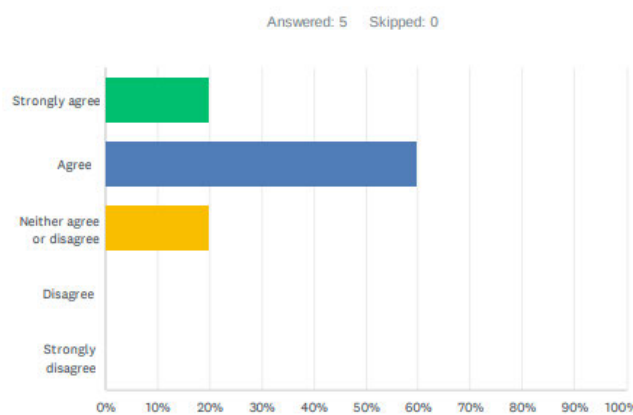
People understood how their views were considered, the reasons for the outcomes and the final decision that was made'

Members of the community that had lodged a submission and/or were located within the catchment for consultation, were asked the following survey question(s):

I felt informed about why I was being asked for my view, and the way it would be considered

Survey result indicates:

Q10 I felt informed about why I was being asked for my view, and the way it would be considered:



Discussion: A total of 5 responses were received in relation to this question, with the majority in agreement. The Community Drop-in sessions, Fact Sheet and in-person meetings, assisted in confirming with the interested community members why feedback was being sought and the scope of influence.

Evaluation Results – Designated Entity

The engagement was evaluated by Andrew Humby (Humby Consulting) on behalf of the Designated Entity.

A copy of the evaluation form is provided in **Attachment 8**.

Principle 1: Engagement is genuine

Evaluation Statement(s):

Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme

It was agreed that the engagement occurred early enough for feedback to influence the outcome, with early engagement with Council assisting with an understanding of the local issues.

Engagement contributed to the substance of the final plan

Early engagement with Council, members of the community and the Middleton Town and Foreshore Association – prior to the commencement of the Code Amendment process enabled genuine feedback that assisted in shaping the outcomes of the Code Amendment. In particular, early discussions with inclusion of a large area of public open space adjoining Mindacowie Terrace, the improved linkages to the Cockle Train Station and resolving appropriate allotment sizes that are contiguous with nearby allotments.

It is considered that the engagement complies with Principle 1 of the Community Engagement Charter.

Principle 2: Engagement is inclusive and respectful

Evaluation statement:

The engagement reached those identified as the community of interest

The engagement reached a broad range of the community, with direct involvement with the Middleton Town and Foreshore Association, letter drop to 360 allotments and a range of consultation events (both pre and during the formal consultation process).

The engagement also formed part of the Alexandrina Council - Middleton Policy Workshop on 27 October 2022.

It is considered that the engagement complies with Principle 2 of the Community Engagement Charter.

Principle 4: Engagement is informed and transparent

Evaluation statement:

Engagement included the provision of feedback to community about outcomes of their participation

A letter was sent to all members of the community who had provided a submission during the public engagement process. The letter provided a summary of the key submissions received and an outline of the next steps in the Code Amendment process.

It is considered that the 'closing the loop' strategies undertaken as part of the engagement were appropriate and comply with Principle 4 of the Community Engagement Charter.

Principle 5: Engagement processes are reviewed and improved

Evaluation statement:

Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement

The engagement process was reviewed throughout the process to ensure that improvements could be undertaken. The meeting on site with a number of residents, following the completion of key community 'drop-in sessions', is one such improvement that occurred.

Feedback from the community suggest that the extent of consultation was supported and that they felt included in the Code Amendment process. It is considered that Principle 5 of the Community Engagement Charter has been met.

Charter is valued and useful

Evaluation statement:

*Identify **key strength** of the Charter and Guide and identify **key challenge** of the Charter and Guide*

The Charter and Guide contains useful 'steps' to guide the suitable levels of engagement and provide a higher level of accountability in 'closing the loop'.

However, Code Amendments do vary in complexity and scale, with smaller proposals being provided with some flexibility in the engagement process – possibly with some guidance on suitable consultation times (ie 4 weeks compared with 6 or 8 weeks).

7 State and Local Government Factors

Ministers agreement to Proceed

On the 28 September 2022, the Minister for Planning approved the Proposal to Initiate the Middleton Code Amendment subject to conditions relating to policy and engagement. A copy of the Proposal to Initiate letter of approval is contained in **Attachment 9**.

Policy

- The Affordable Housing Overlay will be applied across the Affected Area
- The Code Amendment does not propose new planning rules
- Interface issue with the surrounding land uses and interface treatments have been adopted via the inclusion of:
 - a public open space which will perform as a buffer and create separation between the Middleton Tavern and the proposed residential properties
 - a substantial road reserve along the Port Elliot Road
 - a walking/bicycle trail along the railway corridor. The type of fencing design will be considered as part of the future land division application.

Engagement

- The Designated Entity consulted with the stakeholders as requested, with any comments received contained in **Attachment 1**, as well fulfilled the consultation requirements in accord with section 44(6) and 73(6)(d) of the Act.
- A search of the Aboriginal Sites and Objects Register (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects was undertaken. No Aboriginal heritage nor cultural site and objects were identified. **Attachment 10** contains a copy of the letter from the Aboriginal Sites and Objects Register (Taa wika).

It is therefore concluded that the matters identified in the Minister's letter to proceed have all be satisfactorily addressed.

State Planning Commission – 'Rural Living Lot' Position

The State Planning Commission and the Minister for Planning, via letter dated 15 November 2022, advised of concerns regarding the proliferation of rural living, also referred to as 'country living', development rezoning proposals in rural areas on the fringes of townships and per-urban areas of metropolitan Adelaide.

It was identified that rural living development can result in the inefficient delivery of services, removal of fragmentation of viable primary production land, and land use conflicts with adjacent farming operations.

The Commission indicated that allotment sizes in rural living areas range from 1,200 square metres up to 20 hectares and can include some level of rural activity such as horse keeping, hobby farming or horticulture.

The proposed rezoning of the existing Deferred Urban Zone to Master Planned Township Zone does not specify a minimum allotment size. However, the Master Planned Township Zone indicates the following where an allotment is not connected to a mains sewer or an approved Community Wastewater Management Scheme (CWMS):

Extract from Master Planned Township Zone:

DTS/DPF 11.2

Allotments not connected to mains sewer or an approved common waste water disposal service accord with the following site areas:

- (i) *are not less 1200m² site frontages are not less than 20m.*

At this stage, there is no mains sewer system or an approved common waste water system that anticipated allotments will be able to connect into; therefore allotment sizes within the Affected Area would need to be in the order of 1200m² in area to be able to treat septic waste with an on-site system.

The Alexandrina Council has no short-medium term plans to install a CWMS as a result of strong feedback from the community. Therefore, the allotment sizes for the Affected Area will consequently default to a minimum allotment size of 1200m² until such time anticipated allotments can connect to a CWMS.

It is clearly not the intention of the Code Amendment to support 'rural living' allotments that foster semi-rural activities, such as horse keeping, hobby farming or horticulture. Although the chosen zone does allow low-density residential allotment sizes, this is reflective of the need to provide an on-site septic waste tank and soakage areas, due to the lack of available communal infrastructure.

The Master Planned Township Zone seeks the expansion of the existing township with a range of housing that caters to emerging needs and lifestyles that are within easy reach of services, facilities and open space. The proposed Code Amendment supports this intent.

The consultation process has clearly indicated a broad level of support from the community for the anticipated allotment size to ensure that waste water management can be addressed, while ensuring that the allotment configuration is complementary to the existing Middleton streetscape characteristics.

It is also acknowledged that the Alexandrina Council has provided support for the proposal.

Middleton Master Plan – April 2023

On 17 April 2023, the Alexandrina Council considered the draft Middleton Master Plan prepared by Jenson Plus.

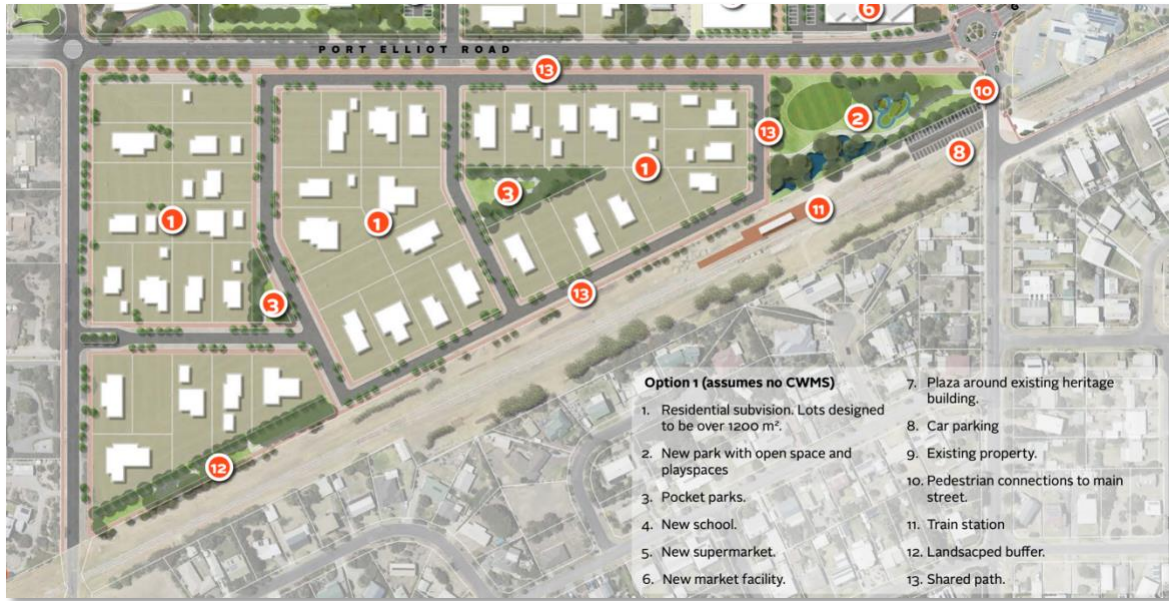
Jenson Plus was engaged by the Alexandrina Council to prepare a place-based Master Plan for Middleton to guide the future development of the town and identify actions to enhance local character.

The Middleton Master Plan was prepared with the direct input and participation of the following:

- Middleton community members
- Regional Development Australia
- Alexandrina Council
- Elected Members of Alexandrina Council

The Deferred Urban Zoned land, west of the Middleton township, was investigated to determine how to provide additional housing that reflects the desires of the community, responds to local constraints and reflects the existing township characteristics.

The image below details one way of achieving this outcome, which is clearly noted has similarities to the draft Concept Plan contained within the draft Middleton Code Amendment.



Source: Middleton Master Plan - April 2023. Jensen Plus

Whilst the allotment layout as depicted by the Master Plan prepared by Jensen Plus differs from the Concept Plan as proposed in this Code Amendment, the intention to develop the land for residential development is consistent with the outcomes being sought by the Middleton Master Plan.

8 Conclusion

Summary

The engagement process for the proposed Code Amendment was a well-considered and effective process, successfully engaging with community of interest. Engagement with relevant stakeholders, plus additional agencies as requested by the Minister of Planning, was also undertaken by the Designated Entity.

A range of engagement approaches ensured that information was easy to access, and that there were a number and convenient ways to provide feedback. The official Code Amendment documents were complemented by easy to understand Fact Sheets to assist in conveying the key points relating to the Code Amendment.

Whilst the majority were not in support of the Code Amendment, the planning issues raised could be addressed via Planning and Design Code policy. In essence, the common themes that were raised during the consultation process include:

- The appropriateness of the Zone and whether additional overlays are required
- Concept plan detail and suitability
- Housing Affordability policy
- Traffic volume impact and safety
- Pedestrian movement and Safety
- Capacity and provision of Infrastructure and utilities
- Whether social infrastructure and services (shops/schools) are sufficiently available to support additional housing.
- Environmental impact of development within the affected area on local fauna and marine environment
- The heritage and tourist value of the Cockle Train.

The Designated Entity engaged CIRQA to undertake additional research given the considerable number of concerns raised around traffic and pedestrian safety.

The survey results are overwhelmingly positive in relation to the engagement process and level of information.

Evaluation undertaken on behalf of the designated entity conclude that the engagement process successfully sought to reach the community within the township and landowners in a genuine and informative way.

It is also acknowledged that the Alexandrina Council released the Middleton Master Plan – April 2023, following the conclusion of the public consultation period of the Middleton Code Amendment. The intent of the Middleton Master Plan has clear consistencies to the proposed development outcomes of the Middleton Code Amendment.

Response to Feedback

Acting on behalf of the Designated Entity, Humby Consulting has prepared a summary of submissions table that provides a summary of the various issues raised during engagement on the proposed Code Amendment, as well as a table which then identifies the common themes and a brief response to the theme raised and how the Code Amendment has/has not been modified as a result (refer **Attachment 1**)

On the basis that traffic impacts were the most frequently raised issues in relation to the proposed Code Amendment, the Designated Entity (Gums ADHI Pty Ltd) re-engaged CIRQA to review submissions and provide expert comment and recommended changes as appropriate. This review of submissions and assessment concurred with the findings and recommendations of the original assessment, with many of the issues raised falling outside of the scope of the Code Amendment.

The summary of submissions table provided in **Attachment 1** takes the following into consideration:

- The findings of draft Engagement Report prepared by Humby Consulting
- The submissions received in response to the engagement undertaken in relation to the proposed Code Amendment.

Following careful review of the draft Engagement Report as well as the various written submissions, the Designated Entity has formed the view to include the following changes to the Code Amendment:

- Application of the Urban Tree Canopy Overlay

No other changes to the Code Amendment are recommended (refer to **Attachment 1**).

9 Refer to the Minister for Planning and Local Government

On **[insert date]** the Designated Entity approved the Code Amendment and this Engagement Report to be furnished to the Minister for Planning and Local Government.

Attachments

- 1 Summary of Written Submissions and Responses from the Community, Alexandrina Council and Other Stakeholders
- 2 Copies of Submissions received from the Community
- 3 Copy of Submission received from Alexandrina Council
- 4 Copy of Submissions received from Other Stakeholders
- 5 Copy of the review undertaken by CIRQA (in relation to the traffic, parking and pedestrian comments)
- 6 Post Engagement Letter to Community (within catchment for consultation)
- 7 Community Engagement Evaluation Survey Results
- 8 Evaluation and Results from Designated Entity's Engagement
- 9 Copy of Letter of Approval for Proposal to Initiate
- 10 Copy of the letter from the Aboriginal Sites and Objects Register (Taa wika)

Attachment 1 - Summary of Written Submissions and Responses from the Community, Alexandrina Council and Other Stakeholders

Summary of Written Submissions from the Community

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
1	Michelle and Michael Jones	30 January 2023	Does not Support	<ul style="list-style-type: none"> Traffic volume, movement and safety. Particular concern with vehicles attempting to cross over Port Elliot Road (turn right to head towards Goolwa) Strongly supportive of the proposed bicycle/walking reserve. Should be possible to include vegetation, particularly on the southern side, which will augment and link with the existing rail line vegetation, making an attractive green corridor that will encourage native wildlife. To ensure access to the railway line, public walkway created from within the estate to the railway line Concerned that the proposed zoning would allow "commercial/light industrial activities" in the development area. Use of "Building Envelope Plan" is the best way to ensure that the development is limited to residential use only. Power infrastructure within the development should be underground. Condition of rail line becoming an unused, unsafe, unkempt, graffiti covered corridor, if the properties on the southern side of the development simply put up solid fences facing the rail line. This is already a concern a little further east on Ellensford Terrace encumbrances can be included on the titles of the allotments, which could prevent certain kinds of fencing, discourage a "fortress" mentality and generally encourage an open, vegetated and attractive environment similar to the very successful "Beyond" estate near Chiton. Stormwater increase and major run off from the development (existing stormwater infrastructure is inadequate). Recent storm event resulted in flood damage to homes in Breaker Court, Encounter Crescent and Seaview Avenue.
2	Peter and Angela Elkin	20 January 2023	Supports	<ul style="list-style-type: none"> Improvements required to common effluent scheme
3	Susan Crawford	24 January 2023	Does not Support	<ul style="list-style-type: none"> Increase to traffic volume on Port Elliot Road and around Basham Beach Road and Mindacowie Tce intersections
4	Robert Besednjak	25 January 2023	Supports	<ul style="list-style-type: none"> Support for park and green space Concerns with pedestrian safety from crossing the main street of Middleton (Port Elliot-Goolwa Road) to the shops and businesses and crossing over to the proposed park Recommend (a) roundabout at the intersection of Mindacowie Tce to assist in slowing traffic and facilitating breaks in traffic approaching Middleton (b) Review of

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
				pedestrian crossings in the Main Street, considering their location, type of crossing and appropriate signposting (c) Speed limits on approach to Middleton township
5	Adrian Simmons	28 January 2023	Does not Support	<ul style="list-style-type: none"> Restricts commercial growth (land should be retained for future business growth and opportunities) Country living sized allotments only
6	Steve and Morwenna Muir	28 January 2023	Does not Support	<ul style="list-style-type: none"> Traffic congestion and insufficient on street car parking Removal of 'green belt' entrance and views
7	Robert Hoey	28 January 2023	Does not Support	<ul style="list-style-type: none"> Traffic congestion and safety around Glenford Gully Rd/Basham Beach Rd/Pt Elliott Rd plus Mindacowie Tce/Pt Elliott Rd/Ocean Rd
8	Toni Daniele	30 January 2023	Does not Support	<ul style="list-style-type: none"> Loss of country township identity Removal of 'green belt' and views
9	Greg Souter	30 January 2023	Does not Support	<ul style="list-style-type: none"> Not affordable housing stock Waste water and stormwater will have a direct inflow to the Bashams Creek and beach area. Difficulty in crossing over to Port Elliot Road from Mindacowie Tce to drive towards Goolwa Increase in traffic generated from number of proposed allotments Traffic management techniques required to abate vehicle and pedestrian conflicts (such as change to speed limit)
10	Elaine and Peter Wood	30 January 2023	Support/Impartial	<ul style="list-style-type: none"> The subject land is a logical extension of the present township Commercial and light industrial development should be excluded from the site 'left over land' identified as 'reserve' to be incorporated into widening the screening road reserve along Port Elliot Road as there are numerous public open space areas within close proximity The proposed bicycle/walking reserve adjacent the railway corridor does not link directly with the Encounter Bikeway or cyclist facilities in the Middleton township Insufficient water resources to sustain the public open space
11	Maureen Hatch	1 February 2023	Impartial	<ul style="list-style-type: none"> Retain the area as open space Increase in traffic volume Traffic management techniques be adopted such as reducing speed limit to 50kph or a bypass around Middleton
12	Michael Wenman	1 February 2023	Supports	<ul style="list-style-type: none"> Traffic management at Mindacowie and Port Elliot intersection (Roundabout required)
13	Debbie Palmer	2 February 2023	Does not Support	<ul style="list-style-type: none"> Covid has increased the number of permanent residents and visitors within Middleton Increase of traffic volumes particularly at intersections near the Affected Area Concerns with pedestrian safety Traffic management techniques required

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
				<ul style="list-style-type: none"> Potential for fire risk given that the land is adjacent the Cockle Train track (starting from steam trains)
14	Jeff Rowe	6 February 2023	Does not Support	<ul style="list-style-type: none"> Concerns with pedestrian safety from crossing the main street of Middleton Details of how on site effluent will be managed Impact on existing infrastructure and character of township
15	Stephen Inglis	6 February 2023	Impartial	<ul style="list-style-type: none"> Seeking confirmation that larger allotment sizes will be created Impact on marine environment due to stormwater run off flowing to sea Precedent for more housing development on adjacent areas
16	Colin Dolling	6 February 2023	Does not Support	<ul style="list-style-type: none"> Retain existing agricultural land use and protect environment Existing services (shops/schools) is insufficient to support additional housing
17	Diana O'Neil	8 February 2023	Does not Support	<ul style="list-style-type: none"> Pedestrian safety a concern due to increased traffic volumes Increase traffic volume along Port Elliot Road and at intersections, particularly during peak seasons and weekends (Mindacowie Tce, Bashams Beach Rd and Williams St) rendering it difficult to cross over
18	Melinda Lake	13 February 2023	Does not Support	<ul style="list-style-type: none"> Impact to the character of the township and will compromise the visual separation of the townships (Goolwa, Port Elliot and Victor Harbour) Compromise the Cockle Train service by the likelihood of it changing to a suburban train service
19	David Anderson	13 February 2023	Does not Support	<ul style="list-style-type: none"> Impact to the character of the township and will compromise the visual separation of the townships (Goolwa, Port Elliot and Victor Harbour) Compromise the Cockle Train service by the likelihood of it changing to a suburban train service
20	John Taylor	28 January 2023	Supports subject to changes	<ul style="list-style-type: none"> Restrict further subdivision of the larger allotments Stormwater Management in light of recent flooding events Traffic congestion and safety Stormwater drainage ponds within the proposed public open space will not render the space useable
21	Maria Lease	28 January 2023	Support subject to	<ul style="list-style-type: none"> Support sustainable, fit for purpose growth that aligns with Middleton's character and value. Policies supporting energy efficient homes Public realm to incorporate art Pedestrian safety is a concern (recommendation for roundabouts) Impact on existing sewerage and stormwater infrastructure
22	Brendan Spencer	28 January 2023	Impartial	<ul style="list-style-type: none"> Allotments to be minimum 700m² Details of stormwater management Increase to traffic volume Recommend roundabout at both intersections as well as Flagstaff Hill Road

