

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Tintinara Airfield Code Amendment By the Chief Executive (the Designated Entity)

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(Signature)

CHIEF EXECUTIVE, DEPARTMENT FOR TRADE AND
INVESTMENT

Date: 20/10/2023

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.



(Signature)

MINISTER FOR PLANNING 29/11/23

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1. INTRODUCTION

The Chief Executive of the Department for Trade and Investment (the Chief Executive) seeks to amend the Planning and Design Code (the Code) pursuant to section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act). This 'Proposal to Initiate' details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Tintinara Airfield Code Amendment (the Code Amendment). It also details the timeframes to be followed in undertaking the Code Amendment.

The Code Amendment seeks to spatially apply the Residential Aviation Estate Subzone to part of the existing Infrastructure (Airfield) Zone at Tintinara in the Coorong District Council area.

The Chief Executive is the 'designated entity' responsible for conducting this Code Amendment process and is required to undertake consultation in accordance with the Community Engagement Charter and make final recommendations to the Minister for Planning (the Minister) prior to consideration whether to approve, amend or refuse the Code Amendment.

It is acknowledged that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(2)(b) of the Act, the Chief Executive will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Chief Executive acknowledges responsibility for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2. The Chief Executive intends to undertake the Code Amendment by:
 - (a) Engaging with relevant State Government agencies and local governments;
and
 - (b) Utilising professional expertise of employees of the Department including:
 - i. professional planning staff
 - ii. communications staff
 - iii. mapping and spatial data expert staff
 - iv. ePlanning staff responsible for the management and operation of the Planning and Design Code.

1.2. Rationale for the Code Amendment

The purpose of the Code Amendment is to reinstate policies that existed in the Coorong District Council Development Plan prior to the implementation of the Code. The policies related specifically to the development of a Residential Airpark within a portion of the Airfield Zone at Tintinara.

A copy of the Airfield Zone policies and Concept Plan Map, which existed in the Coorong District Council Development Plan prior to the implementation of the Code, is contained in **Attachment B**.

The policies and associated Concept Plan Map (Concept Plan Map CooD/1) were introduced into the Coorong District Council Development Plan (Development Plan) as part of the 'Town Centres, Townships and Environs (Part 1) Development Plan Amendment (2017 DPA), which was consolidated on 21 November 2017. A copy of the 2017 DPA is contained in **Attachment C**.

The Development Plan policies were introduced to allow for the development of a detached dwelling and associated private aircraft hangar within the designated Residential Airpark. The relevant policies included a minimum allotment size of 2000 square meters and a requirement for the proposed dwellings to have a minimum road frontage of 30m and vehicular access to a public road. The associated aircraft hangars were to be positioned behind the dwelling at the rear of the allotments. The Concept Plan Map identified the location of the airfield strips, building and services areas, preferred access points and defined the extent and location of a Residential Airpark within the Airfield Zone.

The Residential Airpark policies that existed in the Development Plan prior to the implementation of the Code in July 2020 were not transitioned into the Code because there was no suitable subzone or replacement policy in the 'Code Library' at the time.

In March 2021, Phrase Three of the Code was implemented and the 'Code Library' was expanded to include the 'Residential Aviation Estate Subzone' (the RAE Subzone) within the existing Infrastructure (Airfield) Zone. The RAE Subzone mirrors the policy intent sought by the former Residential Airpark policies, in that it seeks to facilitate the development of low density, detached dwellings and associated aircraft hangars which are designed and sited to integrate with and complement the spacious setting of the airfield.

The RAE Subzone policies in the Code require a minimum allotment size of 2,000 square metres and a minimum road frontage of 30m. These policies are consistent with the policies that the Development Plan previously applied and will allow for a maximum of six new residential allotments with detached dwellings and associated aircraft hangars.

The RAE Subzone only supports residential development where it is located on the same site as an existing aircraft hangar, or it is to be built concurrently with an aircraft hangar located on the same site as the dwelling.

In May 2022, Mayor Paul Simmons of Coorong District Council (Council), wrote to the Minister for Planning requesting the reinstatement of the Residential Airfield policy in the form of this new subzone. It was agreed at this time that the proposal to amend the Code could only be achieved by way of a Code Amendment under section 73 of the Act and, if

approved by the Minister, the Code Amendment could be undertaken by the State Government and led by the Chief Executive of the Department.

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

The proposal seeks to amend the Code for the affected area, being a portion of the land that is contained entirely within the existing Infrastructure (Airfield) Zone at Tintinara in the Coorong District Council, as shown in the map in **Attachment A**.

The proposed RAE Subzone is approximately 12,000 square metres in area and rectangular in shape.

The Infrastructure (Airfield) Zone is located approximately 650 metres north-east of the Tintinara township and is bounded by Carcuma Road to the west, Bell Road to the north and Schultz Road to the south. The proposed subzone will have a street frontage of approximately 200m and provide direct vehicle access onto Schultz Road.

The Infrastructure (Airfield) Zone is surrounded by rural zoned land that is currently utilised for primary production purposes including the grazing of animals and the growing of crops.

The Ngarrindjeri people are acknowledged as the Traditional Owners of the land in the Coorong, the Lower Lakes, and the Murray River from its mouth to Mannum.

2.2. Scope of Proposed Code Amendment

The Code Amendment seeks to spatially apply the RAE Subzone to the affected area within the existing Infrastructure (Airfield) Zone at Tintinara in the Coorong District Council area. The RAE Subzone is an existing subzone with the Infrastructure (Airfield) Zone in the Code Library.

The scope of the Code Amendment does not include changes to the wording of policies within the Code, including the Infrastructure (Airfield) Zone and the RAE Subzone. The Code Amendment is specific to this locality and will not have broader state-wide implications.