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
				<ul style="list-style-type: none"> Concern with affordability of allotments
23	Margaret and Brian Cranney	28 January 2023	Does not support	<ul style="list-style-type: none"> Roundabout required at intersections of Mindacowie Terrace and Basham Beach Road Less homes to be built in this area (ie larger allotment sizes) No houses to face the railway line. If they do, they need to have frosted windows Depreciation of existing dwellings facing the Affected Area (Basham Beach Road frontage)
24	Peter and Suzanne Williams	28 January 2023	Supports	<ul style="list-style-type: none"> No comments
25	Elizabeth Jane McLaren	14 February 2023	Does not support	<ul style="list-style-type: none"> Existing road network is not adequate to sustain additional traffic volumes Turning right from Basham Beach Road and/or Mindacowie Tce is dangerous - traffic management techniques (ie roundabouts at said intersections as well as Flagstaff Hill Road intersection) Impact on local fauna, especially during breeding season (Bashams Beach is home to the highly endangered Hooded Plover) No mains sewer system available to service the additional housing
26	Kym Milne	14 February 2023	Does not Support	<ul style="list-style-type: none"> Existing road network is not adequate to sustain additional traffic volumes Turning right from Basham Beach Road and/or Mindacowie Tce is dangerous - traffic management techniques (ie roundabouts at said intersections as well as Flagstaff Hill Road intersection) Impact on local fauna, especially during breeding season (Bashams Beach is home to the highly endangered Hooded Plover) No mains sewer system available to service the additional housing
27	Chris and Tan Murphy	17 February 2023	Impartial	<ul style="list-style-type: none"> Reposition entrance to new estate so that it does not impact on existing driveways Support a minimum of 1200m² allotment size Reduce speed limit along Port Elliot Road
28	David Read	26 February 2023	Does not Support	<ul style="list-style-type: none"> Legal agreement and policy within the Code securing Concept Plan vision Unsafe and dangerous Port Elliot Road/Basham Beach Road intersection Landscape buffer along Basham Beach Road to conceal future fencing/housing; this interface is also a prime gateway entry for whale watching and tourism Require a landscape buffer along the railway corridor and 'Bicycle/Walking Reserve' to conceal and/or break up the appearance of future residential fencing. This road interface has visual tourism impacts from the adjoining heritage railway use. Potential right hand turn safety issue from Port Elliot Road into the estate

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
				<ul style="list-style-type: none"> • Certainty around whether speed limit will change in the local area, as a result of this development • The 'Playground' development and subsequent location is misleading and unrealistic; money should be invested into existing open space infrastructure within Middleton • The landscaping and visual appearance of the nominated 'Playground' site is important and requires significant attention given its position at the Middleton township's gateway entry/exit statement
29	Keith Dommenz	3 March 2023	Support	<ul style="list-style-type: none"> • Allotment sizes are to be minimum of 1200m² • Provision of green space as indicated by Concept Plan
30	David Stokes	6 March 2023	Does not Support	<ul style="list-style-type: none"> • The proposed development should be set back from Basham Beach Road by at least the same distance of the width of the reserve further towards the beach and across the railway line so as to maintain existing "buffer" between the road and the residences to be constructed in the development
31	Alison Ward	6 March 2023	Impartial	<ul style="list-style-type: none"> • Traffic generation will be more than what is estimated by CIRQA • Reduce speed limit to 50 kph (between Middleton Township and Basham Beach Road) • Install a roundabout at the top of Basham Beach Road and Port Elliot Road due to congestion which will only be exacerbated as a result of the development • Appropriate road infrastructure to be installed (kerb, gutter, stormwater pipes) as currently there is no road infrastructure on the eastern side of the road. • Compromise the amenity of locality (noise increase and outlook compromised)
32	David Hammond	14 March 2023	Impartial	<ul style="list-style-type: none"> • Due to high traffic volumes, recommend the installation of roundabouts at the Pt Elliott Road/Mindacowie Tce and Pt Elliott Road /Flagstaff Hill Rd intersection. • Middleton Train Station to be upgraded
33	Barbara Eden	15 March 2023	Impartial	<ul style="list-style-type: none"> • Traffic volume (particularly difficult to turn right onto Port Elliot Road - either from Ocean Road or at the bottom of William Street) • Traffic management technique required such as a roundabout at Flagstaff Hill Road intersection and Bashams Beach Road intersection • Proposed new entrance into the estate will make it difficult for vehicles leaving the estate to turn right across Port Elliot Road (alternative design could restrict turn left into the development and maybe turn left only to exit but use Bashams Beach Road at all other times.
34	Mark Laurie	15 March 2023	Impartial	<ul style="list-style-type: none"> • Appreciate the efforts undertaken by the owner of the land and those he has engaged to consult with the community over a reasonably long period and the apparent efforts made to listen to and accommodate community questions and concerns. • The raised green setback from the main road being not less than 12 metres and providing for the planting of trees both as a screen between the development and the

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
				<p>road and a welcome and necessary addition to Middleton's tree canopy</p> <ul style="list-style-type: none"> • There not being less than the green space provided for in the plan (as presented during consultation) and that green area not being less (and preferably more) than that prescribed by open space requirements. Setback barrier and proposed stormwater pond not to part of this green space • There being an encumbrance registered on the title(s) or a formal, enforceable land management agreement put in place with any incoming developer/landowner and enforceable by the State or municipality which provides for minimum block sizes of 1200m², maximum heights consistent with standard 2 storey buildings, reasonable setbacks and site coverage no greater than 40% (important for stormwater and density) • The need for consideration of alternative approaches to stormwater runoff from the subdivision's roads and footpaths (and driveways). The current proposal appears to have it flowing directly into Middleton Bay, with only quite limited filtering being offered by the small onsite pond. This will likely lead to increased nutrients and pollutants flowing into the Bay, with harmful effects on its ecology. We are currently exploring how to mitigate this in Crockery Creek in the Ratalang Conservation Park. The possibility for the water to be directed to flow to the Ratalang CP and water the trees and plants there appears worthy of further consideration, provided it can be done in a way which doesn't redirect the same problem through the Ratalang dunes into the sea or create other environmental problems or unsightly infrastructure • Roads and verges to be planned and sized to allow for substantial street trees and verge plantings with such plantings to be mandated as part of the further development of the site • Provision in the encumbrance or Land Management agreement for each house block to plant the carbon mitigating equivalent of at least two medium sized trees (say a 12 metre eucalypt). • Soft, green screenings in all interfaces with public spaces rather than metal fences • Encumbrances as to design requiring at least 7-star energy rating construction, and preferably following the exemplary model employed by the Beyond estate in Port Elliot • Acknowledge the issues concerning entry roads and traffic.
35	David Cooney	15 March 2023	Does not support	<ul style="list-style-type: none"> • Do not support the proposed controls within the Masterplanned Township Zone; will not adequately ensure the quality and type of development suitable to enhance the Middleton village.

No.	Name	Date of Submission	Support / Not Support/ Impartial	Comment
36	Ben Greeneklee (on behalf of the SteamRanger Heritage Railway Board of Management)	17 March 2023	Impartial	<ul style="list-style-type: none"> • SteamRanger operates the Victor Harbour Railway under license from the South Australian Government (administered by Department of Environment and Water (DEW)) • While we have no objection to the code amendment we would like to engage in further discussion with the developers on matters including (but not limited to): • Review the effect (if any) on the level crossings on Mindacowie and Bashams Beach Rd. • The type of fencing of the area along the rail reserve. • The possibility of access to Middleton Station from the proposed bike/walking path. • Stormwater management adequacy so as not to put the railway at risk in a flooding event and the proposed new drain that will go under the rail line.
37	David Grybowski	20 March 2023 (late submission)	Does not support	<ul style="list-style-type: none"> • Landscape buffer is supportive but it will need to be maintained • Concern that the proposed public space will be developed in the future for commercial activities • Stormwater management required to ensure that no additional demand on existing stormwater network. Require a detention pond • Landscape buffer is required along the railway • Needs a playground and an idea of a community garden to develop a sense of community • Lack of detail of treatment to public realm • Recommends design guidelines for housing, fencing, etc (refer to Design Guidelines for Beyond Development at Port Elliot.

Summary of written submission from Alexandrina Council

38	Alexandrina Council	<ul style="list-style-type: none"> • The current planning policy framework, being zoned deferred Urban and located outside of the EFPA together with the absence of any other significant constraining environmental or infrastructure provision factors indicates that the area affected by the Middleton Code Amendment is suitable for future urban growth and this should be supported, particularly given the State's requirement to identify additional residential land through the forthcoming Regional Plan review. • However, it is recommended that Council request that the following changes be made: <ul style="list-style-type: none"> • amendment of proposed Concept Plan 131 Middleton to remove the indicative road layout; and • application of the Urban Tree Canopy Overlay to the Affected Area.
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Summary of written submissions from Other Stakeholders (State Agencies/Utilities)

No	Agency	Date of Submission	Comments
39	Epic Energy	18 January 2023	No infrastructure, therefore no comment

40	APA	19 January 2023	No objection as the proposal does not impact to any gas infrastructure managed or operated by APA
41	SA Housing Authority	27 January 2023	Supportive of the application of the Housing Affordability Overlay
42	Environment Protection Authority	15 March 2023	Impartial recognising that the P&D Code provides sufficient policy to address water quality, stormwater, interface and soil contamination
43	Department for Environment and Water	16 March 2023	Notes the investigations of the Code Amendment and reiterate a design for increased Water Sensitive Urban Design and stormwater retention features as part of the future development
44	SA Water	27 March 2023	<p>SA Water's water network abuts the Affected Area however water network augmentation may be required should the proposed rezoning generate an increase in existing demands. The extent and nature of augmentation works (if required) will be dependent on the final scope and layout of the future development of the Affected Area. Such augmentation will be required to comply with the SA Water Technical Standards.</p> <p>SA water does not provide sewer services to the Affected Area.</p>
45	Country Fire Service (CFS)	28 March 2023	<p>SA CFS notes that the subject land is within the 'Medium' bushfire hazard overlay and considers that as adequate.</p> <p>SA CFS further notes that a future Bushfire Hazard Overlay Code amendment may alter the existing overlays and the associated policies within the project area.</p> <p>Any future internal road networks should be designed to achieve compliance with the 'Roads' requirements in the corresponding bushfire hazards overlays.</p> <p>It is imperative to ensure adequate pressure/reticulation and hydrants are provided in future development. Individual residential allotments will also be required to provide a fire fighting water supply in line with the provisions of MBS 008.</p>
46	Department of Transport and Infrastructure	5 April 2023	<p>The intent of the Code Amendment is supported, particularly the intent to limit access to Port Elliot Road to via a new junction and the existing Port Elliot Road/Basham Beach Road junction.</p> <p>The location of the proposed new junction may need to be positioned further to the west to minimise impacts on the adjacent development. Likely that the new junction will also require turning treatments.</p> <p>Additionally, it will be necessary to also review the treatment of the Port Elliot Road/Basham Beach Road</p>

			<p>junction to determine whether this will require turning treatments to support the development of the site.</p> <p>It should be noted that the existing speed limit on Port Elliot Road is unlikely to change as a result of the development. Consequently, this will need to be taken into consideration when identifying any future road treatments.</p> <p>Future access points/junctions should be consistent with Austroads Guidelines/Australian Standards Including but not limited to, separation between accesses/junctions and appropriate sight distances.</p> <p>The final access arrangements or potential infrastructure upgrades will require further traffic assessment and acceptance at the Land Division/Land Use application stage(s). Accordingly, at the development application stage a Traffic Impact Assessment will need to be provided that includes (but is not limited to):</p> <ul style="list-style-type: none"> • Details of the access locations and treatments • Details of the proposed traffic generation of the development for the weekday AM and PM peaks, including distribution diagrams • Details of the largest vehicle expected onsite, with appropriate turn paths • Analysis of warrants for turn treatments (eg channelised right turn lane and urban auxiliary left-turn treatment) and sight distances for all future proposed access location points per Austroad Guidelines) • Review of pedestrian linkages and catering for cycling as well as consideration of how any final access treatment will impact on these linkages. • Any staging of the development and implications for the above traffic, road user and infrastructure considerations
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Response to Community Submissions

Sub No:	Theme	Issues	Response	Change Required (Y/N)
1, 5, 6, 8, 10, 11, 14, 15, 16, 18, 19, 31, 35, 37	Zoning	<p>Whilst there was some support for the rezoning of the subject land, acknowledging it as a logical extension of the present township, there were concerns raised:</p> <ul style="list-style-type: none"> • The Affected Area should be retained for primary production or open space purposes • Rezoning will result in removal of 'green belt' and natural views/outlook • More residential development will erode the country township identity of Middleton and the visual separation of townships • Will set a precedent for more housing development to adjacent areas • Suggestion that the Affected Area should be retained for future commercial/retail activities as an extension to the commercial main street of Middleton; conversely, concerns that zoning will allow for commercial/light industrial activities, including within the public space areas. 	<p>The Affected Area is currently located within the Deferred Urban Zone, therefore, strategically, the Planning and Design Code has identified the Affected Area as land preserved for future urban growth.</p> <p>In addition, Alexandrina Council has recently engaged with the community on the strategic vision for its townships. The result of the consultation has culminated in the development of master plans for each of the townships, including Middleton (Draft April 2023). The Middleton Master Plan identifies the Affected Area for residential development (albeit a different internal road layout).</p> <p>The Affected Area is contiguous with its neighbouring residential area, and the size and its location in close proximity to residential development, does not render it suitable for continued agricultural use.</p> <p>The Environment Food and Production Area (EFPA) places constraints on any further expansion of Middleton in other areas further north and to the immediate west of the Affected Area to protect the viable agricultural areas of the Fleurieu Peninsula and to maintain the visual separation of the townships.</p> <p>Although the Master Planned Township Zone envisages non residential land uses, such as offices and shops, the inclusion of the Concept Plan for the Affected Area into the Planning and Design Code will secure the Affected Area for residential development, with the area immediately adjoining existing commercial operations (Mindacowie Tce) is proposed as a large open spaced area.</p> <p>In addition, the Concept Plan includes generous sized allotments, adequate space for landscaped road reserves and a public open space to maintain the existing township residential character.</p>	N
9, 22	Housing Affordability	Concerns raised that the price point of the anticipated	The Affordable Housing Overlay will be applied.	N

Sub No:	Theme	Issues	Response	Change Required (Y/N)
		allotments and housing will not be affordable.	<p>Given that the size of the allotments required to accommodate on site wastewater management systems, it is likely that the price point of the allotments may not satisfy the 'affordable housing' price point.</p> <p>It is however acknowledged that the proposed Zone provides for 'ancillary accommodation' which may provide an affordable option for extended family or 'aging in place' options.</p>	(covered by existing P + D Code policies)
5, 15, 20, 22, 23, 27, 29, 34	Allotment configuration	<p>There was general support for the larger 'country living' sized allotments, with allotments to measure at least 1200m².</p> <p>There were suggestions of an encumbrance to ensure that the larger allotment sizes are secured and that no further land division be allowed.</p>	Although the Master Planned Township Zone provides for a variety of allotment sizes, there is no mains sewer available and Council has identified no short-medium term plans for the installation of a Community Wastewater Management Scheme, (CWMS). The allotments created within the Affected Area will require a minimum 1200m ² to be able to treat septic waste with an on-site system, (in accordance with DTS/DPF 11.2 of the Master Planned Township Zone as contained within the Planning and Design Code).	N (covered by existing P + D Code policies)
34, 37	Dwelling Design	<p>To maintain the residential character of the township, and to encourage sustainable development, suggestions were made to:</p> <ul style="list-style-type: none"> • Restrict maximum dwelling height to 2 storeys • Provide for reasonable setbacks • Limit site coverage to no greater than 40% • Require planting of at least 2 medium sized trees on site • Require a 7 star energy rating dwelling design (similar to that employed by the Beyond Estate in Port Elliot) • Include design guidelines (similar to Beyond Estate in Port Elliot) which supports sustainable dwelling design. 	<p>The Code Amendment seeks to apply the Master Planned Township (MPT) Zone to the Affected Area.</p> <p>The MPT Zone and relevant general policy within the Planning and Design Code contains criteria which:</p> <ul style="list-style-type: none"> • envisages a maximum height of 2 building levels and a maximum wall height of 6 metres • seeks a minimum area of private open space of 60 m² (excluding the area dedicated for on site effluent disposal) • seeks dwelling designs which incorporate facades that make a positive contribution to streetscape by including windows and visible entry doors, and ensuring that garages are setback further than the building line of the dwelling frontage to complement public realm. <p>It is also important to note that Building Envelope Plans (BEP) are a key feature of the Master Planned Township Zone. It is the intention that as part of a future land division that a BEP be prepared and apply to all</p>	Y (Apply Urban Tree Canopy Overlay)

Sub No:	Theme	Issues	Response	Change Required (Y/N)
		<p>A submission raised concerns with the lack of detail around public realm treatment.</p>	<p>proposed allotments to ensure that a consistent design approach is undertaken.</p> <p>The BEP will form part of a proposed Urban Design Guidelines document that will provide a suite of design requirements for future landowners.</p> <p>The Urban Design Guidelines will form part of an encumbrance that will apply over future allotments.</p> <p>Support the application of the 'Urban Tree Canopy' Overlay to the Affected Area. In addition, the future land division application will include public infrastructure detail including street tree planting.</p>	
<p>1, 4, 10, 20, 21, 28, 29, 34, 36, 37</p>	<p>Public Open Space/Bicycle/Walking Reserve/Road Reserve</p>	<p>Various submissions identified a range of design options for the proposed public open space, bicycle/walking reserve and road reserve:</p> <ul style="list-style-type: none"> • Supportive of the bicycle/walking reserve; although, the railway corridor does not link directly to the Encounter Bikeway or cyclist facilities within Middleton • Augment existing green corridor along rail line • Public pedestrian access to railway line from within reserve • No solid fencing along railway line to prevent graffiti and foster passive surveillance – a suggestion that soft, green screenings to all interfaces should be incorporated as opposed to fencing • Suggestion that given that there is sufficient public open space areas within Middleton, that the 'reserve' area should be incorporated into widening the screening road reserve along Port Elliot Road • Again, it is emphasised that the playground 	<p>The proposed Concept Plan incorporates a substantial road reserve along Port Elliot Road to conceal fencing and provide a noise buffer for future residents.</p> <p>The Concept Plan incorporates a walkway/bikeway along the railway line which can be accessed from within the Estate. Although the Bikeway will not provide a link to other bikeways, it will provide an alternative linkage to the roads that lead to the beach or main street shops and offices.</p> <p>The allotment layout as depicted in the Concept Plan has sought to minimise the extent of fencing along the residential streets. For security reasons, fencing will be required along the railway line however details about the type of fencing will be considered as part of the future land division application.</p> <p>Design detail around the public open space will also be considered as part of the future land division application.</p>	<p>N</p> <p>(covered by existing P + D Code policies and Concept Plan)</p>

Sub No:	Theme	Issues	Response	Change Required (Y/N)
		<p>development is unrealistic and money should be invested into existing public open space area instead; conversely, the playground is also supported by some and suggestion of a community garden to also be included to foster community development</p> <ul style="list-style-type: none"> • Insufficient water resources to sustain the public open space • Stormwater drainage ponds proposed within the public open space will render it an unusable public space • Public open space to incorporate public art • Landscaping and visual appearance of reserve area is important given its position at the gateway to Middleton • Landscape buffer along the railway line corridor to conceal future residential fencing • Importance of 12 metre wide reserve along Port Elliot Road • All reserves to be properly maintained. 		
1, 3, 4, 6, 7, 9, 11, 12, 13, 17, 20, 22, 23, 25, 26, 27, 28, 31, 32,	Vehicle Movement and Safety	<p>Various submissions identified a range of concerns with vehicle movements and safety:</p> <ul style="list-style-type: none"> • Increase in traffic volume/congestion as a result of additional residential development is likely to be more than what is estimated by CIRQA • Safety concerns with vehicles attempting to cross over Port Elliot Road from various side residential streets. • In addition, proposed new entrance into estate will 	<p><i>On the basis that traffic impacts were the most frequently raised issues in relation to the proposed Code Amendment, the Designated Entity (Gums ADHI Pty Ltd) re-engaged CIRQA to review submissions and provide expert comment and recommended changes as appropriate.</i></p> <p><i>CIRQA has advised:</i></p> <ul style="list-style-type: none"> • <i>The proposed generation associated with potential development of the Affected Area (equivalent to 42 peak hour trips) is low. The movements would be distributed to the east and west of the Affected Area with the increase on any one section of road even less than the forecast above (based on the original traffic report, the increase on any one</i> 	<p>N</p> <p>(covered by existing P + D Code policies and Concept Plan)</p>

Sub No:	Theme	Issues	Response	Change Required (Y/N)
33, 34		<p>make it difficult for vehicles leaving the estate to turn right across Port Elliot Road</p> <ul style="list-style-type: none"> • Suggestions of roundabouts, bypass and/or speed limits on approach to Middleton township 	<p><i>section of road adjacent the Affected Area would be approximately 21 peak hour movements). There would be minimal impact on traffic conditions and road safety as a result of the small increase in movements. Notably, the Department for Infrastructure and Transport (DIT) has raised no concern in respect to the ability of the surrounding road network to accommodate the forecast movements.</i></p> <ul style="list-style-type: none"> • <i>The small increase in movements associated with the potential development of the Affected Area would have minimal impact on conditions and capacity considerations of the intersection of Port Elliot Road/Mindacowie Terrace. Notably, no direct access to/from Mindacowie Terrace has been identified in the concept plan prepared for the site. The concept plan also indicates the provision of open space reserve in the portion of the site immediately adjacent to the Port Elliot Road/Mindacowie Terrace intersection which would ensure that future development does not preclude treatment of the intersection if warranted in the future.</i> • <i>As noted above, the level of traffic generation associated with the potential development of the Affected Area is very low. The volumes at the intersection of Port Elliot Road/Basham Beach Road would not warrant such a treatment. Nevertheless, further review of the conditions at the Port Elliot Road/Basham Beach Road intersection (and any further traffic control treatment) can be undertaken as part of any future land division/use application(s) for the site.</i> • <i>The most recent crash data available (2017 to 2021, inclusive) from DIT identifies no crashes have been reported at the intersection of Port Elliot Road/Basham Beach Road. There are adequate sight distance provisions at and on approach to the intersection and widened shoulders are provided to allow through bound drivers to pass vehicles</i> 	

Sub No:	Theme	Issues	Response	Change Required (Y/N)
			<p><i>stored waiting to turn right into Basham Beach Road. Nevertheless, further review of impacts on the intersection can be undertaken as part of future land division and land use applications, including liaison with DIT (noting that DIT would be a referral agency to such applications).</i></p> <ul style="list-style-type: none"> • <i>The preparation of the traffic assessment (and discussions with DIT in respect to review of the impacts) included consideration of the holiday period traffic volumes associated with the South Coast. As above, the level of traffic generation associated with the proposal is low and would proportionately be even lower during the holiday periods. The small increase in movements would have negligible impact on the road network during these periods (or others).</i> • <i>While CIRQA considers that a reduction in speed limit would be beneficial, the level of access and movements on Port Elliot Road associated with the rezoning and future redevelopment of the Affected Area will be low. The access treatments can be designed and accommodated for the current speed limit (in fact, the design would be based on 10 km/h above the posted limit to provide conservatism in the design). I also note that DIT has advised that it does not consider that a speed reduction is required in this location (and, by extension, not required as a result of the development of the subject site).</i> 	
4, 13, 14, 17, 21	Pedestrian Movement and Safety	<p>A number of submissions raised the safety concerns with pedestrians attempting to cross over Port Elliot Road which is currently difficult and will only be exacerbated by the increase in traffic volumes generated by the new development,</p> <p>A review of pedestrian crossings is warranted.</p>	CIRQA has advised that the small increase in traffic volumes would have minimal impact on crossing conditions for pedestrians on Port Elliot Road. There would be minimal crossing movements undertaken in the immediate vicinity of the site with crossing movements (associated with the Affected Area) more likely undertaken within the existing township area to the east.	N

Sub No:	Theme	Issues	Response	Change Required (Y/N)
			<p>Council has confirmed that DIT has committed funding for the installation of three pedestrian crossings on Port Elliot Road (within Middletown) which will ameliorate the concerns raised.</p> <p>Council's associated Media Release notes that construction is anticipated to commence in late 2023 (and would therefore be operational well before any notable extent of development is undertaken within the Affected Area).</p>	
6	On street car parking	Insufficient on-street car parking as a result of additional housing	<p>The Planning and Design Code indicates criteria for car parking:</p> <ul style="list-style-type: none"> Car parking is required to be provided on site at the rate of 2 spaces per dwelling (where a dwelling accommodates 2 or more bedrooms) 	<p>N</p> <p>(covered by existing P + D Code policies)</p>
2, 14, 21, 25, 26	Wastewater Management	Submissions noted that no sewer mains infrastructure is available and requests were made for improvements to existing common effluent schemes and further details of onsite wastewater systems.	<p>Noted that there is no mains sewer available.</p> <p>Council has no short-medium term plans for the installation of a CWMS.</p> <p>Each allotment will therefore need to accommodate an on-site wastewater system. Once a land division is approved, applicants lodging an application for a dwelling will also need to seek approval for an onsite wastewater system from the Council that meets relevant public health and environmental standards.</p> <p>As discussed earlier above, each allotment will need to be in the order of 1200m² to be able to accommodate an onsite wastewater system.</p>	<p>N</p> <p>(covered by existing P + D Code policies and public health and environmental standards)</p>
22, 34, 37	Stormwater Management	Due to flooding of a number of homes within the township resulting from storm events late last year 2022, there were questions raised about how stormwater will be managed from the future development to ensure that no additional demand will be placed on existing stormwater network.	<p>WGA were engaged as part of the Code Amendment process to determine how stormwater could be managed as part of the future development of the Affected Area.</p> <p>WGA consulted with Council during their assessment and made amendments to reflect their feedback.</p>	<p>N</p> <p>(covered by existing P + D Code policies)</p>

Sub No:	Theme	Issues	Response	Change Required (Y/N)
		<p>The need for consideration of alternative approaches to stormwater runoff from the subdivision's roads and footpaths (and driveways) to minimise discharge of contaminants to the stormwater system, watercourses or other water bodies.</p>	<p>This has informed the Concept Plan design and overall allotment configuration.</p> <p>It is however acknowledged that as part of the future land division development application, a more detailed Stormwater Management Plan will be required to be provided and assessed by Council to reflect the final detailed allotment and road configuration.</p> <p>Existing policy within the Planning and Design Code framework seeks to ensure that any Stormwater Management Systems are designed to:</p> <ul style="list-style-type: none"> • mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems • minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies. 	
14, 16, 21, 25, 26, 31, 34	Civil and Social Infrastructure Impact	<p>Summary of issues raised in relation to this issue:</p> <ul style="list-style-type: none"> • Impact on existing infrastructure as a consequence of additional residents • Insufficient social infrastructure to support the additional residents • Appropriate road infrastructure to be installed (kerb, gutter, stormwater pipes) on eastern side of the road • Sufficient width of roads and verges to allow for substantial street trees. 	<p>As part of the future land division development application, civil infrastructure details will be required to be provided and assessed by Council.</p> <p>The Alexandrina Council has recently engaged with the community on the strategic vision for its townships. The result of the consultation has culminated in the development of master plans for each of the townships, including Middleton (Draft April 2023).</p> <p>The Middleton Master Plan identifies potential locations for social infrastructure which are not proposed within the Affected Area.</p>	<p>N</p> <p>(covered by P + D Code Policies)</p>
9, 15, 25, 26	Environmental Impact	<p>Concerns that wastewater and stormwater will have a direct inflow to Bashams Creek and beach area and consequently impact on marine environment.</p> <p>It was identified in a couple of the submissions that Bashams</p>	<p>As previously discussed, as part of the future land division development application, a Stormwater Management Plan will be required to be provided and assessed by Council.</p>	<p>N</p> <p>(covered by existing P + D Code policies)</p>

Sub No:	Theme	Issues	Response	Change Required (Y/N)
		<p>Beach is home to the highly endangered Hooded Plover and that any future development should not impact on this species.</p>	<p>Existing policy within the Planning and Design Code framework seeks to ensure that any Stormwater Management Systems are designed to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.</p> <p>Any onsite wastewater system will be required to satisfy the relevant public health and environmental standards.</p> <p>The Hooded Plover is listed as vulnerable nationally. They live on beaches year-round and their breeding season is August to March meaning they nest on the beach during the busiest time of the year (Spring and Summer). The Affected Area is located approximately 370 – 410 metres from the beach and activity is unlikely to impact on the habitat of the Hooded Plover – compared with the existing built form located between the Affected Area and the beach system.</p>	<p>and public health and environmental standards)</p>
<p>13, 18, 19, 32, 36</p>	<p>Cockle Train / Train Station</p>	<p>There were a number of concerns raised in regards to the potential impacts on the adjoining land:</p> <ul style="list-style-type: none"> • Potential for fire risk ignited from the steam trains • Compromise the Cockle Train Service as it will change to a suburban train service • Middleton Train Station to be upgraded • Stormwater managed to ensure that no risk to railway line • Possibility of access to Middleton Station via the proposed bike/walking path 	<p>It is recognised that the train corridor and train station abuts the subject land.</p> <p>The proposed Concept Plan proposes a large area of open space adjoining Mindacowie Terrace that will provide for an increased line-of-sight from Port Elliot Road to the existing Middleton Train Station. This will assist to provide increased activation and accessibility.</p> <p>It is recognised that the proposed Concept Plan identifies residential allotments adjoining the railway corridor and station. The details design has however, yet to occur and will be undertaken via a future land division. This process will confirm the design of the bike/walking/landscaping trail and how allotments will interact/address the railway corridor and train station.</p> <p>Stormwater management has been addressed in the discussion above.</p>	<p>N</p>
<p>1</p>	<p>Utility Infrastructure</p>	<p>Requests for power infrastructure to be underground.</p>	<p>This will be addressed through the future land division application.</p>	<p>N</p>

Sub No:	Theme	Issues	Response	Change Required (Y/N)
				(covered by existing P + D Code policies)
21, 22, 23, 27, 28, 29, 30, 33	Concept Plan / Design Guidelines	<p>There were a number of suggestions offered in relation to the proposed Concept Plan:</p> <ul style="list-style-type: none"> • Encourage sustainable development and energy efficient residential development • No housing to face the railway line (otherwise, the dwellings should incorporate frosted windows) • Entrance driveway to be repositioned so that it does not impact on existing driveways; in addition, left turn only onto Basham Beach Road • Legal agreement in place to secure Concept Plan vision • Landscape buffer along Basham Beach Road to conceal fencing (this is a prime gateway entry for whale watching) • Suggestion that the width of the existing reserve of Basham Beach Road should be maintained • Landscape buffer along the railway line corridor to conceal future residential fencing (Visual impact of fencing from the adjoining heritage railway service). 	Design Guidelines will be developed at the time of the land division application. Details of the content will be determined at the land division development application stage but will address dwelling setback, landscaping, sustainability and energy efficiency and fencing design.	N

Response to Agency Submissions

Agency	Comments	Response	Change Required (Y/N)

Alexandrina Council	<p>The current planning policy framework, being zoned deferred Urban and located outside of the EFPA together with the absence of any other significant constraining environmental or infrastructure provision factors indicates that the area affected by the Middleton Code Amendment is suitable for future urban growth and this should be supported, particularly given the State's requirement to identify additional residential land through the forthcoming Regional Plan review.</p> <p>However, it is recommended that Council request that the following changes be made:</p> <ul style="list-style-type: none"> • amendment to proposed Concept Plan to remove the indicative road layout; and • application of the Urban Tree Canopy Overlay to the Affected Area. 	<ul style="list-style-type: none"> • Note the support • The Application of the Urban Tree Canopy Overlay to increase tree canopy within Middleton is supported. • The road layout, however, depicted on the Concept Plan will remain as an indicative layout as the Concept Plan has guided discussion for the proposed rezoning with the community, and assisted in providing an indication of suitable access/egress arrangements off a State Maintained Road. • Retaining the Concept Plan, as publicly notified, will ensure that our engagement with the Middleton Community remains 'true' and reflects their desires and expectations. • It is however acknowledged that the layout is conceptual and may be subject to change once a survey is undertaken for the Affected Area and adjustments may be undertaken during the course of the land division application. 	Y (partial only) (apply Urban Tree Overlay)
Epic Energy	No infrastructure therefore no comment	Noted	N
APA	No objection as the proposal does not impact on any gas infrastructure managed or operated by APA	Noted	N
SA Housing Authority	Supportive of the application of the Housing Affordability Overlay	Noted	N
Environment Protection Authority	Impartial recognising that the P&D Code provides sufficient policy to address water quality, stormwater, interface and soil contamination	Noted	N
Department for Environment and Water (DEW)	Notes the investigations of the Code Amendment and reiterate a design for increased Water Sensitive Urban Design and stormwater retention features as part of the future development	Noted	N
SA Water	SA Water's water network abuts the Affected Area however water network augmentation may be required should the proposed rezoning generate an increase in existing demands. The extent and nature of augmentation works (if required) will be dependent on the final scope and layout of the	Noted – will be considered as part of the land division application	N

	<p>future development of the Affected Area.</p> <p>Such augmentation will be required to comply with the SA Water Technical Standards.</p> <p>SA water does not provide sewer services to the Affected Area.</p>		
Country Fire Service (CFS)	<p>SA CFS notes that the subject land is within the 'Medium' bushfire hazard overlay and considers that as adequate.</p> <p>SA CFS further notes that a future Bushfire Hazard Overlay Code amendment may alter the existing overlays and the associated policies within the project area.</p> <p>Any future internal road networks should be designed to achieve compliance with the 'Roads' requirements in the corresponding bushfire hazards overlays.</p> <p>It is imperative to ensure adequate pressure/reticulation and hydrants are provided in future development. Individual residential allotments will also be required to provide a fire fighting water supply in line with the provisions of MBS 008.</p>	Noted – the Hazards (Bushfire – Medium Risk) Overlay will be applied to the Subject Area.	N
Department of Transport	<p>The intent of the Code Amendment is supported, particularly the intent to limit access to Port Elliot Road to via a new junction and the existing Port Elliot Road/Basham Beach Road junction.</p> <p>The location of the proposed new junction may need to be positioned further to the west to minimise impacts on the adjacent development. Likely that the new junction will also require turning treatments.</p> <p>Additionally, it will be necessary to also review the treatment of the Port Elliot Road/Basham Beach Road junction to determine whether this will require turning treatments to support the development of the site.</p>	Refer to comments above	N

	<p>It should be noted that the existing speed limit on Port Elliot Road is unlikely to change as a result of the development. Consequently, this will need to be taken into consideration when identifying any future road treatments.</p> <p>Future access points/junctions should be consistent with Austroads Guidelines/Australian Standards Including but not limited to, separation between accesses/junctions and appropriate sight distances.</p> <p>The final access arrangements or potential infrastructure upgrades will require further traffic assessment and acceptance at the Land Division/Land Use application stage(s).</p> <p>Accordingly, at the development application stage a Traffic Impact Assessment will need to be provided that includes (but is not limited to):</p> <ul style="list-style-type: none"> • Details of the access locations and treatments • Details of the proposed traffic generation of the development for the weekday AM and PM peaks, including distribution diagrams • Details of the largest vehicle expected onsite, with appropriate turn paths • Analysis of warrants for turn treatments (eg channelised right turn lane and urban auxiliary left-turn treatment) and sight distances for all future proposed access location points per Austroad Guidelines) • Review of pedestrian linkages and catering for cycling as well as consideration of how any final access treatment will impact on these linkages. • Any staging of the development and implications for the above traffic, road user and infrastructure considerations 		
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Attachment 2 - Copies of Submissions received from the Community

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 13 February 2023 at 11:48:08 am Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: David

Family name: anderson

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: As a long term nearby resident, I would like to voice my absolute opposition to this proposed zoning amendment. The subdivision proposed would seriously erode the current broad acre division that separates the towns of Middleton and Port Elliot. This division currently maintains the current essential character of both of these individual towns. This separation is essential to the character of both towns which has, at this time been maintained by the acreage development that has been allowed to proceed. The proposed urban subdivision of multiple lots on this land would seriously erode this current buffer. One can visualise the setting where ad hoc development all along the coastal road renders Port Elliot, Middleton and Goolwa to being mere suburbs of a sprawling Victor Harbour. It is highly desirable that the relatively small patches of broad acreage that are left to separate these individual towns should be preserved. This presents an opportunity for planning with some foresight, that should not be spoilt by short term gain. This development would also further erode the current charm of the coastal "cockle " train. This train somewhat loses it's reason to exist if it is converted to being a suburban train service. Again, I would implore that this change to zoning should not proceed.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Wednesday, 25 January 2023 at 10:45:06 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: robert

Family name: besednjak

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments:

I am supportive of development at Middleton and am pleased to see the inclusion of a park and green space. I however am concerned about pedestrian safety and pedestrian movements across the main street of Middleton (port elliot-goolwa road), between businesses such as the bakery and the new development. As a local resident living on [REDACTED] I have witnessed many near misses of people crossing the main street and vehicles travelling above the speed limit. People take risks to cross the main street especially on busy weekends and in the tourist season because there is rarely a break in traffic to safely cross. I am concerned about more people crossing the road from the development to/from the bakery. This is not only new residents but all movements to/from the park need to be considered - for example, the new park will be an attraction for people to eat food purchased from the bakery and people are likely to walk west from the bakery toward the development/park to cross the road, rather than east to the designated crossing near Alma Place. There needs to be serious consideration given to this issue, which is already a problem without the development. It is clear that more can be done to ensure people are able to cross the road safely. It is also worth noting that there has recently been changes to the way that traffic flow is directed within the pub car park/drive-thru bottle shop, which has created more vehicle congestion in the main street . This has made it even harder for pedestrians to navigate crossing the road. I believe that council needs to investigate the following: * A roundabout at the intersection of Mindacowie Tce to assist in slowing traffic and facilitating breaks in traffic approaching Middleton * Review of pedestrian crossings in the Main Street, considering their location, type of crossing and appropriate signposting * Speed limits on approach to Middleton

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment
Date: Wednesday, 15 March 2023 at 8:43:09 pm Australian Central Daylight Time
From: PlanSA Submissions
To: andrew@humbyconsulting.com.au
Attachments: MIDDLETON-LAND-CODE-AMENDMENT-draft.docx

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: David

Family name: Cooney

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: Attached please find my response to the proposed Code Amendment. While I do not oppose the rezoning, I do not support the proposed controls within the Masterplanned Township Zone, They will not adequately ensure the quality and type of development suitable to enhance the Middleton village.

Attachment 1: MIDDLETON-LAND-CODE-AMENDMENT-draft.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 26.2 KB

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 30 January 2023 at 8:42:01 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Bill

Family name: Cowley

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: We are not in favour of the proposed development, at least in it's current form. There is minimal space between the busy Pt Elliot Rd and the houses on the Northern side of the zone. A small green area in shown at the Eastern end on the plan. More green space and especially tall trees should be included. This development would detract from the charmingly historic, low-density, seaside-resort character of Middleton. It would also add load to local beaches and roads, both of which can now become congested during Summer and holiday periods.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Sunday, 29 January 2023 at 8:52:51 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Toni

Family name: Daniele

Organisation: Local resident

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: I do not believe proposed Code Amendment is in keeping with the small country beach town identify, and considering the emphasis is on the demand for holiday homes, only increases the partial occupancy of the town. Furthermore, it impedes the vistas leaving the town and takes away the small country town feel when entering from Port Elliott. This land, although only a small parcel, is another primary food producing asset that will permanently disappear from S.A. Looking to the future it, is one step closer to closing off views of our great coastline, to the privileged few that can afford a holiday investment. Concerned Toni Daniele 4 Beryl Court Middleton S.A. 5213

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 6 February 2023 at 10:11:41 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Colin

Family name: Dolling

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: This is currently agricultural land needed for cropping. To fill it with houses will add to pollution & greenhouse gas production & contribute to climate change. The township of Middleton is poorly serviced with shops & schools & this will add to the problem

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Friday, 3 March 2023 at 5:38:31 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Keith

Family name: Dommenz

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I support the concept of this proposal as long as the enforceable land management agreement is adhered to. This being minimum block sizes of 1200 square meters and greening areas as proposed.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Middleton Code Amendment

Date: Wednesday, 15 March 2023 at 9:41:26 am Australian Central Daylight Time

From: [REDACTED]

To: andrew@humbyconsulting.com.au

Hi Andrew

Thank you for sending us the information about the proposed Code Amendment change for a property in Middleton.