Current Policy	<p>Zones</p> <ul style="list-style-type: none"> • Infrastructure (Airfield) Zone <p>Subzones</p> <ul style="list-style-type: none"> • None <p>Overlays</p> <ul style="list-style-type: none"> • Hazards (Bushfire – Regional) • Hazards (Flooding – Evidence Required) • Native Vegetation • Prescribed Wells Area
Amendment Outline	<p>The purpose of the Code Amendment is to spatially apply the Residential Aviation Estate Subzone to the portion of land identified as “<i>Residential Airpark’ on Concept Plan Map CooD/1 – Airfield Zone – Tintinara</i>” in the former Coorong District Council Development Plan Consolidated on 29 November 2018.</p>
Intended Policy	<p>Zones</p> <ul style="list-style-type: none"> • Infrastructure (Airfield) Zone (No change) <p>Subzone</p> <ul style="list-style-type: none"> • Spatially apply the Residential Aviation Estate Subzone to a portion of the zone <p>Overlays</p> <ul style="list-style-type: none"> • Hazards (Bushfire – Regional) Overlay (No change) • Hazards (Flooding – Evidence Required) Overlay (No change) • Native Vegetation Overlay (No change) • Prescribed Wells Area Overlay (No change)

3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

3.1. Summary of Strategic Planning Outcomes

Infrastructure and services

The Code Amendment will support the aviation operations of the airfield by enabling development that is consistent with and complementary to the activities of the airfield.

While it is not anticipated, further investigations will be undertaken to ensure the types of development being sought by the Code Amendment will not have an unacceptable impact on the ongoing operation of the airfield or a detrimental impact on the other land uses and activities located within the airfield.

Interface between different land uses

The policies in the RAE Subzone will only allow for a limited number of dwellings and ensure new development is of a scale and design that is consistent with the built form that currently exists within the Infrastructure (Airfield) Zone and in keeping with the rural setting that surrounds the zone.

3.2. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State’s overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
SPP 1: Integrated Planning	
<p><i>Policy 1.3</i> <i>Plan growth in areas of the state that is connected to and integrated with, existing and proposed public transport routes, infrastructure, services and employment lands.</i></p>	<p>The inclusion of the RAE Subzone will support the growth of suitable aviation-related development that is integrated with the existing airfield, which comprises an existing service and employment area.</p>
SPP 11: Strategic Transport Infrastructure	
<p><i>Policy 11.6</i> <i>Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.</i></p>	<p>Aviation plays an essential role in tourism and provides critical transport, medical, business, education, social and other services to interstate and regional areas. Regional communities also need to be able to effectively access and capitalise on employment and other services while being protected from the impacts of longer-distance transport movements.</p>
<p><i>Policy 11.7</i></p>	

<i>Identify and protect the operations of key transport infrastructure, corridors and nodes (passenger and freight).</i>	The Code Amendment will support the growth of residential and employment opportunities related to the operations of the Airfield.
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3.3. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

The Murray and Mallee Region Plan is the relevant volume of the Planning Strategy for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
Economic Development – Principle 5: Protect and build on the regions’ strategic infrastructure	
<i>Policy 5.6 Reinforce the capability of airports, aerodromes and airstrips to support economic and social development...’</i>	The reinstatement of the Residential Aviation Estate Subzone is consistent with Principle 5 and Policies 5.6 and 5.7 by ensuring that appropriate development is permitted to support and grow the operations of the airfield.
<i>Policy 5.7 Ensure land uses surrounding airports, aerodromes and airstrips are compatible with these facilities and do not detract from their operation.</i>	

It is relevant to note that new regional plans are currently being prepared by the Commission. To help inform the direction of future planning and development in the Murray Mallee region, existing reports, plans and strategies developed by Government agencies, councils LGA groups and Regional Development Australia are being referenced.

The Murray Mallee Regional Plan has been placed on hold to provide river communities and councils with the necessary time and resources to respond appropriately to the impacts of the recent floods on their communities. The Murray Mallee Regional Plan, however, was released for community engagement in October 2022, and the former Tintinara Residential Airpark policies not being transitioned from the Development Plan into the Code was identified. Furthermore, the Engagement Plan confirms that Council have been advised of Planning and Land Use Services’ (PLUS) commitment to work with council to facilitate the rezoning process by way of a Code Amendment, which is to be led by the Chief Executive.

3.4. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Coorong District Council Development Plan	
<i>Concept Plan Map CooD/1 Airfield Zone - Tintinara</i>	Spatially applying the RAE Subzone to the 'Residential Airpark' identified in the former Development Plan will ensure that Code policies, which are generally equivalent to the policies intentionally created through the 2017 DPA, are applied to the area.

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Analysis of the impacts and outcomes of the 2017 DPA	The investigations undertaken covered the broader outcomes being sought by the 2017 DPA	All investigations and queries were addressed as part of the implementation of the 2017 DPA

4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines what additional investigations will be undertaken to support the Code Amendment.

Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Identify any key differences between the former 2017 DPA policy and the Code's RAE Subzone	Investigations to help affected stakeholders understand any differences between the former Development Plan policy and the Code's new subzone.

Site analysis	Review the spatial application of subzone boundaries in the affected area.
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4.3. Engagement Already Undertaken

Community engagement occurred as part of the 2017 DPA. Submissions in relation to the Residential Aviation Tintinara Airfield were received by the following agencies:

- Civil Aviation Authority (CASA)
- Environment Protection Agency (EPA)

The submissions have been reviewed as part of this Code Amendment and a summary of outcomes or matters raised through engagement already undertaken is as follows:

- CASA advised that it had reviewed the 2017 DPA and had no comment to make on the 2017 DPA itself.
- The EPA advised that the Environment Protection (Noise) Policy 2007 does not apply to the assessment of future dwellings onsite (i.e., within the activity boundary of the airfield) as the airfield has fewer than 20,000 flight movements per year and any future dwellings would be considered ancillary to the use of the site as an airfield.

Similarly, the EPA advised that on-site dwellings would not be considered sensitive receivers as they are associated with airfield activities. The EPA also noted the 2017 DPA proposed to include PDC 11 within the Airfield Zone, which described the dwelling design techniques that should be adopted to minimise aircraft noise nuisance and promotes other interface policy. The EPA also noted General Section, Interface Between Land Uses PDC 5 (below) would also have an assessment role to ensure that airpark dwellings are appropriately designed.

PDC 5: Sensitive uses likely to conflict with the continuation of lawfully existing developments and land-uses desired for the zone should be designed to minimise negative impacts.

4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
Notify landowners within the affected area and adjacent landowners	Identify the potential impact of the proposed Code Amendment on land within the affected area and adjacent land.
Notify Coorong District Council	Seek the Council's views on the suitability of policy change and any local impacts.

Community consultation	Broader community engagement to provide an opportunity for any interested community members to comment on the proposed outcomes of the Code Amendment.
Consultation with any person or body specified by the Commission under section 73(6)(e) of the Act.	The Engagement Plan will outline the specific method and nature of consultation.

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and *Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument* (Practice Direction 2).

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- Given the proposal is specifically relevant to a particular Council, who did not initiate the proposal, the Coorong District Council must be consulted;
- Community Engagement must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

5.2. Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

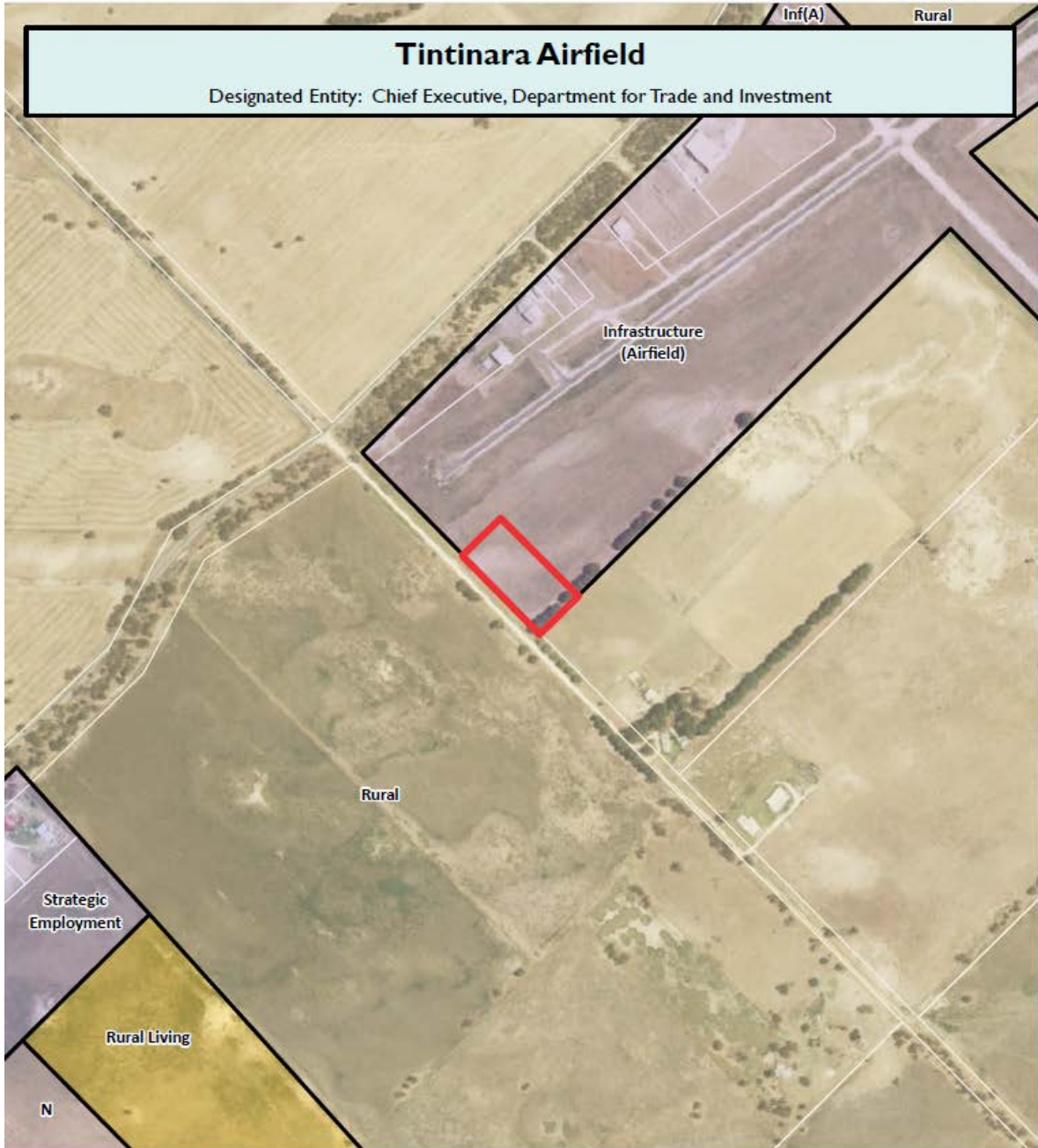
The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3. Code Amendment Timetable

The Code Amendment is intended to be undertaken in line with the timeframe outlined **Attachment D**.

ATTACHMENT A

Map of Affected Area



Tintinara Airfield
Designated Entity: Chief Executive, Department for Trade and Investment

LGA: Coorong District Council
Affected Area (ha): 1.2
Current Zone: Infrastructure (Airfield)
Proposed Zone: No zone change - new policy



Government of South Australia
Department for Trade and Investment



- Affected Area
- Code Zones
- Parcel Boundaries

Publish Date: 19/09/2023 © Government of South Australia 2021

ATTACHMENT B

Airfield Zone Policies and Concept Plan Map from Coorong District Council Development Plan, Consolidated 21 November 2017

Coorong District Council
Zone Section
Airfield Zone

Airfield Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A zone primarily accommodating aircraft operations, passenger terminals, airport and aviation-related light industrial, service industrial, warehouse and storage purposes.
- 2 A residential airpark at Tintinara airfield comprising detached dwellings in association with private aircraft hangars.
- 3 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

This zone will be developed as an area dedicated to industry and commerce directly associated with aircraft operations and use.