We bought our house in William Street about 20 years ago,
For us, the important things in Middleton are the cultural/heritage things mostly found in the main street.

We do not oppose the code change and suspect that there are other developers waiting to see how this proposal goes before they decide if they want to apply for changes relating to their own land.

We think that it will take some time before this developer can carry out his housing development but we have some concerns regarding traffic.

On weekends and holiday times it is already impossible for us to turn right onto Port Elliot Road - either from Ocean Road or at the bottom of William Street.

With the likelihood of other housing developments in the area, who is watching and assessing what the traffic needs will be in the future?

We manage by turning left onto Port Elliot Road and then making a u turn to be able to go towards Port Elliot or taking Lines Road(a dirt road) to get us to Waterport Road.

I realise that roundabouts take up a lot of space but maybe one at Flagstaff Hill Road and another at Bashams Beach Road could help to spread the traffic out a bit and prevent the need to turn right across the traffic. It looks like the developer favours an entrance road to the development on Port Elliot Road. This doesn't look like it is far from the wrought iron/sculpture place which means it would not be a good place to turn across the traffic.

Maybe people could turn left into the development and maybe turn left only to exit but use Bashams Beach Road at all other times.

I am sure there will be lots of conversations once the actual development plans are drawn up.

Thank you for your time
Barbara Eden

Subject: Middleton development

Date: Friday, 20 January 2023 at 2:44:39 pm Australian Central Daylight Time

From: [REDACTED]

To: andrew@humbyconsulting.com.au

Hi Andrew

Thankyou for getting in contact with us re middleton zoning.

We are building in Ellensford tce & would like to talk re common effluent in the area as present system with new rules are awkward to make work to say the least.

Hoping your zoning change may help update present system & inturn help us re developing our house site.

Peter & Angela Elkin

[REDACTED]

Sent from my Galaxy

Subject: Middleton Code Amendment

Date: Tuesday, 14 March 2023 at 12:05:41 pm Australian Central Daylight Time

From: Hammond, David

To: andrew@humbyconsulting.com.au

Hi Andrew,

If this development proceeds, I strongly recommend the installation of roundabouts to the Pt Elliott Road at the intersections of Mindacowie Tce and Flagstaff Hill Rd. This has proven to be very frustrating, dangerous and difficult to enter the main Pt Elliott Rd when high volumes of traffic are present. This will further increase this problem with the additional residents proposed for this development. At least with the roundabouts it will break up the long steady flow of traffic on the main road thus giving better opportunities for vehicles to get out of the side roads. Also the Middleton Train station could do with a revamp, it is looking pretty average and for some time to.

Regards David

General

Subject: Public Consultation submission for Middleton Code Amendment

Date: Saturday, 28 January 2023 at 4:27:12 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Robert

Family name: Hoey

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: My concern is the traffic flow at peak tourist times and thus the safety aspect relating to the access points to and from the development onto the Port Elliott Road. Considering the Glenford Gully Rd/Basham Beach Rd/Pt Elliott Rd together with Mindacowie Rd/Pt Elliott Rd/Ocean Rd and now an additional entrance from new development, the traffic flow will be very congested and frustrating, affecting safety issues, for public, including pedestrians, service vehicles, and will also effect the flow thru Middleton and Pt Elliott. What traffic planning has been done to minimise this issue Thru December and January this year, the number of accidents and near misses has increased substantially.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 6 February 2023 at 9:56:18 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Stephen

Family name: Inglis

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I am impartial about the Code Amendment

I support the development proposal as it is presented with a few points of concerns that I will express a tad later. My major concern is with the potential gap between the concept proposal (green spaces including a reserve, low density housing on 1200m2 blocks, traffic considerations) and the actual landuse once the code has been amended to 'Master Planned Township Zone). What is to be the enforceable land management agreement in regards to density of dwellings and built environment %, green spaces, etc? Agreement to the change places much faith in the developers and future owners of the blocks into the future. What codes and controls will be in place to ensure development does not vary significantly to the concept as is currently presented? Back to my concerns with current proposal, I wish the following to be noted: Drainage of increased runoff seems well considered - will this be fed straight out to sea and what consideration has been put to impact on marling environment? Will this create a precedent to pave the way for ongoing housing and other developments such as on the other side of the main road? Thanks for your consideration of my concerns

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Middleton Code Amendment

Date: Saturday, 28 January 2023 at 12:58:13 pm Australian Central Daylight Time

From: Steve and Morwenna Muir

To: andrew@humbyconsulting.com.au

Dear Andrew,

As residents of Middleton, my husband and I are writing to you to voice our extreme objection to the planned residential development between Port Elliot Road, Mindacowie Road, Basham Beach Road and the Cockle Train line.

For ten months of the year, the majority of residences in Middleton are empty. During December and January, on the other hand, the town is overcrowded and overrun by holidaymakers in numbers that the town's current infrastructure can't handle. We believe that the proposed development would exacerbate this problem, and that it is most likely that the properties would lie empty for the majority of the year, only to be used as holiday houses at times when Middleton already has too many visitors.

Furthermore, we believe that the proposed development would be an eyesore and a dangerous step towards eroding the green belt that separates Middleton from Port Elliot. We walk our dogs along the railway line every morning, and it's beautiful. There are birds, insects, the occasional kangaroos, and stunning views of the hills that greet people when they get off the train. An ugly housing development would unnecessarily destroy all of this wildlife, and would be the first thing visitors to Middleton would see when they get off the Cockle Train.

If the development is to go ahead, my husband and I would also like answers to the following question: what infrastructure is the council planning to put in place to support either at least 100 more permanent residents, or potentially up to a few hundred seasonal visitors each year? Are there plans for roundabouts to ease traffic congestion? Traffic lights? Car parking? All of these things are already desperately needed in Middleton, and the development would only increase the need for them.

More than fifty years ago, my husband's great grandfather left what is now Basham's Park to the council. It has remained a national park and is one of the best features of Middleton and Port Elliot. Middleton doesn't need any more residential housing, but it does need more green and open spaces. Turning the land into a park as opposed to a township would be a far more powerful gesture.

We hope you will consider our thoughts,

Yours sincerely,

Steven and Morwenna Muir Jones

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 13 February 2023 at 12:25:38 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Melinda

Family name: Lake

Organisation: local resident

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: As a concerned local resident, whose family have been in Middleton since 1948, I would like to voice my definite opposition to this proposed zoning change which I think threatens the maintenance the essential character of the town. The already slender buffer which separates Port Elliott and Middleton and which is essential to the maintenance of the character of the two towns as individual entities, has already dwindled but is ,as yet restricted to acreage developments which still maintain the buffe. A subdivision of this nature will permanently damage this separation and should be avoided. The current small areas of unspoilt land that are left as separations between Victor Harbour, Port Elliott, Middleton and Goolwa are to be prized and should absolutely be preserved lest this whole area become one large sprawling development which would absolutely destroy the character of this region which has been preserved thus far. It would also erode the character of the Cockle train and render it to a suburban train service. I do not believe that this change should occur and I would like to voice my vigorous opposition

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Middleton Code Amendment - Submission
Date: Wednesday, 15 March 2023 at 2:42:20 pm Australian Central Daylight Time
From: [REDACTED]
To: 'Humby Consulting'
CC: 'Barry Briggs'
Attachments: image001.png, Middleton Fact Sheet.pdf

Dear Andrew,

Thank you for meeting with me to discuss this code amendment and the development to follow last week and early in February. I appreciate the efforts undertaken by the owner of the land and those he has engaged to consult with the community over a reasonably long period and the apparent efforts made to listen to and accommodate community questions and concerns.

I confirm that I am a local resident of Middleton, a member of the Middleton Town & Foreshore Association and was its Vice President until a little over a year ago.

From my perspective, I'm generally supportive of the proposed code amendment on the basis of:

- The raised green setback from the main road being not less than 12 metres and providing for the planting of trees both as a screen between the development and the road and a welcome and necessary addition to Middleton's tree canopy;
- There not being less than the green space provided for in the plan presented today, by the marked pegs (which I've walked with the developer's representative in the past) and that green area not being less (and preferably more) than that prescribed by open space requirements as I have been advised is intended. In this regard, I understand that neither the setback barrier described above nor any proposed stormwater pond would form part of this requirement;
- There being an encumbrance registered on the title(s) or a formal, enforceable land management agreement put in place with any incoming developer/landowner and enforceable by the State or municipality which provides for minimum block sizes of 1200 m² (as required for individual wastewater systems, I would be happy with 1000 m² if permitted and this gave rise to an increase in open space), maximum heights consistent with standard 2 storey buildings, reasonable setbacks consistent with the Development Plan for Middleton in place prior to its replacement with the State Government's dysfunctional Code, and a built proportion of no greater than 40% (important for stormwater and density).

Matters I and others have raised for further consideration at the next stage include:

- The need for consideration of alternative approaches to stormwater runoff from the subdivision's roads and footpaths (and driveways). The current proposal appears to have it flowing directly into Middleton Bay, with only quite limited filtering being offered by the small onsite pond. This will likely lead to increased nutrients and pollutants flowing into the Bay, with harmful effects on its ecology. We are currently exploring how to mitigate this in Crockery Creek in the Ratalang Conservation Park. The possibility for the water to be directed to flow to the Ratalang CP and water the trees and plants there appears worthy of further consideration, provided it can be done in a way which doesn't redirect the same problem through the Ratalang dunes into the sea or create other environmental problems or unsightly infrastructure.
- Roads and verges to be planned and sized to allow for substantial street trees and verge plantings with such plantings to be mandated as part of the further development of the site.
- Provision in the encumbrance or Land Management agreement for each house block to plant the carbon mitigating equivalent of at least two medium sized trees (say a 12 metre eucalypt).
- Soft, green screenings in all interfaces with public spaces rather than metal fences.

- Encumbrances as to design requiring at least 7-star energy rating construction, and preferably following the exemplary model employed by the Beyond estate in Port Elliot

I understand others have raised issues concerning entry roads and traffic. I've no expertise in this area and am happy to leave it to DIT.

Sincerely,

Mark Laurie [REDACTED]

From: Humby Consulting <andrew@humbyconsulting.com.au>

Sent: Friday, 3 February 2023 7:37 AM

To: [REDACTED]

Subject: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Dear Mark,

Thank you for attending a public consultation session on Wednesday regarding the proposed 'Middleton Code Amendment'.

As you are aware, land is proposed to be rezoned at the western end of the Middleton township to enable the creation of low-density residential allotments plus a large public reserve adjoining the Middleton Tavern and railway station. The affected area consists of approximately 8.8 hectares of land currently zoned Deferred Urban and is bound by Port Elliot Rd, Basham Beach Rd, Mindacowie Tce and the rail corridor.

The public consultation period of the Middleton Code Amendment commenced on Thursday 19th January 2023 and concludes 17 March 2023.

Details of the Code Amendment can be viewed on the Plan SA website at:

https://plan.sa.gov.au/have_your_say/code-amendments

A copy of the Middleton Fact Sheet is also attached for your review. This details how to lodge a submission on the proposed Code Amendment.

If you require further information or would like to discuss this matter, please contact me on the details below.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



Subject: Public Consultation submission for Middleton Code Amendment

Date: Tuesday, 14 February 2023 at 5:26:03 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Elizabeth Jane

Family name: McLaren

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: I do not support this amendment for a number of reasons: 1. This area doesn't have sufficient roading infrastructure (ie roundabouts) to clear the proposed additional population from this part of Middleton. Crossing the Port Elliot Road to turn right from Basham Beach Road and/or Mindacowie Road is already dangerous and slow. Additional housing in this area will further exacerbate this issue. Roundabouts are urgently needed at both of these intersections and also at the Flagstaff Hill intersection. 2. Bashams Beach is home to the highly endangered Hooded Plover. The influx of potentially hundreds of new residents to the Bashams Beach area during the breeding season, will undoubtedly put even more pressure on this delightful bird. 3. Lack of mains sewerage in Middleton makes the area totally unsuitable for the degree of development proposed.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Tuesday, 14 February 2023 at 6:18:58 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Kym

Family name: Milne

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: I do not support this amendment for a number of reasons: 1. This area does not have sufficient roading infrastructure (i.e. roundabouts) to clear the proposed additional population from this part of Middleton. Accessing the Port Elliot Road to turn right from Basham Beach Road and/or Mindacowie Road is already dangerous and slow. During summer months and on weekends it can take a ridiculously long time to get on to Port Elliot Road. Additional housing in this area will further exacerbate this issue. Roundabouts are urgently needed at both of these intersections and also at the Flagstaff Hill intersection with Port Elliot Road. To put hundreds more residents into these already inadequate intersections is dangerous. 2. Bashams Beach is home to the highly endangered Hooded Plover. The influx of potentially hundreds of new residents to the Bashams Beach area during the breeding season, especially the summer months when they are nesting and young are hatching, will undoubtedly put even more pressure on this seriously endangered bird. 3. Lack of mains sewerage in Middleton makes the area totally unsuitable for the degree of development proposed.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Friday, 17 February 2023 at 2:25:37 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Chris and Tan

Family name: Murphy

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I am impartial about the Code Amendment

Comments: We are concerned about the location of the entry road to the development, off Port Elliot Rd being so close to our driveway, at [REDACTED], which could potentially cause traffic bank up and accidents. We would suggest the entry road would be moved West, past the entry statement wave sculpture, towards Bashams Beach Rd. We expect the speed limit along Port Elliot Rd would be reduced from 80km/h to 50km/h, up to at least Bashams Beach Rd, but could see no mention of that? We note that the minimum size of each block is 1200m2, this must be adhered to.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: RE: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023
Date: Monday, 23 January 2023 at 3:35:41 pm Australian Central Daylight Time
From: Tim Hartman
To: Humby Consulting
Attachments: image003.jpg, image004.png, image005.png

Hi Andrew

I will have a look at your email and get back to you

Cheers Tim



TIM HARTMAN
CHIEF EXECUTIVE OFFICER

 P (08) 8513 48 38 | M 0437 674 488

 tim.hartman@ngarrindjeri.com.au

 4 Third Street, (PO Box 880)
Murray Bridge, SA, 5253

From: Humby Consulting <andrew@humbyconsulting.com.au>
Sent: Monday, 23 January 2023 1:50 PM
To: Tim Hartman [REDACTED] >
Subject: FW: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Hi Tim,

I have tried a number of emails, however I have not been successful with these 'bouncing back'. I have since received confirmation from the Aboriginal Affairs and Reconciliation Officer (Attorney-General's Department) that this email address should work.

I trust that you receive this.

Please see email below and the attached Fact Sheet regarding the public consultation period of the Middleton Code Amendment.

Kind regards

ANDREW HUMBY
DIRECTOR

Urban and Regional Planning Consultants

Subject: Public Consultation submission for Middleton Code Amendment

Date: Wednesday, 8 February 2023 at 2:53:59 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Diana

Family name: O'Neil

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: We have had 2 properties in areas very close to the proposed development and live 1/2 time in one still. Over the 20 years that we have resided part time in the area we have noticed the enormous change in traffic on the main road. It is now at the point that crossing the Goolwa / Pt Elliot Roads as a pedestrian or trying to enter it by car from various side streets like Mindacowie Tce and Bashams Beach Rd or our Street, Williams St, is extremely hazardous, particularly during peak seasons and weekends. Increased traffic volumes will only add to this problem and are a legitimate safety concerns in relation to this development . These concerns , whilst discussed and acknowledged by Council, are not currently addressed or budgeted for. Action needs taken on these matters before support for such a code change occurs. If adequately addressed then support would be forthcoming.

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Thursday, 2 February 2023 at 3:48:10 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Debbie

Family name: Palmer

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: Unfortunately I do not believe that the voices of the public will be heard in relation to this development. Middleton is, for most of the year, a quieter holiday town with incredible spikes in visitation which the township struggles to cope with. Since Covid more and more people live in the area and this has been putting pressures on the lack of town planning. Of particular concern with this new development, being mindful of the difficulties that we already encounter on a regular basis, is the plan for traffic to be directed to both Port Elliot Road and Basham Beach Road. The Middleton Town and Foreshore Committee has been advocating for years for Port Elliot Road to be made safer as the number of road users increases. There are frequent accidents due to poor traffic planning and it is only a matter of time before a member of the public is hit by a car, like what happened in Pt Elliot due to no public walkways or roundabouts in managing traffic in the area. The addition of these new homes will mean an increase in regular traffic and having these cars turning in and out of this development, without an overhaul of the existing traffic management plan is doomed to create more accidents. This allotment of land runs along the cockle train track. Whilst this will be a beautiful outlook for new owners, it comes with extreme risks. Unless adequate changes are made to this land along the tracks, the new home owners would be at risk of their land and potentially their new homes catching fire. Twice in the past two years, including once last month, the Cockle Train has started a fire on the land about 250m further up the track to where this new development is proposed. The brush fires are started from the steam trains and luckily these times it has only been in pastoral land and not impacted the existing home which is not far from the railway line. This needs to be seriously considered as part of this development.

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Sent to proponent andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Sunday, 26 February 2023 at 5:36:43 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: David

Family name: Read

Organisation: Resident

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Requires further consideration and detail, as follows: 1 Must require a 'Concept Plan' (or similar) with supporting written policy to be included in the Code to cover this land area, one which has been mutually negotiated and agreed to as a legal agreement between the developer and Alexandrina Council (maybe even includes Dept for Infrastructure & Transport) .eg. via an infrastructure agreement (or similar). Such a visionary Plan will clearly display expectations, priorities, roles and responsibilities for the land's future development between all parties. 2 The existing right hand turn required from Port Elliot Road into Basham Beach Road is of significant concern, as it is currently dangerous and unsafe. The development will exacerbate the use of this intersection. Requires a safe right hand turning lane. 3 Require a landscape buffer along Basham Beach Road to conceal future residential fencing/housing. This will increase the area's visual amenity. This interface is also a prime gateway entry for whale watching and tourism. 4 Require a landscape buffer along the railway corrido and 'Bicycle/Walking Reserve' to conceal and/or break up the appearance of future residential fencing. This road interface has visual tourism impacts from the adjoining heritage railway use. 5 Will creating a new vehicular access point into the site from Port Elliot Road (similar to point 2 above) create a right hand turn safety issue ? This must be addressed. 6 Where/how will the speed limit change in the local area, as a result of this development ? 7 The 'Playground' development and subsequent location is misleading and not realistic, put this invested \$ into existing open space infrastructure within Middleton instead, connecting more broadly with these. 8 The landscaping and visual appearance of the nominated 'Playground' site is important and requires significant attention when considering Middleton township's gateway entry/exit statement.

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Sent to proponent andrew@humbyconsulting.com.au

Subject: Middleton code amendment

Date: Monday, 6 February 2023 at 3:44:49 pm Australian Central Daylight Time

From: Jeff Rowe

To: andrew@humbyconsulting.com.au

Dear sir/madam

TRAFFIC

I live in [REDACTED].

i'm almost 70 years of age.

I constantly have issues entering onto or crossing the main road by the shop.

We already have way too much traffic on this road.

I've seen it banked up 400 metres out onto Airport road.

We do not need any further development along this stretch of road.

There are regular traffic jams in the main street and this will only exasibate the problem.

EFFLUENT

Middleton already has issues with septic systems and the proposal for land holders to connect with common effluent in recent times was poorly presented and extremely expensive to land holders.

Where will the effluent go?

Is this a back door proposal to get people such as myself onto a system which is totally unnecessary as my septic works fine thank you.

WHO BENEFITS

What benefits does it bring into the community?

None. Only more congestion to an already overtaxed strip of coastal land.

Sure council gets more rate revenue.

And some developer makes a pile of money.

While the residents suffer a further deterioration in quality of life.

My advice to council is fix the current infrastructure issues before you even consider further development....

BAD IDEA. THINK AGAIN

JEFF ROWE

Subject: Public Consultation submission for Middleton Code Amendment

Date: Thursday, 26 January 2023 at 6:57:51 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: adrian

Family name: simmons

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: My concerns with this potential rezoning is that it limits future Main Street business growth or opportunities for expansion of the Main Street precinct for many years to come. I've seen the masterplan and there are multiple residential opportunities outside of this. Growth is inevitable but development in Middleton should align with what the feel of the town is and what tourist come to see and feel. My suggestions are: -larger residential blocks for country feel- with restrictions on buildings. - strategic land banking at this site for future business growth and opportunities. - potential for council to purchase land opportunities along Main Street frontage for future business lease arrangements. - Limiting residential growth

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Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 30 January 2023 at 2:04:58 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Greg

Family name: Souter

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: As much as there is a rental / housing crisis particularly for first home buyers I do oppose this development, the block / land size proposed will render this out of reach for most first home buyers, therefor not alleviating the current problem, moreso however the waste water and stormwater will have a direct inflow to the Bashams creek , and beach area. It was only a few years ago Alexandrina Council proposed that the ' old survey' area of Middleton invest in substantial infrastructure upgrades to prevent seepage from soakage septic systems entering the creek.. which was not approved in the end (by the majority of residents) I'd like to know more about the proposed handling of wastewater , and the thoughts of the EPA. it is noted the proposal suggests stormwater flows into the creek and beach Additionally what is proposed in regards to traffic management on the port Elliot road the entrance from the development looks to coincide with the speed limit change are from 50 -80kmhr, on an already busy and at times extremely problematic section of road to cross over onto the afar lane i.e pulling out of Mindacowie onto Port elliot road heading to Goolwa I'd suggest the traffic proposal is conservative with the proposed total of 30 am trips out of the development, there are on rough count 51 blocks, the average house has 1.8 cars, noticeably higher in regional areas or areas with bigger blocks , yet it is suggested that a very low number of vehicle trips to the west or east.

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Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: andrew@humbyconsulting.com.au

Subject: SteamRanger Heritage Railway Response to Middleton Code amendment

Date: Friday, 17 March 2023 at 1:03:00 pm Australian Central Daylight Time

From: Ben Greeneklee

To: andrew@humbyconsulting.com.au

CC: Peter Schneider

Dear Andrew

I write on behalf of the SteamRanger Heritage Railway Board of Management.

SteamRanger operates the Victor Harbour Railway under license from the South Australian Government, administered by the Department of Environment and Water (DEW).

Under Rail Safety National Law SteamRanger is the accredited Rail Operator and Rail Infrastructure Manger. As such SteamRanger has the statutory obligation to consider all risks associated with the railway and mitigate them so far as is responsibly practical.

While we have no objection to the code amendment we would like to engage in further discussion with the developers on matters including (but not limited to):

- Review the effect (if any) on the level crossings on Mindacowie and Bashams Beach Rd. We would need to do this with the road authority, Alexandrina Council.
- The type of fencing of the area along the rail reserve.
- The possibility of access to Middleton Station from the proposed bike/walking path.
- Stormwater management adequacy so as not to put the railway at risk in a flooding event and the proposed new drain that will go under the rail line.

I look forward to further discussions.

Kind Regards

Ben Greeneklee

SteamRanger Heritage Railway

Infrastructure Manger



Subject: Public Consultation submission for Middleton Code Amendment
Date: Monday, 6 March 2023 at 3:46:02 pm Australian Central Daylight Time
From: PlanSA Submissions
To: andrew@humbyconsulting.com.au
Attachments: Middleton-Code-Amendment_20230306_0001.pdf

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: David

Family name: Stokes

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I do not support the Code Amendment

Comments: The proposed development should be set back from Basham Beach Road by AT LEAST the same distance of the width of the reserve further towards the beach and across the railway line so as to give a similar "buffer" between the road and the residences to be constructed in the development. Removal of those blocks marked with an "X" would give effect to the above.

Attachment 1: Middleton-Code-Amendment_20230306_0001.pdf, type application/pdf, 966.4 KB

Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Public Consultation submission for Middleton Code Amendment

Date: Monday, 6 March 2023 at 2:21:05 pm Australian Central Daylight Time

From: PlanSA Submissions

To: andrew@humbyconsulting.com.au

Andrew Humby – Director, Humby Consulting,

Submission Details

Amendment: Middleton Code Amendment

Customer type: Member of the public

Given name: Alison

Family name: Ward

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I am impartial about the Code Amendment

Comments: As a resident on Basham Beach Road I do not agree with the estimates provided by the CIRQA investigations and believe the the traffic increases (trip numbers) will be significantly higher, using the proposed Basham Beach road exit point as a key entry/exit. As such I would like to request significant rallying to the council/state roads to a)adjust the speed limit between Middleton Township and Basham Beach Road be reduced to 50km/per hour. b) the introduction of a roundabout at the top of Basham Beach Road and Port Elliot Road (already very congested and difficult to exit turning left toward Middleton.) Regarding Infrastructure; please ensure that the proposed lots being built on Basham Beach Road frontage have adequate curbs, stormwater infrastructure (via cement curbs/gutters/ driveway pipes) currently there is none on the Eastern side of the road. Please note that the proposed development, should the code be amended will reduce the privacy, peaceful aspect and enjoyment of existing residents on Basham Beach road and increase noise levels both during and after development. Currently the proposed lot is a peaceful farming paddock affording views of the historic Cockle Train. Consideration should be given for existing residents. thank you.

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Attachment 5: No file uploaded

Sent to proponent email: andrew@humbyconsulting.com.au

Subject: Middleton Code Amendment - Submission

Date: Tuesday, 31 January 2023 at 7:10:54 pm Australian Central Daylight Time

From: [REDACTED]

To: andrew@humbyconsulting.com.au

CC: [REDACTED]

We accept that further land should be made available in Middleton for residential purposes. The subject land is a logical extension of the present township.

We note with some concern that the proposed Master Planned Township Zone ONLY DISCOURAGES Commercial or Light Industry. These forms of development should be EXCLUDED.

We assume that the land division layout shown on the Fact Sheet is indicative only and the final proposed layout will receive the full scrutiny of Council Planners and Infrastructure Engineers.

The layout shows a Reserve noted as being 'desirable'. It is far from desirable, being so sited and so small as to be useless for the residents of the development. We strongly recommend that this area - known in some planning circles as 'leftover land' - be incorporated into widening the screening Reserve along Port Elliot Road. There are numerous areas of open space, both developed and unplanted, within easy walking distance of the proposed new residences.

The bicycle / walking reserve adjacent DENR railway corridor will serve little or no purpose. It does not link directly with the Encounter Bikeway or cyclist facilities in the Middleton main street.

The pond shown in the Reserve would seem to be pretty much only serve to provide a low-cost solution to stormwater disposal generated by development on the land. Alexandrina Council does not, and should not, encourage this solution, as there is insufficient water generated throughout the year to sustain any landscaping and Council staff are not resourced sufficiently to provide a satisfactory level of maintenance.

Please acknowledge receipt of our submission.

Elaine and Peter Wood

[REDACTED]
Middleton

Middleton Code Amendment - Submission

Customer Type: (please tick)

Member of the Public

Council

Community Group

Other

Given name

PETER & SUZANNE

Family Name

WILLIAMS

Organisation (if applicable)

Email Address

Contact Number

My overall view is:

I support the Code Amendment

I do not support the Code Amendment

I am impartial about the Code Amendment

Middleton Code Amendment – Submission

Name	JOHN TAYLOR
Address	[REDACTED]
Email	[REDACTED]
Phone Number	[REDACTED]

My overall view	FOLLOWING POINTS ADDRESSSED WOULD GIVE A POSITIVE VIEW
-----------------	---

Comments	<ol style="list-style-type: none">① CHECKS IN PLACE TO STOP FUTURE REVISIONS ?② WATER MANAGEMENT IN LIGHT OF RECENT FLOOD EVENT③ MAIN ROAD CONGESTION AND SAFETY④ GREEN SPACE MINIMAL STORM WATER POND IS NOT GREEN SPACE
Date	

Middleton Code Amendment - Submission

Customer Type: (please tick)

Member of the Public

Local home owner.

Council

Community Group

Other

Given name

Brendan

Family Name

Spencer

Organisation (if applicable)

Local from Middleton.

Email Address

[Redacted]

Contact Number

[Redacted]

My overall view is:

I support the Code Amendment

I do not support the Code Amendment

I am impartial about the Code Amendment

Comments:

My main concerns: NO blocks under 700 m^2
How storm water drains off, especially protecting
the Bushams Bay Area - from Erosion.
Access to the Area of houses - traffic flow.
Roundabout @ Rob intersection ^{and} maybe. Bushams also
which will reduce incidents in & out.
also, ~~the~~ Roundabout at Flagstaff Rd.

~~the~~ Pricing concerns

Attachment(s): Yes No

COMMENTS DUE: 5.00PM, 17 March 2023

Middleton Code Amendment - Submission

Customer Type: (please tick)

- Member of the Public *Resident*
- Council
- Community Group
- Other

Given name

Maia

Family Name

Lease

Organisation (if applicable)

Email Address



Contact Number



My overall view is:

- I support the Code Amendment
- I do not support the Code Amendment
- I am impartial about the Code Amendment

BUT
~~because~~ I support sustainable,
fit for purpose growth
that aligns with
Middleton's character-
+ values.
- surfing, looking
after the environment.

Ideas.
This is for
later!

Comments:

① Climate Ready Houses

- 5 star NABERS energy rating
- Solar + battery
- White roofs
- Energy efficient.
- Water efficient
- Heat Island mitigate.

- ## ② Public Realm
- green space
 - shade trees planted along the public roads.
 - pedestrian
 - bike path ✓
 - Storm water — we had the 12 Nov. 2022 flood. Need to plan for extreme weather events
 - Public Art (surf theme)

- ## ③ Crossings so increase in # of cars/people managed
- traffic calming
 - round about

- ## ④ Sewerage + stormwater

Attachment(s): Yes No

impact.

COMMENTS DUE: 5.00PM, 17 March 2023

Middleton Code Amendment - Submission

Customer Type: (please tick)

Member of the Public

Council

Community Group

Other

Given name

MAUREEN

Family Name

HATCH

Organisation (if applicable)

N/A

Email Address

N/A

Contact Number

My overall view is:

I support the Code Amendment

I do not support the Code Amendment

I am impartial about the Code Amendment

I am ambivalent about the Code Amendment
(see over)

Comments:

I am ambivalent because I live [REDACTED] development & would prefer to see the land remain vacant. However, I also realise it will eventually be developed & this proposal is probably the best option we will get.

My main concern is the increase in traffic. Port Elliot Road is becoming increasingly busy as is Basham Beach Rd. I would request that if this proposal is approved that Basham Beach Rd be made 50 kph. & Port Elliot Rd from Middleton township to at least 200 metres past Basham Beach Rd/towards Pt Elliot) also be 50 kph. The ideal would also be a bypass road around Middleton.

Also my understanding is that if this proposed code amendment is approved, that the development will have to be as described.

Attachment(s): Yes No

COMMENTS DUE: 5.00PM, 17 March 2023

Middleton Code Amendment - Submission

Customer Type: (please tick)

Member of the Public

Council

Community Group

Other

Given name

MARGARET & BRIAN

Family Name

[REDACTED]

Organisation (if applicable)

HOME OWNER

Email Address

[REDACTED]

Contact Number

[REDACTED]

My overall view is:

I support the Code Amendment

I do not support the Code Amendment

I am impartial about the Code Amendment

Comments:

~~An urgent need~~ for a Roundabout at
MINDACOWIE Tce. and Basham Beach Rds.

LESS homes to be built on this area.

NO houses to face the railway line
if they do they need to have frosted
windows.

Depreciation of existing homes facing
this area.

Far too many houses to be built on
a small plot. This will become a
slum area like you can see
Hindmarsh Island. has the potential to
become as houses are on such a small
area with no room between them

Attachment(s): Yes No

COMMENTS DUE: 5.00PM, 17 March 2023

MIDDLETON LAND CODE AMENDMENT ASSESSMENT

The proposed land is being considered for rezoning, from the current “Deferred urban” to a “ Masterplanned Township” zone.

The performance outcomes and features which meet the requirement to demonstrate these have been met clearly fail to ensure this development will enhance the character of the Middleton township in a number of ways.

The proposal, while having some merit needs additional zone overlays to ensure the development reflects and positively contributes to the character of the Middleton township.

The current performance outcomes for this proposed zone (“Deferred urban” proposed to be rezoned as a “ Masterplanned Township” zone) include:

- PO 1.1 looks at promoting a diverse range of housing choices “ with compatible recreational, community services and other activities to support a growing community and create a pleasant place to live that compliments the established township development pattern” .

A range of development options are identified, some desirable and some not. The set allotment size (minimum 1200m²) while ensuring large allotments in keeping with the character of the existing residential housing stock would prevent a variety of allotment sizes and housing options, unless an option such as a cluster of smaller lots to house retirement style small dwellings could share an enviro cycle style waste system, disposing of waste via sub surface irrigation in the public open space. (Say 8 x 300m² lots with a collective waste treatment system)

- PO 1.4 To promote more permanent residents allowing for a variety of home office or industry is also desirable. Allowing for and promoting use of lots for home offices or suitable business use (eg artist or craft studio and gallery) would encourage permanent rather than periodic use of the area.
- PO 2.2 looks at staging infrastructure development.
It is highly desirable for all public infrastructure, especially green infrastructure to be developed up front, ensuring residents don't have to wait till the development is complete before having access to public reserves and recreational assets, and the establishment of streetscapes and avenues of street trees. Green assets take some time to develop, and therefore should be installed as early as possible to ensure their benefits are realized as sooner rather than (some time) later. It is also highly desirable for treescapes to be of similar size, so planting street trees at the same time, rather than staggering planting as lots are taken up is best practice.
- PO 4.1 looks at the provision (size and distribution) of public open space, to promote recreation and healthy lifestyles. The usability of high quality open space

Unless the specific requirements of this zone (additional overlays) dictate specific requirements for open space provision we may end up with a poor quality reserve which fails to provide for suitable community demand, or reflect community wants. The Act is weak on this provision, other than prescribing a minimum area based on a percentage of the development area rather than looking at what will provide the best and most appropriate community benefit.

- PO 11.1 looks at promoting a diverse range of housing choices. To ensure this happens a more prescriptive approach should be taken, with requirements similar to some of the encumbrances used at the nearby “ Beyond” residential development, which ensures that a diverse range of housing style, building type and material palette all achieve high levels of energy efficiency without negatively impacting on the usability of the dwellings.
- PO 12.2 looks at the developments interface with surrounding areas. To ensure that the Port Elliot road frontage does not create an eyesore for the scenic and busy coastal drive, (because you will be looking into people’s backyards) a significant vegetative screen needs to be established to prevent these views from dominating what is currently a scenic drive between townships
An effective vegetative screen needs to be 20 metres wide, utilizing endemic native plants (which will thrive with little maintenance once established) of varying heights, shapes, density and spread. A vegetative barrier of this size also provides an effective noise and dust buffer for residents, improving the amenity of their private open space.

Given the proposed minimum 20 metre frontage of lots a significant avenue of street trees can be established on wide verges if 20 metre road casing are employed, allowing for wide verges supporting large street trees.

The following information has been provided by the developer:

ADJACENT ROAD NETWORK

Port Elliot Road is a Scenic Tourist Route under the care and control of the Department for Infrastructure and Transport (DIT). The road comprises a single traffic lane and sealed shoulder in each direction separated by a marked centreline. Generally, an 80 km/h speed limit

applies on Port Elliot Road adjacent the site (which reduces to 50 km/h at the eastern end of the site).

Basham Beach Road and Mindacowie Terrace also provide access to nearby public coastal areas and beaches. A tourist rail corridor is located adjacent the subject land's southern boundary (along which the Cockle Train operates). Passive level (rail) crossings are located on both Basham Beach Road and Mindacowie Terrace (one on each road).

PROPOSED REZONING

It is proposed to rezone the subject area to enable future residential development on the site.

in the order of 52 allotments could be developed within the subject land following its rezoning (

it has been assumed that each allotment would accommodate a single detached dwelling.

While that may well have been proposed on concept plans (given this a rezoning and NOT a land division application) there is nothing to prevent the proponent from selling on the land once it has been rezoned, and a new developer may have quite different visions for this development.

TRAFFIC GENERATION AND DISTRIBUTION

A daily traffic generation rate of 7.5 to 8 trips per dwelling is typically adopted for residential development in SA. While there are limited public transport provisions servicing the subject site (which could result in a higher traffic generation), there would also be a proportion of dwellings utilised as 'holiday homes' with minimal traffic generation for

much of the year. The rate of 8 trips per dwelling is considered appropriate for assessment of the subject proposal.

TRANSPORT INFRASTRUCTURE PROVISIONS

While direct access for individual allotments would be appropriate via Basham Beach Road, it was also recommended that no direct access be provided for allotments via Port Elliot Road (given the road's function). Such recommendations are considered to remain relevant to the current rezoning proposal.

INTERNAL ROAD NETWORK

The internal road network should generally provide a high level of permeability for pedestrians and cyclists. Given the relatively low traffic volumes, all roads within the site would be classed as 'local roads' (less than 1,500 vehicles per day). The internal road networks would desirably include pedestrian facilities (at least on one side of the road).

BROADER TRAFFIC IMPACTS

Based on the forecast traffic volumes, the future redevelopment of the subject land would distribute in the order of 21 peak hour trips to both the east and west of the site at full completion of site development (and depending on yield realised). Such volumes equate to an increase of approximately 2% of the existing peak hour volumes. These movements would primarily be distributed to through bound movements on Port Elliot Road (Victor Harbor–Goolwa Road). However, there will be minor increases in turning movements at intersections along this road. Namely, the intersections of Waterport Road/Port Elliot Road (right-in and left-out) and Flagstaff Hill Road/Port Elliot Road (left-in and right-out). identified.

PARKING ASSESSMENT

The Planning and Design Code identifies the following parking provision requirements for various forms of residential development:

- detached dwelling/row dwelling (not rear loaded)/semi-detached dwelling – one-bedroom dwelling – one space per dwelling; – two or more bedroom dwelling – two spaces per dwelling;*

Specifically, the Planning and Design Code seeks 0.33 on-street spaces per dwelling. The design of the internal road network should therefore seek to meet (or exceed) this rate.

Traffic – response.

The report provided by the proponent identifies current and proposed traffic impacts. What it does not do however is consider that Middleton has about 70% non permanent residential properties. Most of these homes are let for short term holiday rental.

It is not unusual to see four or more cars at each rental property, meaning that the site has the potential for about **35 homes to have 140 vehicles during peak holiday periods**. Living here, I can attest to the fact that holiday renters have considerably more vehicle movements than permanent residents, meaning traffic impacts during holiday periods will be significantly higher than the figures suggested by the proponent.

Added to that is the impact of day visitors, whose numbers are highest during periods where rental properties are most heavily booked. (Public holidays, summer holidays, whale watching season etc)

Recognised existing traffic issues which occur at the Flagstaff road/Goolwa road Junction, Mindicowie road/Goolwa road and Bashams road intersections will be significantly worsened during peak

holiday periods, with potentially huge increases in traffic volumes at these key locations during peak times.

Increased traffic flows will – at these peak times – be significantly higher than the proponent suggests (based on their assumed averages) and will compound existing safety issues experienced at the Flagstaff road and Mindecowie road junctions with the Goolwa Port Elliot road.

These two intersections will need roundabouts to address traffic concerns during all moderate to high traffic periods, where unrecorded near accidents could very easily significantly increase traffic accident events.

Roads.

Internal roads are now frequently 14 metres or less wide, however the internal roads in this site should be **20 metres wide**, (the old standard for residential areas) to allow for the construction of Water Sensitive Urban Design (WSUD) elements such as rain gardens, to promote infiltration of stormwater, and to allow for a safe pedestrian network of paths. Council may not like them but tough. If properly constructed they should not be an unreasonable asset to maintain given the environmental benefits they provide. Council environment and climate action policies probably support this.

Wider verges would also allow for larger street trees to be planted, addressing the extremely low canopy cover measured in the Middleton township, and to create character and enhance a sense of place within the development. It is an optimistic at best assumption that residents will have large canopy trees within their private open space, which cannot be supported or even demonstrated. If in fact that was the case canopy cover in Middleton would already be significantly higher.

The layout and permeability of internal roads should be designed to discourage the use of the road network as a shortcut between Bashams and Mindecowie roads, through the use of chicanes and protuberances to restrict traffic speed. These could be heavily planted to prevent drivers going over them.