These operations, and associated built form, will be undertaken such that the safe use of the airfield for aircraft is not compromised.

Areas will be set aside for future expansion of the runways and associated infrastructure and facilities.

A residential airpark will be established in association with the airfield at Tintinara as depicted on [Concept Plan Map CooD/1 Airfield Zone - Tintinara](#). The residential airpark will provide for low density detached dwellings where constructed in association with an aircraft hangar on the same allotment.

The residential airpark will accommodate large residential allotments, generally in excess of 2000 square metres in area. The allotments will be developed with a single detached dwelling, fronting a public road, and with their associated hangars positioned generally to the rear of sites. Development will be suitably set back from taxiways and runways for operational and safety purposes and will avoid navigational safety hazards, including bird strike and glare.

A high standard of building design and site development is intended in the residential airpark, avoiding excessively large or overbearing buildings. There are to be extensive landscaped areas providing screening for buildings from the surrounding activities and roads. Hangars, including low key maintenance and workshop facilities, will be developed and linked to the dwelling with which it is associated but must be positioned, designed and managed so as not to cause unreasonable nuisance to residents on nearby sites.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 The following forms of development are envisaged in the zone:
 - aircraft related facility
 - airport
 - detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield
 - fuel depot
 - light industry ancillary to and in association with aviation activities
 - residential airpark at Tintinara airfield
 - road transport terminal ancillary to and in association with aviation activities

Coorong District Council
Zone Section
Airfield Zone

- service industry ancillary to and in association with aviation activities
 - store ancillary to and in association with aviation activities
 - warehouse ancillary to and in association with aviation activities.
- 2 Development listed as non-complying is generally inappropriate.
 - 3 Development that would be adversely affected by noise and other hazards caused by airport activities
 - 4 should not be undertaken in the zone.
 - 5 Development should not impede the use of the zone for aviation purposes.
 - 6 Within the residential airpark, residential outbuildings should be limited in number, scale and use, such that they are ancillary and subservient to a dwelling in the residential airpark at Tintinara airfield.

Form and Character

- 7 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 8 Commercial and light industrial development located on the airport site should:
 - (a) facilitate the more efficient operation of the airport
 - (b) be sited in defined clusters
 - (c) not adversely affect the amenity of surrounding land uses.
- 9 Structures should not exceed a height of:
 - (a) 7 metres from natural ground level
 - (b) 10 metres from natural ground level for antennas and aerials.
- 10 Development adjacent to the Tintinara airstrip should be undertaken in accordance with [Concept PlanMap CooD/1 - Airfield Zone - Tintinara](#).
- 11 Development within the residential airpark at Tintinara airfield should:
 - (a) be constructed in non-reflective materials, textures and colours that blend with the natural environment and avoid light glare
 - (b) allow for landscape screening and substantial residential building setbacks to assist in buffering impacts from surrounding activities
 - (c) provide safe vehicle access onto adjoining roads
 - (d) not interfere with the safe and efficient operation of the airport
 - (e) restrict residential sites and associated buildings and site works to a safe operational distance from runways and taxiways.
- 12 Residential development within the residential airpark at Tintinara airfield should be designed and insulated to minimise aircraft noise nuisance to its occupiers by including the following design techniques:
 - (a) locating noise sensitive rooms such as bedrooms to face away from runways, flight paths or other noise sources

- (b) incorporating design measures to minimise the entry of noise through sealed windows and doors and/or by screening openings with fences or other devices to reduce the line of sight entry of noise sources
 - (c) lining eaves and providing roof cavities with appropriate sarking and thermal/acoustic insulation.
- 13 The storage and maintenance of aircraft within the residential airpark at Tintinara airfield should:
- (a) be carried out only within fully enclosed hangars and/or workshops
 - (b) be limited to household-related storage and workshop activities, as well as the minor maintenance and servicing of aircraft only
 - (c) involve works and be undertaken at times so as not to unreasonably disturb resident neighbours.
- 14 Development should be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality within the following parameters:

Parameter	Value
Minimum building setback from primary road frontage	10 metres
Minimum building setback from side boundaries	2 metres
Minimum building setback from rear boundary	5 metres
Maximum total site coverage	30 per cent
Maximum total outbuilding (including hangar) floor area	300 square metres
Maximum building height (from natural ground level)	7 metres
Minimum area of private open space	75 square metres
Minimum number of on-site car parking spaces, one of which should be covered	2 spaces

Land Division

- 15 Land should not be divided except for the realignment of allotment boundaries, where this assists in the more efficient operation and use of the airport.
- 16 Land division in the residential airpark at Tintinara airfield should create allotments with a minimum:
- (a) area of 2000 square metres
 - (b) frontage to a public road of 30 metres.

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Coorong District Council
Zone Section
Airfield Zone

Form of development	Exceptions
Advertisement and/or advertising hoarding	Except where the advertisement area measures 2 square metres or less and achieves all of the following: (a) the message contained thereon relates entirely to a lawful use of land (b) the advertisement is erected on the same allotment as the use it seeks to advertise.
Caravan park	
Community centre	
Consulting room	
Dwelling	Except a single storey detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield.
Educational establishment	Except where ancillary to and in association with aviation activities.
Hospital	
Horticulture	
Hotel	
Indoor recreation centre	
Intensive animal keeping	
Motel	
Nursing home	
Place of worship	
Pre-school	
Residential flat building	
Service trade premises	
Shop or group of shops	Except where the gross leasable area measures 150 square metres or less.
Special industry	
Tourist accommodation	
Waste reception, storage, treatment or disposal	