Environmental Setting

Topography and Drainage

There is a gradual slope from an approximate height of 23 m Australian Height Datum (m AHD) on the north-western corner (Port Elliot and Basham Beach Road) to approximately 18 m AHD on the southern boundary, therefore, sloping in a south-easterly direction. Stormwater is expected to flow in a south-easterly direction, although stormwater flow over land is not expected to be significant as a large amount of stormwater is expected to infiltrate through the soil profile. The Middleton Beach coastline is located approximately 400 m south-east of the site at its closest point. A small water body is located approximately 1.2 km north of the Site on a private property. Lake Alexandrina is located approximately 24 km East of the Site.

STORMWATER

EXISTING STORMWATER NETWORK Alexandrina Council (Council) advised that there is currently no suitable stormwater infrastructure near the site available to receive drainage from the development. Council's preference is for development runoff to be transferred via a new drain and discharged to sea via a new outfall structure.

STAKEHOLDER REQUIREMENTS

Alexandrina Council Council provided the following advice regarding stormwater management requirements:

- *On-Site Detention Requirements* On-site detention not required if stormwater system is catered for 20 years. Smaller system with detention basin option can be assessed, however, the development would need to detain 100-year post to 10-year pre in this instance.
- *Stormwater Quality Requirements* Meet EPA water quality improvement targets noting EPA and DEW may have additional requirements regarding discharge to ocean. Council also advised that Water Sensitive Urban Design (WSUD) is becoming a maintenance issue. Therefore, achieving targets via a new Gross Pollutant Trap (GPT) would be a better outcome than WSUD for Council.
- *Retention of litter greater than 50mm for flows up to a 3-month Average Recurrence Interval (ARI) peak flow*
- *No visible oils for flows up to a 3-month ARI peak flow*
- *Compliance to Environment Protection Policy (Water Quality) 2015, under the Environment Protection Act, 1993. Based on the EPP Water Quality (2015) for freshwater environments, the listed pollutant concentrations will be used as the limiting targets in the stormwater discharge.*

STORMWATER QUANTITY MANAGEMENT

STORMWATER MANAGEMENT CRITERION

Per correspondence with Council, there are two options regarding stormwater management:

- *Option 1: System Without On-Site Detention Sized to accommodate 20-year (5% AEP) storm.*
- *Option 2: System With On-Site Detention Sized to detain 100-year (1% AEP) post to 10-year (10% AEP) pre.*

STORMWATER TRANSFER METHOD

As per Council's advice and preference, it is proposed that the development runoff would be transferred via a new drain and discharged to sea via a new outfall structure. The new drain alignment is proposed to be within Mindacowie Tce.

OPTION 1: SYSTEM WITHOUT DETENTION

OPTION 2: SYSTEM WITH DETENTION

STORMWATER QUALITY MANAGEMENT

*The development site must achieve the EPA water quality reduction targets. **It is preferable that this is achieved via a new GPT.***

VEGETATED SWALE

A vegetated swale is also proposed to be provided along southern boundary of the reserve between pipework to assist in treatment. The swale will be planted with reeds which would become a feature on the edge of the park.

RESPONSE

The above information about stormwater management looks primarily at flood protection for built form and development within and adjacent to the site. It does not adequately consider the inappropriateness of directing additional untreated, or minimally treated stormwater into the marine environment. The Middleton and Bashams coastal areas are significant whale breeding zones, as well as recognized areas of marine significance. Facilitating additional outflows from urban development without significant levels of primary treatment is an obscene proposal.

The supported cheaper option of local detention via a vegetated swale – in the public open space, - the primary purpose of which is to provide

recreational and environmental benefit to local residents, will reduce the reserves ability to perform its intended purpose.

Reeds (*Phragmites australis*) are an ephemeral plant grown in wet conditions, so this proposed “feature” will mean that this area will not provide unencumbered recreational use of the reserve. So while it may well be a “feature” for much of the year it will be a negative feature.

Unless it is designed to provide demonstrated environmental value and recognized habitat benefit as an ephemeral wetland, it should not be considered as a part of the public reserve, but rather as a constructed stormwater asset. As such any area designed to retain stormwater should not contribute to the required 12.5% open space provision.

WSUD options

Look at the use of verge water gardens, to allow for stormwater to be absorbed into natural ground as much as possible, with excess to be drained off to secondary treatment via settlement ponds or a humeceptor or similar structure. These (watergardens) could be accommodated within 20 metre road reserves.

Stormwater should be diverted to Bashams reserve or another site where a detention pond could further treat water before any discharge into marine environments occurs.

Public Open space

The proposal looks to develop a reserve on the Mindacowie road end of the site, which is logical given it is the closest point to the town centre.

The reserve will need to be a minimum of 12.5% of the site area, consistent with planning requirements.

Should the amenity or usability of the reserve be negatively impacted on by stormwater management infrastructure, such as storm water

detention, or vehicular access points for sediment control devices, the impacted area footprint should not be considered as a part of the 12.5% reserve space.

Additionally the reserve should provide both usable recreational space, as well as a range of community facilities such as shelters, seating, paths, public artwork and potential constructed space for community use, such as a rotunda to allow for community events.

Unless specific deliverables are required as a performance outcome and feature for this site, the general requires for this zone means there is NO CAPACITY to require the current or any future proponent to provide suitable public facilities

SUMMARY (provided by the developer)

The subject rezoning (Code Amendment) within Middleton will facilitate the future redevelopment of the Affected Area for residential development. It is anticipated that in the order of 52 dwellings could ultimately be developed within the overall site. It is considered preferable that primary access to/from the site be accommodated via a new intersection of Port Elliot Road. Secondary access (as well as direct allotment access) via Basham Beach Road is also considered appropriate.

SUMMARY (in response)

In general the community recognizes the inevitability of this area being rezoned to allow for residential expansion of the Middleton township.

The proposed zoning, - “ Master Planned Township Zone” has a very broad range of performance outcomes which are nowhere near

prescriptive enough to ensure an outcome that will complement and enhance the existing Middleton village.

Unless additional controls and requirements are added to these performance features there is NOTHING preventing a generic, bland and characterless development which in no way reflects the character and charm of Middleton from being built.

Beam up Mount Barker or the northern suburbs. Larger blocks alone will not protect our community, will not create character or emulate the feel and style to ensure a quality, well considered residential area in keeping with the “vibe” of our village.

The nearby Beyond residential development shows what can be achieved, - at the time this was only possible because of the largess of the developer.

Hopefully we now have a planning agency with the same foresight and vision shown 20 years ago at Beyond. Let’s challenge the assumption that mediocrity is OK, when we can raise the bar and set a standard of development for this site that will improve all future development in this vibrant coastal region.

Attachment 3 - Copy of Submission received from Alexandrina Council



File: 3.71.064
KW:KP

27 March 2023

Hon Nick Champion
Minister for Planning

By email: MinisterChampion@sa.gov.au

Dear Minister Champion

Middleton Code Amendment

Thank you for the opportunity to provide input into the Middleton Code Amendment (CA).

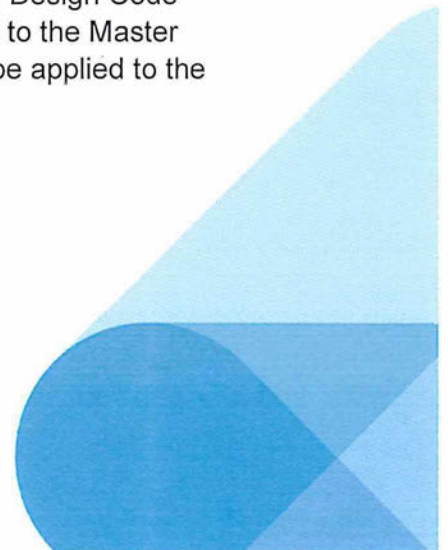
The area affected ('Affected Area') by this CA was previously considered by Council for rezoning to residential land through a draft 'Statement of Intent' that also included the Deferred Urban land to the north of Port Elliot Road. This decision was ultimately deferred.

From a strategic planning perspective, Council recognises that the land is identified as 'Deferred Urban', is located outside of the protected Environment and Food Production Area and is generally free of any significant environmental or infrastructure servicing constraints and therefore supports its rezoning for residential purposes.

Council has however identified two areas that it would like addressed before any final approval is granted.

Council is in the process of undertaking a Master Plan process for the township of Middleton which has identified many opportunities for the future development and enhancement of the township including alternative solutions for the layout of the Affected Area. Therefore, although it is recognised that the road layout illustrated on the proposed Concept Plan is indicative and subject to a future development application, Council requests that the indicative road layout be removed from the Concept Plan. This adjustment is expected to help to minimise future public confusion around the actual future development of the site.

Further, Council recently adopted a Tree Canopy Benchmark and Thermal Imaging 2023 report (Active Tree Services) which identified Middleton township as having only 14.1% tree canopy cover. Whilst it is recognised that the Guide to the Planning and Design Code document does not identify the Urban Tree Canopy Overlay as relevant to the Master Planned suite of zones, Council respectfully requests that this Overlay be applied to the Affected Area.





With Council owned land only providing 20 % of urban greening opportunities and such low tree canopy figures for the township of Middleton, there needs to be a reliance on private land to contribute to this important aspect in combatting climate change and contributing to the wellbeing of the community. Application of the Overlay is therefore critical in the absence of any alternative policy.

Council looks forward to your favourable consideration of these requested changes. Should you wish to discuss Council's submission further, please do not hesitate to contact Kylie Weymouth, Acting Manager Strategic Development on telephone 8555 7298 or email kylie.weymouth@alexandrina.sa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Keith Parkes", followed by a long horizontal line extending to the right.

Keith Parkes
Mayor

Cc: Mr Andrew Humby, Humby Consulting
Mr Craig Holden, Chair State Planning Commission

Attachment 4 - Copy of Submissions received from Other Stakeholders



Reference no. A27858498

Gums ADHI Pty Ltd
C/- Mr Andrew Humby
Humby Consulting
Via email: andrew@humbyconsulting.com.au

SA Housing Authority

GPO Box 1669
ADELAIDE SA 5001
DX 550

Tel: 131 299
ABN: 17 545 435 789

www.sa.gov.au/housing
housingcustomers@sa.gov.au

Dear Mr Humby

SA Housing Authority response to Middleton Code Amendment consultation

I write to advise that the SA Housing Authority (the Authority) is supportive of the proposed application of the Affordable Housing Overlay to Lot 104 Port Elliot Road, Middleton (Ngarrindjeri/Ramindjeri Country) by the Middleton Code Amendment.

The Authority reports to the Minister for Human Services and the South Australian Housing Trust Board to administer the *South Australian Housing Trust Act 1995*. The Authority has an interest in the development of more affordable housing in South Australia, including regional centres, in addition to its public and community housing responsibilities and private rental assistance program.

Furthermore, the application of the Affordable Housing Overlay is expected to support the functions of the *SA Housing Trust Act 1995* by facilitating successful housing outcomes for South Australians. The Affordable Housing Overlay is also expected to support delivery of State Planning Policy 6: Diversity and Supply through implementation of regional centre growth within the existing footprint and provision of new infrastructure services (State Planning Policy 6 – Policy 6.4).

The Government of South Australia has been working with private industry for more than 10 years to deliver in excess of 4,000 affordable homes to the market. The Authority is pleased to support the delivery of more affordable housing in a high growth regional township such as Middleton.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nicholas Symons', with a stylized flourish extending to the right.

Nicholas Symons
Chief Financial Officer
Finance and Partnerships

27/02/2023



Environment Protection Authority
GPO Box 2607 Adelaide SA 5001
211 Victoria Square Adelaide SA 5000
T (08) 8204 2000 F (08) 8204 2020
Country areas 1800 623 445

EPA 729-447

Mr Andrew Humby
Director, Humby Consulting
Alexandrina Council
PO Box 21
GOOLWA SA 5214

Dear Mr Humby

Middleton Code Amendment - Public consultation

Thank you for providing the Environment Protection Authority (EPA) with the opportunity to comment on the *Middleton Code Amendment – Allotment 104 Port Elliot Road, Middleton - Allotment 105 Mindacowie Terrace, Middleton.*

The EPA has reviewed the CA to ensure that all environmental issues within the scope of the objects of the *Environment Protection Act 1993* are identified and considered. The EPA is primarily interested in ensuring that the proposed rezoning is appropriate and that any potential environmental and human health impacts that would result from future development are able to be addressed at the development authorisation stage.

The EPA notes the land is currently located within the Deferred Urban Zone and the designated entity states the land is no longer suitable for continued agricultural use. This Code Amendment seeks to rezone the land to the Master Planned Township Zone to facilitate low-density residential allotments.

The EPA provides the following comments for your consideration.

Water Quality

The affected area is located adjacent the north-western edge of the Middleton township.

The Code Amendment (CA) documentation states:

At this stage, there is no mains sewer system or an approved common wastewater service that anticipated allotments will be able to connect into; therefore allotment sizes within the Affected Area would need to be in the order of 1200m² in area to be able to treat septic

*waste with an on-site system*¹.

As a general principle, the EPA has a strong preference for connection to communal wastewater systems instead of individual onsite disposal systems. All on-site wastewater systems require ongoing operation and maintenance to ensure that the design performance of the system is achieved for its expected life. If not operated and maintained correctly, on-site wastewater systems may fail to comply with approved performance criteria which increases the risk to public and environmental health.

Failing and/or high densities of on-site wastewater treatment (septic) systems in some coastal townships across South Australia contribute nutrients to nearshore marine waters through shallow subsurface or occasional overland flows.

In 2015 and 2021, the EPA undertook aquatic ecosystem condition investigations at Encounter Bay to determine if failing wastewater treatment systems were impacting seagrasses². Investigations found that seagrass was in generally good condition. While a slight decline in seagrass was reported, it is considered to be within the range of natural variability. It is also noted that this portion of the coast is characterised by high wave energy which assists to quickly dissipate any excess nutrients that may enter the marine environment.

This Code Amendment (assuming allotments of 1,200 square metres) will result in approximately 70 additional allotments. This equates to a 5% increase in the number of allotments in Middleton relying on onsite wastewater systems. Taking into account the high wave energy foreshore and the slight percentage increase in the number of allotments, the EPA anticipates the additional allotments would not perceptibly impact the marine environment.

It is noted that general development policies at Land Division (at PO 4.2 and DTS/DPF 4.2) of the Planning and Design Code reflect the need to satisfy the relevant authority that domestic wastewater can be disposed of without risk to public health or the environment.

Further the *On-site wastewater systems code* (by SA Health, dated April 2013) states that a Site and Soil Suitability report prepared by a wastewater engineer should be submitted with a land division application. The report should include an assessment of allotment size and land use, the slope, soil type, depth to groundwater, depth to bedrock or limiting layers, coastal and watercourse/bore setbacks, setbacks to buildings, boundaries and other structures such as sheds and driveways, groundwater setbacks, and an assessment of the cumulative effects of off-site migration of effluent.

This is acceptable to the EPA.

Stormwater

Any intensification of urban development should include stormwater drainage systems that are designed to maximise the interception, retention and removal of waterborne physical, chemical and biological pollutants prior to their discharge to stormwater systems or receiving waters and including

¹ As indicated by DTS/DPF 11.2 of the Master Planned Township Zone, Planning and Design Code.

² The condition of seagrass is an indicator of the health of the marine environment.

culverts, creeks and marine park.

Water Sensitive Urban Design (WSUD) is a well-recognised approach to managing water in urban environments in a way that minimises impacts on the natural water cycle in an integrated, holistic manner. Through careful design, construction and maintenance, WSUD can support multiple objectives such as water quality and conservation, flood management, enhanced amenity, as well as the protection of biodiversity and ecosystem integrity.

WSUD measures which may be applied to the proposed area include:

- erosion and sediment control during construction
- detention and use of roof water for hot water, laundry, toilets and irrigation
- detention (treatment) and use of stormwater for irrigation (e.g. on-site detention tanks, ponds, wetlands, aquifer storage and recovery)
- detention, treatment and reuse of grey water for irrigation (e.g. greywater systems, reed beds)
- retention of stormwater through infiltration (e.g. porous paving, soakage pits/trenches)
- specially designed landscaping to treat and utilise stormwater (e.g. swales, rain gardens), and
- protection of existing vegetation to minimise site disturbance and conserve habitat.

The CA states:

Currently, there is no suitable stormwater infrastructure near the site available to receive drainage from the development.

Wallbridge Gilbert Aztec has recommended that a proposed reserve be designed to accommodate 20-year (5% AEP) storm to ensure that the reserve is able to still be useable as a passive functioning public open space for the community.

Relevant policy exists within the Planning and Design Code to facilitate the assessment of stormwater management and water sensitive urban design infrastructure. Further, the Concept Plan proposed by this Code Amendment identifies land for an open space reserve that could play a role in stormwater management.

Railway Interface

The Cockle Train Tourist Railway runs along the southern boundary of the affected area. The Cockle Train runs on a variable timetable with services typically operating on Saturdays, Sundays and Wednesdays outside of school holidays and additional services occurring during school holidays. There are typically only three services per day with no services run during the evening or night.

The EPA's *Guidelines for the assessment of noise from rail infrastructure* (2013) (GARNI) outline the noise criteria that apply to new residential development adjacent to existing rail corridors. The GARNI assesses noise impacts by averaging noise impacts over a 15 hour (day) or 9 hour (night) period. Noting that there are only three services per day during the majority of the year and no

services at night, and due to the long noise assessment averaging periods, it is unlikely that the noise impacts from the Cockle Train Tourist Railway would exceed the noise criteria described in the GANRI.

Further, the Concept Plan proposed by this Code Amendment identifies a bike/walking/landscape trail along the southern boundary of the affected area and between the affected area and the railway line which will act to provide separation between the railway line and future dwellings.

Site contamination

The CA documentation includes a Preliminary Site Investigation report prepared by DBD Environmental and dated May 2022. The report acknowledges the site was primarily used for low intensity agricultural uses and assumes that the future use of the land may include sensitive (i.e. residential) land uses with access to soils. The report also acknowledges the railway line along the southern boundary of the affected area.

In summary, DBD Environmental “considers that the historical PCAs identified would not preclude the proposed future land use.”

Any future DA for land division for a sensitive use, or a change in the use of land to a more sensitive use, would be subject to the provisions of the Site Contamination Development Assessment Scheme (comprising the *Planning, Development and Infrastructure (General) Regulations 2017, Practice Direction 14 - Site Contamination Assessment 2021* and the *Planning and Design Code*) applying at the time.

For further information on this matter, please contact Melissa Chrystal on 8204 1318 or Melissa.Chrystal@sa.gov.au.

Yours sincerely

Scott Douglas

PRINCIPAL ADVISER PLANNING POLICY AND PROJECTS

PLANNING AND IMPACT ASSESSMENT

ENVIRONMENT PROTECTION AUTHORITY

Date: 15 March 2023

27 March 2023

Humby Consulting
Attention: Middleton Code Amendment
PO Box 7434 Halifax Street
ADELAIDE SA 5000

Dear Sir/Madam,

Re: Middleton Code Amendment

I refer to the email dated 18 January 2023 received from your office seeking our comments on the above Code Amendment and wish to advise the following:

We note the comments made on page 26, Section 5.4 Civil Infrastructure and Utilities Planning in respect to the "Potable Water". SA Water's water network abuts the area subject the above code amendment, however, water network's augmentation may be required should the proposed rezoning generate an increase in existing demands.

The extent and nature of the augmentation works (if required) will be dependent on the final scope and layout of the future developments and will be required to comply with the SA Water Technical Standards including those for the minimum pipe sizing (refer to 2nd paragraph of the "Provision of Infrastructure" section on page 2). This advice should be provided to prospective developers.

SA water does not provide sewer services to the area affected by this Code Amendment.

Our general comments in respect to new developments or redevelopments are provided below.

SA Water Planning

- SA Water undertakes water security and infrastructure planning that considers the longer term strategic direction for a system. That planning seeks to develop a framework that ensures resources and infrastructure are managed efficiently and have the capacity to meet customer requirements into the future. The information contained in the Code Amendment document regarding future re-zoning and land development will be incorporated in SA Water's planning process.

Protection of Source Water

- Development/s shall have no deleterious effects on the quality or quantity of source water, or the natural environments that rely on this water. In particular, the following conditions shall apply:
 - Landfill shall be outside of Water Protection Zones;

- Landfill area to include leachate collection facilities;
- Effluent disposal systems (including leach drains) to be designed and located to prevent contamination of groundwater; and
- Industry must be located in appropriate areas, with safeguards to ensure wastewater can be satisfactorily treated or removed from the site
- Development shall avoid or minimise erosion.
- Development shall not dam, interfere, or obstruct a watercourse
- The Natural Resources Management Act 2004 includes wide ranging powers over source water quantity issues. The Department for Environment and Water should be consulted, if in doubt, over compliance with this Act. Source water quality issues are addressed by the Environment Protection Authority through the Environment Protection Act 1993.