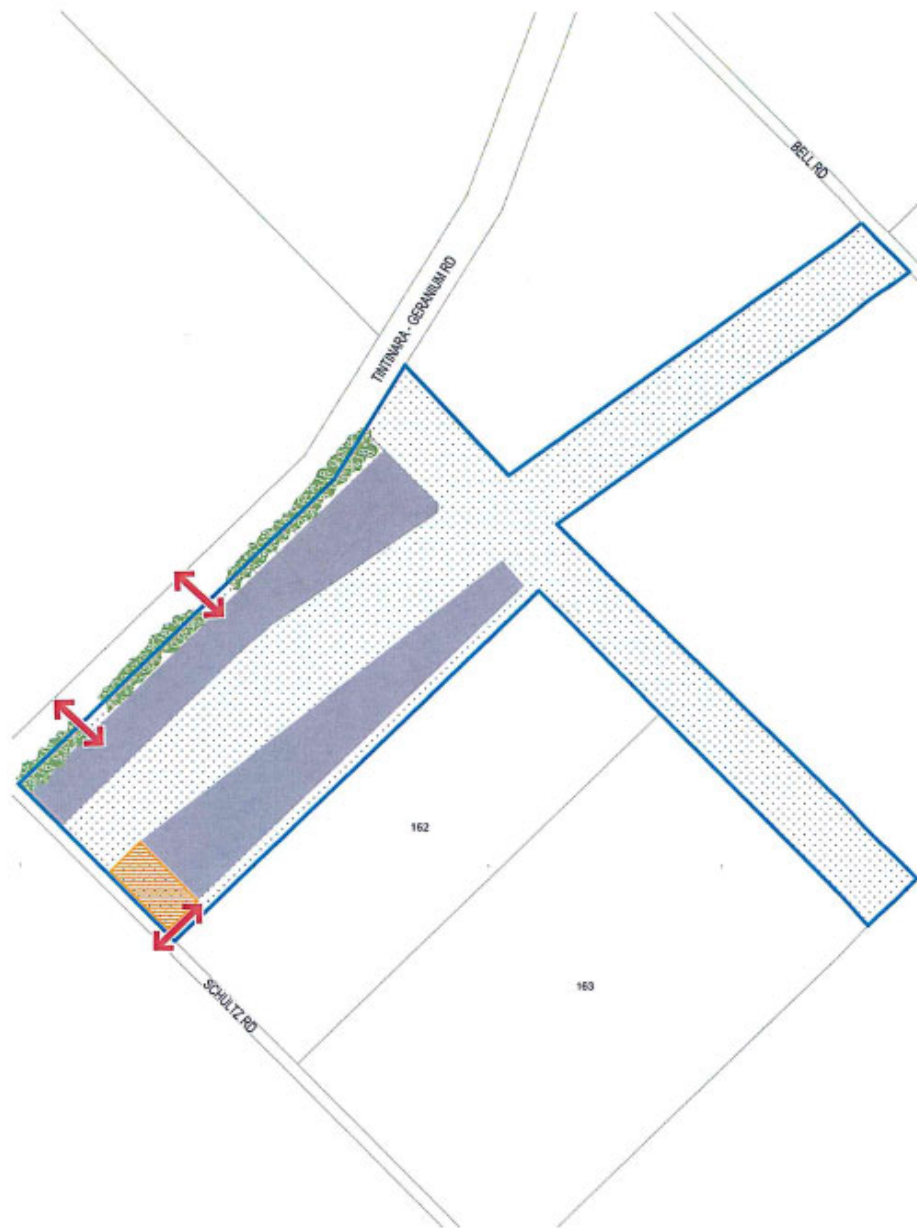
Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

Further, the following forms of development (except where the development is non-complying) are designated:

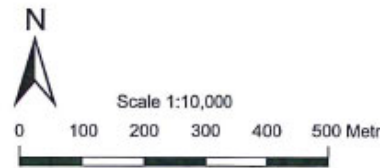
Category 1	Category 2
Aircraft hangar	Advertisement and/or advertising hoarding
Single story detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield.	The following development where ancillary to and in association with aviation activities: (a) road transport terminal (b) service industry (c) store (d) warehouse.

Concept Plan Map (former Development Plan):



NOTE: For Zones See MAP CooD/ 42

-  Residential Airpark
-  Building and Services Area
-  Airfield Strips
-  Roadside Vegetation / Landscape Area
-  Preferred Vehicular Access
-  Zone Boundary



Concept Plan Map CooD/1

AIRFIELD ZONE - TINTINARA

COORONG COUNCIL
Consolidated - 29 November 2018

OFFICIAL

ATTACHMENT C

**Town Centres, Townships and Environs (Part 1) Development Plan Amendment
KNET#12109613**

OFFICIAL

Development Plan Amendment

By the Council

The Coorong District Council

Town Centres, Townships and Environs (Part 1) DPA

The Amendment

For Authorisation

Approved by the Minister responsible for the administration of the Development Act 1993 pursuant to Section 25 (18), of the Development Act 1993.



.....
Minister's Signature

Date..... **21 NOV 2017**

Amendment Instructions Table				
Name of Local Government Area: Coorong District Council				
Name of Development Plan: The Coorong District Council Development Plan				
Name of DPA: Town Centres, Townships and Environs (Part 1) DPA				
<p><i>The following amendment instructions (at the time of drafting) relate to The Coorong District Council Development Plan consolidated on 24 November 2016.</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>				
Amendment Instruction Number	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted.	Is Renumbering required (Y/N)	Subsequent Policy cross references requiring update (Y/N) if yes please specify.
COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
Advertisements				
1.	Delete	Current PDC 1.	Y	N
2.	Insert	After current PDC 3(c): “(d) driver distraction.”	N	N
3.	Insert	After current PDC 14: “15 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.”	Y	N
4.	Insert	After current PDC 20: “21 Advertisements and/or advertising hoardings should be: (a) no higher than the height of the finished floor level of the second storey of the building to which it relates (b) where located below canopy level, flush with the wall or projecting horizontally (c) where located at canopy level, in the form of a fascia sign (d) where located above the canopy, flush with the wall and within the height of the parapet.”	Y	N

Town Centres, Townships and Environs (Part 1) DPA
Coorong District Council
Amendment Instructions Table

5.	Insert	After new PDC 21: "22 Advertisements or advertising hoardings should not exceed 25 per cent of the ground floor wall area on the façade the sign is placed."	Y	N
Building near Airfields				
6.	Replace	All "Building near Airfields" general section module with the module contained in Attachment A .	N	N
Hazards				
7.	Insert	Immediately after the first sentence in PDC 26: "The approximate alignment of the SEA Gas pipeline is depicted on <i>Overlay Map CooD/1 - Development Constraints</i> ."	N	N
Orderly and Sustainable Development				
8.	Insert	Immediately after the last dot point in PDC 9 , add the following dot point: • " Concept Plan Map CooD/13 – Urban Employment Zone "	N	N
ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
Airfield Zone				
9.	Replace	All "Airfield Zone" policies with the policies in Attachment B .	N	N
Home Industry Zone				
10.	Insert	After the fourth paragraph in the Desired Character statement: "While some of the land in the zone is elevated, it does have some lower lying areas that will need to be taken into account in considering localized on-site stormwater disposal measures. Any associated development to have regard to interface treatments and buffers in proximity to the Industry Zone ."	N	N
Industry Zone				
11.	Insert	Immediately after "bulky goods retail." as a continuation of the second paragraph in the Desired Character statement: "Service station complexes may also be established and may comprise additional elements to vehicle refuelling facilities. Additional elements may include, but are not necessarily limited to, a control building, car wash/vacuum units, convenience store, restaurant, outdoor eating area, play area for children, truck stop facilities, car parking and landscaped areas."	N	N
12.	Insert	After the second paragraph in the Desired Character statement: " Industrial and commercial development on Allotment 502 in DP 38254 (CT 5847/852) at Granites Road, Allotment 105 in FP 167872 (CT 5814/228) and portion of Allotment 23 in FP 170079 (CT 5866/254) at Second Avenue, Tailem Bend, will be of a low impact nature resulting in minimal impact on the adjoining Residential Zone to the south."	N	N
13.	Insert	After "petrol filling station" in PDC 1: ▪ "service station complex"	N	N

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14.	Insert	After PDC 1: "2 Development of a shop (excluding a restaurant) in association with a service station complex should not result in a gross leasable area exceeding 250 square metres."	Y	N
15.	Insert	Immediately following Exception (a) to a "Shop or group of shops" in the Non-complying Development list: "(not including the floor area of a restaurant where in association with a service station complex)"	N	N
16.	Insert	After "Road transport terminal" in the Category 1 column under Public Notification: "Service station complex"	N	N
Motor Sport Park Zone				
17.	Replace	All policies within the Motorsport Park Zone with the contents of Attachment C .	N	N
Primary Production Zone				
18.	Replace	Replace "dwelling in association with primary production" in PDC 1 with the following: "dwelling associated with envisaged forms of development or for short-term workers accommodation"	N	N
19.	Replace	Replace the words "a detached dwelling" in PDC 7 with the following: "dwellings (associated with envisaged forms of development or for short-term workers accommodation)"	N	N
20.	Delete	PDC 9.	Y	N
21.	Insert	Insert new PDC 9, 10 and 11 as follows: 9 A dwelling (including a replacement dwelling) should only be developed if: (a) there is a demonstrated connection with envisaged forms of development in the zone (b) the location of the dwelling will not inhibit the continuation of farming, other primary production or other development that is in keeping with the provisions of the zone (c) no valid planning authorisation to erect a dwelling on that allotment exists (d) it does not result in more than one dwelling per allotment, unless for short term workers accommodation, farm hand or manager's residence (e) it has a vegetated buffer of 40 metres wide between the dwelling and the allotment boundary, or alternatively be of a lesser distance where it adjoins a road reserve, a non-horticultural activity, or where the impacts are mitigated by taking into account factors such as prevailing winds, topography and physical barriers (f) it is located more than 500 metres from an existing intensive animal keeping operation unless used in association with that activity.	Y	N

		<p>10 Short-term workers accommodation should provide accommodation intended to be occupied on a temporary basis by persons engaged in employment relating to the production or processing of primary produce including minerals, where it directly supports and is ancillary to legitimate primary production activities or related industries.</p> <p>11 Not more than one dwelling should be erected on an allotment unless the following criteria are satisfied:</p> <p>(a) the allotment is used as an operative farm</p> <p>(b) the dwelling is for the purpose of short-term workers accommodation, farm hand or manager's residence</p> <p>(c) the dwelling:</p> <p>(i) is of universal design to support 'ageing in place' and/or workers accommodation</p> <p>(ii) is equipped with an adequate and reliable power supply and effluent management system</p> <p>(iii) is equipped with an adequate and reliable water supply</p> <p>(iv) is located at least 40 metres from all adjoining property boundaries, and in the case of a boundary to a public road, the dwelling does not have a lesser setback than the existing dwelling or 40 metres, whichever results in the greater setback from the public road</p> <p>(d) the dwelling location is unlikely to limit or prejudice the present or future use of the subject land or adjoining land.</p>		
22.	Replace	<p>Replace the non-complying entry in Column One and Two of the Non-complying Development list for "Dwelling" with the following;</p> <p>Column One</p> <p>Dwelling (excluding short-term workers accommodation)</p> <p>Column Two</p> <p>Except where it achieves (a) or (b):</p> <p>(a) it is a detached dwelling on an allotment of at least 40 hectares in area other than an allotment created prior to 1 January 2001</p> <p>(b) it is an additional dwelling for the purposes of a manager's residence or a farm hand's residence.</p>		
Settlement Zone				
23.	Replace	<p>Replace the Exceptions to "Motel" in the Non-complying Development list with the following:</p> <p>"Except where it achieves (a) or (b):</p> <p>(a) it is located outside of Raukkan Policy Area 5 and Waterside Policy Area 6</p> <p>(b) it is located within either Raukkan Policy Area 5 or Waterside Policy Area 6 and the sewage or effluent disposal</p>		