Provision of Infrastructure

- All applications for connections needing an extension to SA Water's water/wastewater networks will be assessed on their individual commercial merits. Where more than one development is involved, one option may be for SA Water to establish an augmentation charge for that area which will also be assessed on commercial merits
- SA Water has requirements associated with commercial and multi-storey developments as outlined below:
 - Multi-storey developments: For buildings with five stories and above, a minimum of DN150 water main size is required. For buildings with eight stories and above, a minimum of DN 200 water main size is required.
 - Commercial/Industrial developments: A minimum of DN 225 receiving main size is required for sewer and a minimum DN 150 main size for water.

Thank you for the opportunity to comment on the Middleton Code Amendment. Please contact Peter Iliescu, Engineer, Systems Planning Wastewater on telephone (08) 7424 1130 or email peter.iliescu@sawater.com.au in the first instance should you have further queries regarding the above matter.

Yours sincerely,

per Daniel Hoefel
Senior Manager, Infrastructure Planning and Strategy
Phone: [REDACTED]
Email: [REDACTED]

Subject: RE: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023
Date: Tuesday, 28 March 2023 at 12:33:35 pm Australian Central Daylight Time
From: Leah Bertholini (CFS)
To: andrew@humbyconsulting.com.au
CC: CFS:Development Assessment Service
Attachments: image002.jpg, image003.png

OFFICIAL

Good afternoon,

The South Australian Country Fire Service (SA CFS) welcomes and supports development in regional and rural areas of South Australia.

An officer of the SA CFS has undertaken a review of the code amendment document(s) provided on the Plan SA Have Your Say, Code Amendments website.

SA CFS has regard for the bushfire hazard(s) against the future land divisions and residential development that will result from this code amendment and provides the following comments:

-
Bushfire Hazard Overlay / Bushfire Attack Level (BAL)

SA CFS notes that the subject land is within the 'Medium' bushfire hazard overlay and considers that as adequate.

SA CFS further notes that a future Bushfire Hazard Overlay Code amendment may alter the existing overlays and the associated policies within the project area.

Access/Egress

Any future internal road networks should be designed to achieve compliance with the 'Roads' requirements in the corresponding bushfire hazards overlays.

Water

It is imperative to ensure adequate pressure/reticulation and hydrants are provided in the subject development. Individual residential allotments will also be required to provide a fire fighting water supply in line with the provisions of MBS 008.

Thank you for the opportunity to comment.

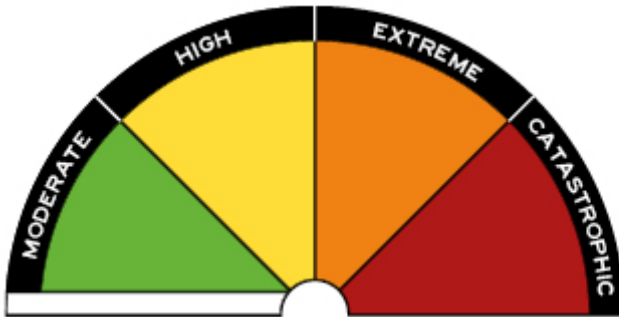
Leah Bertholini

Manager - Development Assessment Services
South Australian Country Fire Service
Level 1, 60 Waymouth Street, Adelaide

Adelaide SA 5000

cfs.sa.gov.au | [Find us on Facebook](#) | [Follow us on Twitter](#)

The South Australian Country Fire Service (Adelaide Headquarters) is relocating to the new Emergency Services Headquarters located 37 Richmond Road, Keswick SA, 5035. Our PO Box and phone numbers remain the same.



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In the spirit of reconciliation the CFS acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.
Leah Bertholini

From: Humby Consulting <andrew@humbyconsulting.com.au>
Sent: Wednesday, 18 January 2023 11:47 AM
To: [REDACTED]
Subject: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Dear Leah,

Please be advised that the Gums ADHI Pty Ltd will commence the public and agency consultation period of the 'Middleton Code Amendment' on Thursday 19 January 2023, pursuant to the requirements of the *Planning, Development and Infrastructure Act 2016*.

Land is proposed to be rezoned at the western end of the Middleton township to enable the creation of low-density residential allotments plus a large public reserve adjoining the Middleton Tavern and railway station. The affected area consists of approximately 8.8 hectares of land currently zoned Deferred Urban and is bound by Port Elliot Rd, Basham Beach Rd, Mindacowie Tce and the rail corridor.

The public consultation period of the Middleton Code Amendment commences on Thursday 19th January 2023 and concludes 17 March 2023.

Details of the Code Amendment can be viewed on the Plan SA website at:
https://plan.sa.gov.au/have_your_say/code-amendments

A copy of the Middleton Fact Sheet is also attached for your review. This details how to lodge a submission on the proposed Code Amendment.

If you require further information or would like to discuss this matter, please contact me on the details below.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



Andrew Humby
Humby Consulting
PO 7434
Hutt Street 5000 South Australia

Dear Andrew

Thank you for the search request dated 11 Oct 2022. The search was based on the title details - Title Type: CT, Volume: 5799, Folio: 208. The address for this parcel is: MINDACOWIE TCE MIDDLETON SA 5213. Your reference is 4035.

I advise that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites within 100m of this location.

The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the central archive or not. Land within 200 metres of a watercourse (for example the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

Pursuant to the Act, it is an offence to damage, disturb or interfere with any Aboriginal site, object or remains (registered or not) without the authority of the Premier. If the planned activity is likely to damage, disturb or interfere with a site, object or remains, authorisation of the activity must be first obtained from the Premier under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Premier. Penalties apply for failure to comply with the Act. It should be noted that this Aboriginal heritage advice has not addressed any relevant obligations pursuant to the *Native Title Act 1993*.

Please be aware in this area there are Aboriginal groups/organisations/traditional owners that may have an interest. These may include:


Ngarrindjeri Aboriginal Corporation RNTBC

Chairperson: Clyde Rigney Snr



Ngarrindjeri Regional Authority Inc

Chairperson: Grant Rigney



Ramindieri Heritage Association Incorporated



Email: [REDACTED]

If you require further information, please contact the Aboriginal Heritage Team on telephone [REDACTED] or send to our generic email address AAR.HeritageSites@sa.gov.au

Yours sincerely,

**HERITAGE INFORMATION TEAM
ABORIGINAL AFFAIRS & RECONCILIATION**

20 October 2022

Subject: NEP3330_Basham Beach Rd, Middleton
Date: Thursday, 19 January 2023 at 7:52:47 am Australian Central Daylight Time
From: Cooper, Daniel
To: Humby Consulting
Attachments: image002.png, image003.png

Hi Andrew,

Thank you for forwarding notification of the current Code Amendment for Middleton. I can advise there are no objections as the proposal does not impact any gas infrastructure managed or operated by APA.

Please feel free to contact me if you have any further enquiries.

Regards,



Daniel Cooper

Third Party Works Officer
Integrity Engineering SA/NT/Mildura



W apa.com.au

From: Humby Consulting <andrew@humbyconsulting.com.au>
Sent: Wednesday, 18 January 2023 12:01 PM
To: Cooper, Daniel <daniel.cooper@apa.com.au>
Subject: EXT: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Dear Daniel,

Please be advised that the Gums ADHI Pty Ltd will commence the public and agency consultation period of the 'Middleton Code Amendment' on Thursday 19 January 2023, pursuant to the requirements of the *Planning, Development and Infrastructure Act 2016*.

Land is proposed to be rezoned at the western end of the Middleton township to enable the creation of low-density residential allotments plus a large public reserve adjoining the Middleton Tavern and railway station. The affected area consists of approximately 8.8 hectares of land currently zoned Deferred Urban and is bound by Port Elliot Rd, Basham Beach Rd, Mindacowie Tce and the rail corridor.

The public consultation period of the Middleton Code Amendment commences on Thursday 19th January 2023 and concludes 17 March 2023.

Details of the Code Amendment can be viewed on the Plan SA website at:
https://plan.sa.gov.au/have_your_say/code-amendments

A copy of the Middleton Fact Sheet is also attached for your review. This details how to lodge a

submission on the proposed Code Amendment.

If you require further information or would like to discuss this matter, please contact me on the details below.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



Subject: SteamRanger Heritage Railway Response to Middleton Code amendment

Date: Friday, 17 March 2023 at 1:03:00 pm Australian Central Daylight Time

From: Ben Greeneklee

To: andrew@humbyconsulting.com.au

CC: Peter Schneider

Dear Andrew

I write on behalf of the SteamRanger Heritage Railway Board of Management.

SteamRanger operates the Victor Harbour Railway under license from the South Australian Government, administered by the Department of Environment and Water (DEW).

Under Rail Safety National Law SteamRanger is the accredited Rail Operator and Rail Infrastructure Manger. As such SteamRanger has the statutory obligation to consider all risks associated with the railway and mitigate them so far as is responsibly practical.

While we have no objection to the code amendment we would like to engage in further discussion with the developers on matters including (but not limited to):

- Review the effect (if any) on the level crossings on Mindacowie and Bashams Beach Rd. We would need to do this with the road authority, Alexandrina Council.
- The type of fencing of the area along the rail reserve.
- The possibility of access to Middleton Station from the proposed bike/walking path.
- Stormwater management adequacy so as not to put the railway at risk in a flooding event and the proposed new drain that will go under the rail line.

I look forward to further discussions.

Kind Regards

Ben Greeneklee

SteamRanger Heritage Railway

Infrastructure Manger



Subject: RE: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023
Date: Wednesday, 18 January 2023 at 1:35:28 pm Australian Central Daylight Time
From: Adrian Tero
To: Humby Consulting
Attachments: image002.png, image003.png

Hi Andrew,

Epic Energy does not have any infrastructure located in this area and therefore has no comment on the proposed code amendment.

Regards

Adrian Tero
Risk and Compliance Advisor



Epic Energy South Australia Pty Ltd
Level 6, 70 Franklin Street Adelaide SA 5000

[REDACTED]

epicenergy.com.au

From: Humby Consulting <andrew@humbyconsulting.com.au>
Sent: Wednesday, 18 January 2023 11:59 AM
To: Adrian Tero [REDACTED]
Subject: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Adrian,

Please be advised that the Gums ADHI Pty Ltd will commence the public and agency consultation period of the 'Middleton Code Amendment' on Thursday 19 January 2023, pursuant to the requirements of the

Planning, Development and Infrastructure Act 2016.

Land is proposed to be rezoned at the western end of the Middleton township to enable the creation of low-density residential allotments plus a large public reserve adjoining the Middleton Tavern and railway station. The affected area consists of approximately 8.8 hectares of land currently zoned Deferred Urban and is bound by Port Elliot Rd, Basham Beach Rd, Mindacowie Tce and the rail corridor.

The public consultation period of the Middleton Code Amendment commences on Thursday 19th January 2023 and concludes 17 March 2023.

Details of the Code Amendment can be viewed on the Plan SA website at:

https://plan.sa.gov.au/have_your_say/code-amendments

A copy of the Middleton Fact Sheet is also attached for your review. This details how to lodge a submission on the proposed Code Amendment.

If you require further information or would like to discuss this matter, please contact me on the details below.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



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Subject: RE: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023
Date: Wednesday, 5 April 2023 at 4:54:27 pm Australian Central Standard Time
From: Sladic, Daniel (DIT)
To: andrew
Attachments: image007.png, image008.png, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.png, image016.png, image017.png, image018.png, image019.png, image020.png, image021.png, image022.png, image023.png, image024.png

OFFICIAL

Hi Andrew,

Thank you for the opportunity to provide comment on the Middleton Code Amendment. The Department for Infrastructure and Transport has reviewed the Code Amendment and makes the following comments:

- The intent of the Code Amendment is supported, particularly the intent to limit access to Port Elliot Road to via a new junction and the existing Port Elliot Road/Basham Beach Road junction. It should be noted however, that the location of the proposed new junction may need to be further to the west to minimise impacts on the adjacent development. It is likely that this new junction will require turning treatments. Additionally, it will be necessary to also review the treatment of the Port Elliot Road/Basham Beach Road junction to determine whether this will require turning treatments to support the development of the site.
- It should be noted that the existing speed limit on Port Elliot Road is unlikely to change as a result of the development. Consequently, this will need to be taken into consideration when identifying any future road treatments.
- Future access points/junctions should be consistent with Austroads Guidelines/Australian Standards Including but not limited to, separation between accesses/junctions and appropriate sight distances.
- The final access arrangements or potential infrastructure upgrades will require further traffic assessment and acceptance at the Land Division/Land Use application stage(s). Accordingly, at the development application stage a Traffic Impact Assessment will need to be provided that includes (but is not limited to):
 - Details of the access locations and treatments
 - Details of the proposed traffic generation of the development for the weekday AM and PM peaks, including distribution diagrams
 - Details of the largest vehicle expected onsite, with appropriate turn paths
 - Analysis of warrants for turn treatments (eg channelised right turn lane and urban auxiliary left-turn treatment) and sight distances for all future proposed access location points per Austroad Guidelines)
 - Review of pedestrian linkages and catering for cycling as well as consideration of how any final access treatment will impact on these linkages.
 - Any staging of the development and implications for the above traffic, road user and infrastructure considerations

Regards,

Daniel Sladic
Transport Strategy and Planning Division



Kaurna Country
83 Pirie Street, Adelaide SA 5000 • GPO Box 1533, Adelaide SA 5001 • DX 171



The Department for Infrastructure and Transport acknowledges the Traditional Custodians of the Country throughout South Australia and recognises their continuing connection to land and waters. We pay our respects to the diversity of cultures, significance of contributions and to Elders past, present and emerging.

We are committed to creating a diverse and inclusive culture where everyone is valued and respected.

Information contained in this email message may be confidential and may also be the subject of legal professional privilege or public interest immunity. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any use, disclosure or copying of this document is unauthorised and may be unlawful.

From: Humby Consulting <andrew@humbyconsulting.com.au>
Sent: Tuesday, 4 April 2023 10:56 AM
To: Sladic, Daniel (DIT) [REDACTED]
Subject: Re: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Thanks Daniel!

ANDREW HUMBY
DIRECTOR

Urban and Regional Planning Consultants

0402 832 226
andrew@humbyconsulting.com.au
humbyconsulting.com.au



From: "Sladic, Daniel (DIT)" [REDACTED]
Date: Tuesday, 4 April 2023 at 9:28 am
To: andrew <andrew@humbyconsulting.com.au>
Cc: "DIT:Land Use CoOrdination" <DIT.LandUseCoOrdination@sa.gov.au>
Subject: RE: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

OFFICIAL

Hi Andrew,

Apologies for the delay.
I will chase up and advise asap.

Regards,
Daniel

From: DIT:Land Use CoOrdination <dit.landusecoordination@sa.gov.au>
Sent: Tuesday, 4 April 2023 9:14 AM

Sent: Tuesday, 4 April 2023 9:14 AM

To: Sladic, Daniel (DIT) [REDACTED]

Subject: FW: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

OFFICIAL

FYI – from mailbox

Reece

From: Humby Consulting <andrew@humbyconsulting.com.au>

Sent: Tuesday, 4 April 2023 8:08 AM

To: DIT:Land Use CoOrdination <dit.landusecoordination@sa.gov.au>

Cc: Hryciuk, Marc (DIT) [REDACTED]; Barry Briggs <[REDACTED]>

Subject: Re: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

You don't often get email from andrew@humbyconsulting.com.au. [Learn why this is important](#)

Hi Daniel,

Further to our discussion on Friday 24th March, are you able to confirm when DIT's submission will be sent.

We are awaiting your submission, with all other Govt agencies having provided a response.

Thanks in advance.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



From: Humby Consulting <andrew@humbyconsulting.com.au>

Date: Tuesday, 21 March 2023 at 11:46 am

To: "Psyridis, Jim (DIT)" [REDACTED]
Cc: "Hryciuk, Marc (DIT)" [REDACTED]
Subject: FW: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Hi Jim and Marc,

The public consultation period of the Middleton Code Amendment concluded on Friday 17 March 2023.

I have sent emails on a number of occasions to meet and assist with providing an overview of the proposed Code Amendment.

To date, we have not received any response or a formal submission on the Code Amendment.

Given the proposed changes and the traffic related issues associated with the State Maintained report, we would appreciate some form of response.

I can be contacted on 0402 832 226 to discuss.

Kind regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226
andrew@humbyconsulting.com.au
humbyconsulting.com.au



From: Humby Consulting <andrew@humbyconsulting.com.au>

Date: Friday, 10 March 2023 at 9:08 am

To: "Hryciuk, Marc (DIT)" [REDACTED]

Subject: FW: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Hi Marc,

Just wondering if you have had an opportunity to review the Code Amendment?

We would appreciate the opportunity to meet and discuss the proposal at Middleton.

Kind regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

From: Humby Consulting <andrew@humbyconsulting.com.au>
Date: Sunday, 12 February 2023 at 6:00 pm
To: "Hryciuk, Marc (DIT)" [REDACTED]
Cc: Barry Briggs <[REDACTED]>
Subject: FW: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Hi Marc,

In mid January 2023, Humby Consulting commenced the public consultation period for the Middleton Code Amendment. Consultation concludes on 17th March 2023.

An email (see below) was sent to the Department of Transport and Infrastructure, seeking your comments.

Port Elliot Road is a State Maintained Road, with numerous submissions (both verbal and written) identifying concerns with the current speed limit and access arrangements from Basham Beach Road or Mindacowie Terrace.

We have previously engaged CIRQA to provide a traffic assessment, however I was hoping to meet with you or other staff members to discuss the proposal and obtain an understanding of the State's expectations of this traffic route.

This will assist us in the consultation process.

Would a time be suitable on the week commencing 27 February 2023 to meet? I am able to attend your offices.

Kind regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

From: Humby Consulting <andrew@humbyconsulting.com.au>

Date: Wednesday, 18 January 2023 at 11:49 am

To: [REDACTED]

Subject: Middleton Code Amendment - Public Consultation period 19 January 2023 to 17 March 2023

Dear Jim,

Please be advised that the Gums ADHI Pty Ltd will commence the public and agency consultation period of the 'Middleton Code Amendment' on Thursday 19 January 2023, pursuant to the requirements of the *Planning, Development and Infrastructure Act 2016*.

Land is proposed to be rezoned at the western end of the Middleton township to enable the creation of low-density residential allotments plus a large public reserve adjoining the Middleton Tavern and railway station. The affected area consists of approximately 8.8 hectares of land currently zoned Deferred Urban and is bound by Port Elliot Rd, Basham Beach Rd, Mindacowie Tce and the rail corridor.

The public consultation period of the Middleton Code Amendment commences on Thursday 19th January 2023 and concludes 17 March 2023.

Details of the Code Amendment can be viewed on the Plan SA website at:
https://plan.sa.gov.au/have_your_say/code-amendments

A copy of the Middleton Fact Sheet is also attached for your review. This details how to lodge a submission on the proposed Code Amendment.

If you require further information or would like to discuss this matter, please contact me on the details below.

Regards

ANDREW HUMBY

DIRECTOR

Urban and Regional Planning Consultants

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au



Subject: Middleton Code Amendment - DEW comments
Date: Thursday, 16 March 2023 at 4:19:48 pm Australian Central Daylight Time
From: Smith, De-Anne (DEW)
To: andrew
Attachments: image004.png, image001.jpg

OFFICIAL

Dear Andrew

The Department for Environment and Water (DEW) has taken the opportunity to review the Middleton Code Amendment which is proposing to rezone land from Deferred Urban to the Master Planned Township Zone. DEW provides the following comments relating to managing the impact of stormwater on the nearby coast and Marine Park.

As identified in the Code Amendment there has been a rise in demand for housing in regional, coastal locations and Middleton is one of a number of popular coastal townships in the Fleurieu Peninsula region. This rise in development has meant that DEW, via referrals to the Coast Protection Board, has been seeing a number of development applications for stormwater system upgrades and outfalls on or close to the beach at Middleton. DEW has become increasingly concerned about how non-coastal land division will manage stormwater and discharges given Middleton is adjacent the Encounter Bay Sanctuary Zone within the Encounter Marine Park – see snip below. This Sanctuary Zone protects part of the nationally significant Encounter Bay whale aggregation area at Bashams Beach along with large areas of deep water reef habitats offshore.