		is connected to a waste treatment system approved under the relevant public and environmental health legislation applying to that type of system.”		
Town Centre Zone				
24.	Insert	After “cultural” in Objective 1: “, tourist development”	N	N
25.	Insert	Immediately after “facilities and services.” as a continuation of the second paragraph in the Desired Character statement: “Service station complexes may also be established and may comprise additional elements to vehicle refuelling facilities. Additional elements may include, but are not necessarily limited to, a control building, car wash/vacuum units, convenience store, restaurant, outdoor eating area, play area for children, truck stop facilities, car parking and landscaped areas.”	N	N
26.	Insert	At the end of paragraph 3 in the Desired Character statement: “Opportunities for tourist development will be provided.”	N	N
27.	Insert	After “retail showroom” in PDC1: ▪ “service station complex”	N	N
28.	Insert	After “shop” in PDC 1: ▪ “tourist development.”	N	N
29.	Insert	After PDC 1: “2 Development of a shop (excluding a restaurant) in association with a service station complex should not result in a gross leasable area exceeding 250 square metres.”	Y	N
30.	Insert	After “Service trade premises” in the Form of development column and the Exceptions column of the Non-complying Development list: “ Shop or group of shops in association with a service station complex Except where the gross leasable area is 250 square metres or less (not including the floor area of a restaurant) “	N	N
Township Zone				
31.	Replace	All “Wellington East Residential Policy Area 10” policies with the policies in Attachment D .	N	Y - in the Map Reference Tables
32.	Replace	“Except where the following are both satisfied:” in the Exceptions column for Land Division in the Non-complying Development list with: “Except where outside of Wellington East Residential Precinct 1 and both of the following are satisfied:”	N	N

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33.	Replace	In the Exceptions list for "Motel" in the Non-complying Development list with: " Except where either (a) or (b) are satisfied: (a) located outside Wellington East Residential Policy Area 10 (b) located within Wellington East Residential Policy Area 10 for bed and breakfast accommodation or holiday house accommodation within a detached dwelling."	N	N
34.	Insert	After "Stock slaughter works" in the Form of development column of the Non-complying Development list: "Store"	N	N
35.	Insert	Additional entry in Column two (Category 2) of the Public Notification procedural table: " Bed and breakfast accommodation or holiday house accommodation within a detached dwelling in Wellington East Policy Area 10 "	N	N
Urban Employment Zone				
36.	Insert	Immediately after the "Township Zone" policies the contents of Attachment E.	N	Y - in the Map Reference Tables
TABLES				
Amendments required (Yes/No): Yes				
Table CooD/2 - Advertisement Standards and Guidelines				
37.	Delete	Table CooD/2 - Advertisement Standards and Guidelines	Y	Y - Table of Contents
MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)				
Amendments required (Yes/No): Yes				
Map Reference Table				
38.	Insert	In the Zone Maps table - reference to "CooD/38," numerically in the Zone Map Numbers column for the Deferred Urban Zone.	N	N
39.	Insert	In the Zone Maps table - reference to "Urban Employment Zone" alphabetically in the Zone Name column and "CooD/3, CooD/5, CooD/50, CooD/52, CooD/67" in the associated Zone Map Numbers column.	N	N
40.	Insert	Immediately following the Policy Area Maps table - the contents of Attachment F.	N	N
41.	Insert	Immediately following the last reference in the Concept Plan Maps table - reference to "Urban Employment Zone" in the Concept Plan Title and "CooD/13" in the associated Concept Plan Map Numbers column.	N	N
Map(s)				
42.	Replace	Council Index Map and Enlargement Index Map with the corresponding maps in Attachment G.	N	N
43.	Replace	Overlay Map CooD/1 Development Constraints., Location Map CooD/5 and Overlay Map CooD/5 – Transport with the corresponding maps in Attachment H.	N	N

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44.	Replace	Zone Maps CooD/3, 5, 38, 41, 48, 49, 50, 52, 61, 62 with the corresponding maps in Attachment I .	N	N
45.	Insert	Immediately after Policy Area Map CooD/56 - new Precinct Map CooD/56 in Attachment J .	N	Y - in the Map Reference Tables
46.	Replace	Concept Plan Maps CooD/1 - Airfield Zone – Tintinara, and CooD/12 - Motorsport Park with the corresponding maps in Attachment K .	N	N
47.	Insert	Immediately after Concept Plan Map CooD/12 - Motorsport Park - new c in Attachment L .	N	Y - in the Map Reference Tables

Attachment A

General Section Module – Building near Airfields

Building near Airfields

OBJECTIVES

- 1 Development that ensures the long-term operational, safety, commercial and military aviation requirements of airfields (airports, airstrips and helicopter landing sites) continue to be met.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The height and location of buildings and structures should not adversely affect the long-term operational, safety, commercial and military aviation requirements of airfields.
- 2 Development in the vicinity of airfields should not create a risk to public safety, in particular through any of the following:
 - (a) lighting glare
 - (b) smoke, dust and exhaust emissions
 - (c) air turbulence
 - (d) storage of flammable liquids
 - (e) attraction of birds
 - (f) reflective surfaces (eg roofs of buildings, large windows)
 - (g) materials that affect aircraft navigational aids.
- 3 Outdoor lighting within 6 kilometres of an airport should be designed so that it does not pose a hazard to aircraft operations.
- 4 Development that is likely to increase the attraction of birds should not be located within 3 kilometres of an airport used by commercial aircraft. If located closer than 3 kilometres the facility should incorporate bird control measures to minimise the risk of bird strikes to aircraft.
- 5 Dwellings should not be located within areas affected by airport noise.
- 6 Development within areas affected by aircraft noise should be consistent with *Australian Standard AS 2021: - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction*.