DEW notes that the Stormwater Management Plan states... *Alexandrina Council (Council) advised that there is currently no suitable stormwater infrastructure near the site available to receive drainage from the development. Council's preference is for development runoff to be transferred via a new drain and discharged to sea via a new outfall structure.Council also advised that Water Sensitive Urban Design (WSUD) is becoming a maintenance issue. Therefore, achieving targets via a new Gross Pollutant Trap (GPT) would be a better outcome than WSUD for Council.*

DEW is concerned that this rezoning may result in a new outfall structure that will discharge directly into the marine park bringing with it the potential to increase nutrients from stormwater that may cause

impacts to benthic habitats (e.g. seagrass, macro algae), similar to that experienced along the Adelaide Coastline and at Encounter Bay where the stormwater drain at Yilki appears to be contributing to seagrass dieback and seabed deepening, potentially exacerbating shoreline erosion. DEW acknowledges that managing stormwater onsite often requires the loss of developable land and therefore comes at a cost, but the overall cost in terms of potential seagrass die back and associated coastal protection is considered by DEW a greater offsite cost. DEW also acknowledges that some stormwater management solutions require ongoing maintenance which it appears Council is reluctant to take on due to ongoing management costs.

While acknowledging these challenges DEW still considers that it is important for any new development at this location to minimise discharge to the coast at Middleton and this should be done using techniques such as water sensitive urban design and stormwater retention, treatment, reuse. While the Master Planned Township Zone is largely silent on stormwater management the Land Division Overlay does require a stormwater management system that is designed to address peak flows and water quality. DEW believes more should be done early in the design process to identify stormwater management solutions that are able to minimise discharge to coast while addressing councils concerns about ongoing maintenance issues. The application of the Master Planned Township Zone provides the opportunity, through the mastering planning process, to explore a variety of solutions that can be integrated into future development at the start of the design phase, ensuring that future developers of the site are aware of the standards that should be achieved for stormwater management.

Hope things are well with you and if you have any questions related to these comments please don't hesitate to call me using the details below.

Kind regards

De'Anne

De'Anne Smith

Principal Planning Officer

I am only in the office on Wednesday and Thursday.

Planning & Assessment Environment, Heritage and Sustainability
Department for Environment and Water

Level 8, 81-95 Waymouth Street, Adelaide, 5000
GPO Box 1047, Adelaide, SA 5001, AUSTRALIA

environment.sa.gov.au



**SOUTH
AUSTRALIA**



Government of South Australia

**Department for Environment
and Water**

Helping South Australians conserve, sustain and prosper

We acknowledge that the lands that we live and work on are the traditional lands of South Australia's First Nations peoples. We pay respect to the traditional custodians of these ancestral lands and acknowledge their deep spiritual connection to Country.

The information in this e-mail may be confidential and/or legally privileged. Use or disclosure of the information to anyone other than the intended recipient is prohibited and may be unlawful. If you have received this email in error please advise by return email.

Attachment 5 – Copy of Response by CIRQA

Ref: 22041|BNW

24 May 2023

Mr Andrew Humby
Humby Consulting

By email: andrew@humbyconsulting.com.au

Dear Andrew,

MIDDLETON CODE AMENDMENT RESPONSE TO TRAFFIC RELATED QUERIES

I refer to the proposed Code Amendment for Lots 104 and 105 Port Elliot Road Middleton. Specifically, this letter responds to the key issues identified by the local community as well as comments received by the Department for Infrastructure and Transport (DIT). This letter outlines the comments received (*italicised*), followed by my response.

A Transport Investigations report was previously prepared by CIRQA in relation to the Code Amendment (dated 28 March 2022). The previous report should be read in conjunction with the following responses.

The key issues identified:

- *"Concerns raised that the traffic and safety issues with the proposed development will create unrealistic and addition pressure on the road network"*

The proposed generation associated with potential development of the Affected Area (equivalent to 42 peak hour trips) is low. The movements would be distributed to the east and west of the Affected Area with the increase on any one section of road even less than the forecast above (based on the original traffic report, the increase on any one section of road adjacent the Affected Area would be approximately 21 peak hour movements). There would be minimal impact on traffic conditions and road safety as a result of the small increase in movements. Notably, the Department for Infrastructure and Transport (DIT) has raised no concern in respect to the ability of the surrounding road network to accommodate the forecast movements.

- *Options to reduce impacts include the possible roundabout at the intersection of Port Elliot Rd/Mindacowie Tce to assist in slowing traffic and facilitating breaks in traffic approaching the Middleton mainstreet"*

The small increase in movements associated with the potential development of the Affected Area would have minimal impact on conditions and capacity considerations of the intersection of Port Elliot Road/Mindacowie Terrace. Notably, no direct access to/from Mindacowie Terrace has been identified in the concept plan prepared for the site. The concept plan also indicates the provision of open space reserve in the portion of the site immediately adjacent to the Port Elliot Road/Mindacowie Terrace intersection which would ensure that future development does not preclude treatment of the intersection if warranted in the future.

- *"Options to reduce impacts include the possible roundabout at the intersection of Port Elliot Rd/Basham Beach Rd to assist in slowing traffic."*

As noted above, the level of traffic generation associated with the potential development of the Affected Area is very low. The volumes at the intersection of Port Elliot Road/Basham Beach Road would not warrant such a treatment. Nevertheless, further review of the conditions at the Port Elliot Road/Basham Beach Road intersection (and any further traffic control treatment) can be undertaken as part of any future land division/use application(s) for the site.

- *"The existing right hand turn from Port Elliot Road into Basham Beach Road is of significant concern, as it is currently dangerous and unsafe. Consideration should be given to a dedicated right turning lane."*

The most recent crash data available (2017 to 2021, inclusive) from DIT identifies no crashes have been reported at the intersection of Port Elliot Road/Basham Beach Road. There are adequate sight distance provisions at and on approach to the intersection and widened shoulders are provided to allow through bound drivers to pass vehicles stored waiting to turn right into Basham Beach Road. Nevertheless, further review of impacts on the intersection can be undertaken as part of future land division and land use applications, including liaison with DIT (noting that DIT would be a referral agency to such applications).

- *"The traffic assessment has not considered the peak periods of the town (December/January) and the proposed development will create additional unreasonable impacts"*

The preparation of the traffic assessment (and discussions with DIT in respect to review of the impacts) included consideration of the holiday period traffic volumes associated with the South Coast. As above, the level of traffic generation associated with the proposal is low and would proportionately be even lower during the holiday periods. The small increase in movements would have negligible impact on the road network during these periods (or others).

- *“Do not agree with the estimates provided by the CIRQA investigations and believe the traffic increases (trip numbers) will be significantly higher, using the proposed Basham Beach road exit point as a key entry/exit”*

The estimates are based on standard traffic generation rates that have been accepted on numerous projects (by CIRQA as well as other traffic consultants) throughout South Australia. In reality, given a proportion of future dwellings in the Affected Area may be utilised as holiday homes, the traffic generation rates are likely to be conservative.

- *“Speed limit along Port Elliot Road should be reduced from 80kms (sic) to 50kms (sic)”*

While CIRQA considers that a reduction in speed limit would be beneficial, the level of access and movements on Port Elliot Road associated with the rezoning and future redevelopment of the Affected Area will be low. The access treatments can be designed and accommodated for the current speed limit (in fact, the design would be based on 10 km/h above the posted limit to provide conservatism in the design). I also note that DIT has advised that it does not consider that a speed reduction is required in this location (and, by extension, not required as a result of the development of the subject site).

- *“Safety concerns for pedestrians trying to cross over Port Elliot Road, particularly during peak holiday periods”*

The small increase in traffic volumes would have minimal impact on crossing conditions for pedestrians on Port Elliot Road. There would be minimal crossing movements undertaken in the immediate vicinity of the site with crossing movements (associated with the Affected Area) more likely undertaken within the existing township area to the east. I note that Council has confirmed that DIT has committed funding for the installation of three pedestrian crossings on Port Elliot Road (within Middletown) which will ameliorate the concerns raised. Council’s associated Media Release notes that construction is anticipated to commence in late 2023 (and would therefore be operational well before any notable extent of development is undertaken within the Affected Area).

- *“Numerous queries about the timing of the future bypass road”*

CIRQA has been advised by DIT that there is no current funding or timing identified for the future bypass road.

The following agency comments were received by the Department for Infrastructure and Transport:

- *“The intent of the Code Amendment is supported, particularly the intent to limit access to Port Elliot Road to via a new junction and the existing Port Elliot Road/Basham*

Beach Road junction. It should be noted however, that the location of the proposed new junction may need to be further to the west to minimise impacts on the adjacent development. It is likely that this new junction will require turning treatments. Additionally, it will be necessary to also review the treatment of the Port Elliot Road/ Basham Beach Road junction to determine whether this will require turning treatments to support the development of the site.” (my emphasis)

The final location for the new intersection on Port Elliot Road can be confirmed as part of a future land division (or land use) application for the site. This would include associated design inputs as well as further liaison with the Department for Infrastructure and Transport. The likely requirement for inclusion of separated turn lanes was noted in the original CIRQA report. The treatment of Basham Beach Road can also be further reviewed as part of future land division (or land use) applications in conjunction with DIT (who would be a referral agency).

- *“It should be noted that the existing speed limit on Port Elliot Road is unlikely to change as a result of the development. Consequently, this will need to be taken into consideration when identifying any future road treatments.”*

As noted in the Transport Investigations report, the access arrangements can be achieved and designed to suit the existing speed limit. Nevertheless, CIRQA considers that a reduction in speed would be a positive outcome and further review of the speed limit would be worthwhile during the assessment of future land division/use applications. Nevertheless, it is reiterated the accommodation of the additional traffic movements is not contingent on a speed reduction being undertaken.

- *“Future access points/junctions should be consistent with Austroads Guidelines/ Australian Standards Including but not limited to, separation between accesses/ junctions and appropriate sight distances.”*

I concur with these requirements and these can easily be addressed as part of future design inputs.

- *“The final access arrangements or potential infrastructure upgrades will require further traffic assessment and acceptance at the Land Division/Land Use application stage(s). Accordingly, at the development application stage a Traffic Impact Assessment will need to be provided that includes (but is not limited to):*
 - *Details of the access locations and treatments*
 - *Details of the proposed traffic generation of the development for the weekday AM and PM peaks, including distribution diagrams*
 - *Details of the largest vehicle expected onsite, with appropriate turn paths*

- *Analysis of warrants for turn treatments (eg channelised right turn lane and urban auxiliary left-turn treatment) and sight distances for all future proposed access location points per Austroad Guidelines)*
- *Review of pedestrian linkages and catering for cycling as well as consideration of how any final access treatment will impact on these linkages.*
- *Any staging of the development and implications for the above traffic, road user and infrastructure considerations"*

These considerations can easily be included as part of inputs prepared for any future land division and/or land use applications for the site.

In summary, I remain of the opinion that the rezoning and subsequent development of the Affected Area would generate low traffic volumes and that the impact would not result in notable or unreasonable impact on the surrounding road network. I trust the above sufficiently responds to the various queries raised, however, please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,



BEN WILSON

Managing Director | CIRQA Pty Ltd

Attachment 6 - Post Engagement Letter to Community (within catchment for consultation)

14 April 2023



PO Box 7434

Halifax Street SA 5000

0402 832 226

andrew@humbyconsulting.com.au

humbyconsulting.com.au

Dear Sir/Madam

Draft Middleton Code Amendment – Post Engagement Feedback

Thank you for your interest in the draft Middleton Code Amendment.

The community engagement on the Code Amendment concluded on the 17 March 2023 and I am writing to you to provide you with a summary of the submissions that we received, and to also seek your feedback on the engagement process to help improve with future community engagement activities.

Summary

We received 46 submissions in total:

- 37 submissions from members of the public
- 1 submission from Alexandrina Council
- 8 submissions from utilities and State government agencies.

What We Heard

A number of public submissions received were supportive of the draft Code Amendment subject to suggestions on the layout of future development of the site and other conditions. Other submissions received were less supportive and raised a number of concerns.

A summary of the key issues include:

- **Zone Selection and Policy**

The proposed zone was considered to be a logical extension to the present township and a number of submissions particularly supported the larger allotment size (minimum 1200m²) to retain the 'low density residential' character of the Middleton township. However, concerns were raised that commercial and industrial activities are envisaged in the zone and that an encumbrance or building envelope should be adopted to prevent the development of land for commercial/industrial development and/or support energy efficient building design techniques.

Alternatively, there were concerns that the subject land should be retained for future commercial growth of the main street or that the subject land should remain as open space as development of the land will impact on the existing outlook and 'village' character of the township and compromise the visual separation of each township.



- **Concept Plan**

Many submissions commented on the proposed public open space, suggesting that the drainage ponds will render the open space unusable and that insufficient water resources will be able to sustain the reserve and its flora. There were suggestions that the public open space should be incorporated into the landscape reserve along Basham Beach Road.

Suggestions were also made that the public open space provides opportunity for public art and that the public open space will form part of an important gateway entrance to Middleton.

There were also comments about the road layout and concerns with the position of driveways relative to other existing driveways.

There was general support for the proposed bicycle/walking trail along the railway reserve in many submissions subject to appropriate landscaping, fencing and connections to the reserve from the Affected Area. It was noted that the proposed bicycle/walkway does not link directly with the Encounter Bay Bikeway or cyclist facilities in the Middleton township.

- **Housing Affordability**

There were concerns raised about the affordability of the proposed allotments.

- **Traffic Movement and Safety**

Traffic and safety issues were certainly the most prevalent concerns raised throughout the majority of submissions. There were concerns raised in relation to increasing traffic volumes and congestion generated by the development along Port Elliot Road, and other intersections and surrounding roads. Traffic safety concerns with vehicles attempting to cross over Port Elliot Road (turning right to head towards Goolwa) was raised as a major concern in many submissions. Suggestions of a roundabout at certain intersections to improve safety, a reduction to speed limit on approach to Middleton township or a bypass around Middleton were included to address the traffic concerns.

- **Pedestrian Movement and Safety**

Pedestrian safety was also a recurrent concern raised in many submissions. In particular, safety concerns for pedestrians trying to cross over Port Elliot Road, particularly during peak holiday periods, was raised. Pedestrian refuge spots was a suggestion.

- **Infrastructure and utilities**

There were concerns raised that the lack of a community wastewater management system and stormwater infrastructure will not be able to support the additional housing and increased surface run-off. It was however recognised that the proposed allotment sizes are of a size and configuration to accommodate on-site waste water systems without the need for a common effluent system.

It was suggested that power infrastructure be installed underground and that appropriate road infrastructure be installed (kerb, gutter, stormwater pipes)

- **Social Infrastructure and Services**

Concerns were raised that insufficient social infrastructure and services (shops/schools) are available to support additional housing.



- **Environmental impact**

Basham Beach is home to the endangered Hooded Plover and there were concerns that development of the subject land will impact on the Hooded Plover and other local fauna, especially during breeding season. Concerns were also raised that stormwater run-off from the development of the site disposing into the sea will impact on the marine environment.

- **Cockle Train**

The heritage and tourist value of the Cockle Train was inferred in a number of submissions. There were suggestions that the train station should be upgraded and comments that further information be sought around fencing along the rail reserve, access to Middleton Station from the proposed bike/walking path, stormwater management to protect the railway line and any upgrades to the level crossings.

There was also concern raised with the potential for fire risk (ignition from train embers) given the close proximity of the railway line to the subject land.

What happens next?

- We have forwarded all submissions to the Designated Entity (Gum ADHI Pty Ltd) for review and consideration.
- The Designated Entity will determine if further investigations are required and/or whether any changes should be made to the draft Code Amendment in response to the submissions.
- Once the Designated Entity has completed any further investigations and made any final changes to the Code Amendment, Humby Consulting will prepare an Engagement Report that summarises the submissions that were received and outline any changes that have been made to the Code Amendment in response to the issues raised by the submissions.
- The Engagement Report and the final Code Amendment will then be sent to the Planning and Land Use Services division (PLUS) of the Attorney-General's Department for review.
- If PLUS is satisfied that the Engagement Report complies with the Community Engagement Charter and the final Code Amendment meets the information requirements, the Engagement Report and the final Code Amendment will be submitted to the Minister for Planning for a decision.
- If the Minister resolves to approve the Code Amendment, it will be consolidated within the online Planning and Design Code and reflected in the online mapping tool; the Engagement Report will be published on the SA Planning Portal as a public document, noting that private information such as names and addresses will be removed from the public information to maintain your privacy.
- The Minister may also resolve to refuse the proposed Code Amendment or make alterations to the Code Amendment.
- The Minister may seek advice from the State Planning Commission to assist with the decision-making process.

There is no set timeline for the process outlined above, but it is anticipated that the process would be concluded by mid-late 2023.

In due course, I will write to advise you of the outcome of the Code Amendment and where you can access a copy of the Engagement Report.



How can we improve our engagement processes?

As part of the Code Amendment process, we are required to undertake an evaluation of the community engagement processes undertaken during the consultation period to identify what worked well and areas that need to be improved for future engagement processes.

To assist with this process, we would appreciate if you could respond to the following survey:

Follow this link or copy it into your browser:

<https://www.surveymonkey.com/r/JKXMP35>

Or use this QR Code:



The evaluation survey will be open until 5pm Monday 1 May 2023.

Questions?

If you have any questions regarding the Code Amendment process or the survey, please do not hesitate to contact me on 0402 832 226 or andrew@humbyconsulting.com.au.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Andrew Humby', with a long horizontal line extending to the right.

Andrew Humby
Director
Humby Consulting

Attachment 7 - Evaluation and Results from Designated Entity's Engagement

The engagement was evaluated by Andrew Humby, Director – Humby Consulting on behalf of the Designated Entity.

	Evaluation statement	Response options
1	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme (Principle 1)	<ul style="list-style-type: none"> ▪ Engaged when there was opportunity for input into scoping ▪ Engaged when there was opportunity for input into first draft <p>Early engagement with Council, members of the community and the Middleton Town and Foreshore Association – prior to the commencement of the Code Amendment process enabled genuine feedback that assisted in shaping the outcomes of the Code Amendment.</p> <p>In particular, early discussions with inclusion of a large area of public open space adjoining Mindacowie Terrace, the improved linkages to the Cockle Train Station and resolving appropriate allotment sizes that are contiguous with nearby allotments.</p>
2	Engagement contributed to the substance of the Code Amendment (Principle 1)	<ul style="list-style-type: none"> ▪ In a significant way ▪ In a moderate way <p>Early engagement with Council, members of the community and the Middleton Town and Foreshore Association – prior to the commencement of the Code Amendment process contributed in a moderate/significant manner in shaping the outcomes of the Code Amendment.</p> <p>It is considered that the engagement complies with Principle 1 of the Community Engagement Charter.</p>
3	The engagement reached those identified as the community of interest (Principle 2)	<ul style="list-style-type: none"> ▪ Representatives from most community groups participated in the engagement <p>The engagement reached a broad range of the community, with direct involvement with the Middleton Town and Foreshore Association, letter drop to 360 allotments and a range of consultation events (both pre and during the formal consultation process).</p> <p>The engagement also formed part of the Alexandrina Council - Middleton Policy Workshop on 27 October 2022.</p> <p>It is considered that the engagement complies with Principle 2 of the Community Engagement Charter.</p>

4	Engagement included the provision of feedback to community about outcomes of their participation	<ul style="list-style-type: none"> ▪ Formally (report or public forum) ▪ Informally (closing summaries) <p>A letter was sent to all members of the community who had provided a submission during the public engagement process. The letter provided a summary of the key submissions received and an outline of the next steps in the Code Amendment process.</p> <p>It is considered that the ‘closing the loop’ strategies undertaken as part of the engagement were appropriate and comply with Principle 4 of the Community Engagement Charter.</p>
5	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement (Principle 5)	<ul style="list-style-type: none"> ▪ Reviewed and recommendations made in a systematic way <p>The engagement process was reviewed throughout the process to ensure that improvements could be undertaken.</p> <p>The meeting on site with a number of residents, following the completion of key community ‘drop-in sessions’, is one such improvement that occurred.</p> <p>Feedback from the community suggest that the extent of consultation was supported and that they felt included in the Code Amendment process.</p> <p>It is considered that Principle 5 of the Community Engagement Charter has been met.</p>
	Identify key strength of the Charter and Guide	The Charter and Guide contains useful ‘steps’ to guide the suitable levels of engagement and provide a higher level of accountability in ‘closing the loop’.
	Identify key challenge of the charter and Guide	Code Amendments do vary in complexity and scale, with smaller proposals being provided with some flexibility in the engagement process – possibly with some guidance on suitable consultation times (ie 4 weeks compared with 6 or 8 weeks).

Attachment 8 – Copy of Letter of Approval for Proposal to Initiate Code Amendment

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

22EXT0157

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

By email: 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.

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 [REDACTED] or via email at [REDACTED]

Yours sincerely



Hon Nick Champion MP
Minister for Planning

25/9 / 2022

Encl: Signed Proposal to Initiate the Middleton Code Amendment

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