Attachment B

Zone Section - Airfield Zone

Airfield Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A zone primarily accommodating aircraft operations, passenger terminals, airport and aviation-related light industrial, service industrial, warehouse and storage purposes.
- 2 A residential airpark at Tintinara airfield comprising detached dwellings in association with private aircraft hangars.
- 3 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

This zone will be developed as an area dedicated to industry and commerce directly associated with aircraft operations and use.

These operations, and associated built form, will be undertaken such that the safe use of the airfield for aircraft is not compromised.

Areas will be set aside for future expansion of the runways and associated infrastructure and facilities.

A residential airpark will be established in association with the airfield at Tintinara as depicted on [Concept Plan Map Cood/1 Airfield Zone - Tintinara](#). The residential airpark will provide for low density detached dwellings where constructed in association with an aircraft hangar on the same allotment.

The residential airpark will accommodate large residential allotments, generally in excess of 2000 square metres in area. The allotments will be developed with a single detached dwelling, fronting a public road, and with their associated hangars positioned generally to the rear of sites. Development will be suitably set back from taxiways and runways for operational and safety purposes and will avoid navigational safety hazards, including bird strike and glare.

A high standard of building design and site development is intended in the residential airpark, avoiding excessively large or overbearing buildings. There are to be extensive landscaped areas providing screening for buildings from the surrounding activities and roads. Hangars, including low key maintenance and workshop facilities, will be developed and linked to the dwelling with which it is associated but must be positioned, designed and managed so as not to cause unreasonable nuisance to residents on nearby sites.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 The following forms of development are envisaged in the zone:
 - aircraft related facility
 - airport
 - detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield
 - fuel depot
 - light industry ancillary to and in association with aviation activities
 - residential airpark at Tintinara airfield
 - road transport terminal ancillary to and in association with aviation activities
 - service industry ancillary to and in association with aviation activities
 - store ancillary to and in association with aviation activities
 - warehouse ancillary to and in association with aviation activities.

- 2 Development listed as non-complying is generally inappropriate.
- 3 Development that would be adversely affected by noise and other hazards caused by airport activities
- 4 should not be undertaken in the zone.
- 5 Development should not impede the use of the zone for aviation purposes.
- 6 Within the residential airpark, residential outbuildings should be limited in number, scale and use, such that they are ancillary and subservient to a dwelling in the residential airpark at Tintinara airfield.

Form and Character

- 7 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 8 Commercial and light industrial development located on the airport site should:
 - (a) facilitate the more efficient operation of the airport
 - (b) be sited in defined clusters
 - (c) not adversely affect the amenity of surrounding land uses.
- 9 Structures should not exceed a height of:
 - (a) 7 metres from natural ground level
 - (b) 10 metres from natural ground level for antennas and aerials.
- 10 Development adjacent to the Tintinara airstrip should be undertaken in accordance with [Concept PlanMap CooD/1 - Airfield Zone - Tintinara](#).
- 11 Development within the residential airpark at Tintinara airfield should:
 - (a) be constructed in non-reflective materials, textures and colours that blend with the natural environment and avoid light glare
 - (b) allow for landscape screening and substantial residential building setbacks to assist in buffering impacts from surrounding activities
 - (c) provide safe vehicle access onto adjoining roads
 - (d) not interfere with the safe and efficient operation of the airport
 - (e) restrict residential sites and associated buildings and site works to a safe operational distance from runways and taxiways.
- 12 Residential development within the residential airpark at Tintinara airfield should be designed and insulated to minimise aircraft noise nuisance to its occupiers by including the following design techniques:
 - (a) locating noise sensitive rooms such as bedrooms to face away from runways, flight paths or other noise sources
 - (b) incorporating design measures to minimise the entry of noise through sealed windows and doors and/or by screening openings with fences or other devices to reduce the line of sight entry of noise sources
 - (c) lining eaves and providing roof cavities with appropriate sarking and thermal/acoustic insulation.

- 13 The storage and maintenance of aircraft within the residential airpark at Tintinara airfield should:
- (a) be carried out only within fully enclosed hangars and/or workshops
 - (b) be limited to household-related storage and workshop activities, as well as the minor maintenance and servicing of aircraft only
 - (c) involve works and be undertaken at times so as not to unreasonably disturb resident neighbours.
- 14 Development should be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality within the following parameters:

Parameter	Value
Minimum building setback from primary road frontage	10 metres
Minimum building setback from side boundaries	2 metres
Minimum building setback from rear boundary	5 metres
Maximum total site coverage	30 per cent
Maximum total outbuilding (including hangar) floor area	300 square metres
Maximum building height (from natural ground level)	7 metres
Minimum area of private open space	75 square metres
Minimum number of on-site car parking spaces, one of which should be covered	2 spaces

Land Division

- 15 Land should not be divided except for the realignment of allotment boundaries, where this assists in the more efficient operation and use of the airport.
- 16 Land division in the residential airpark at Tintinara airfield should create allotments with a minimum:
- (a) area of 2000 square metres
 - (b) frontage to a public road of 30 metres.

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development	Exceptions
Advertisement and/or advertising hoarding	Except where the advertisement area measures 2 square metres or less and achieves all of the following: <ul style="list-style-type: none"> (a) the message contained thereon relates entirely to a lawful use of land (b) the advertisement is erected on the same allotment as the use it seeks to advertise.
Caravan park	
Community centre	
Consulting room	
Dwelling	Except a single storey detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield.
Educational establishment	Except where ancillary to and in association with aviation activities.
Hospital	
Horticulture	
Hotel	
Indoor recreation centre	
Intensive animal keeping	
Motel	
Nursing home	
Place of worship	
Pre-school	
Residential flat building	
Service trade premises	
Shop or group of shops	Except where the gross leasable area measures 150 square metres or less.
Special industry	
Tourist accommodation	
Waste reception, storage, treatment or	

Form of development	Exceptions
---------------------	------------

disposal

Public Notification

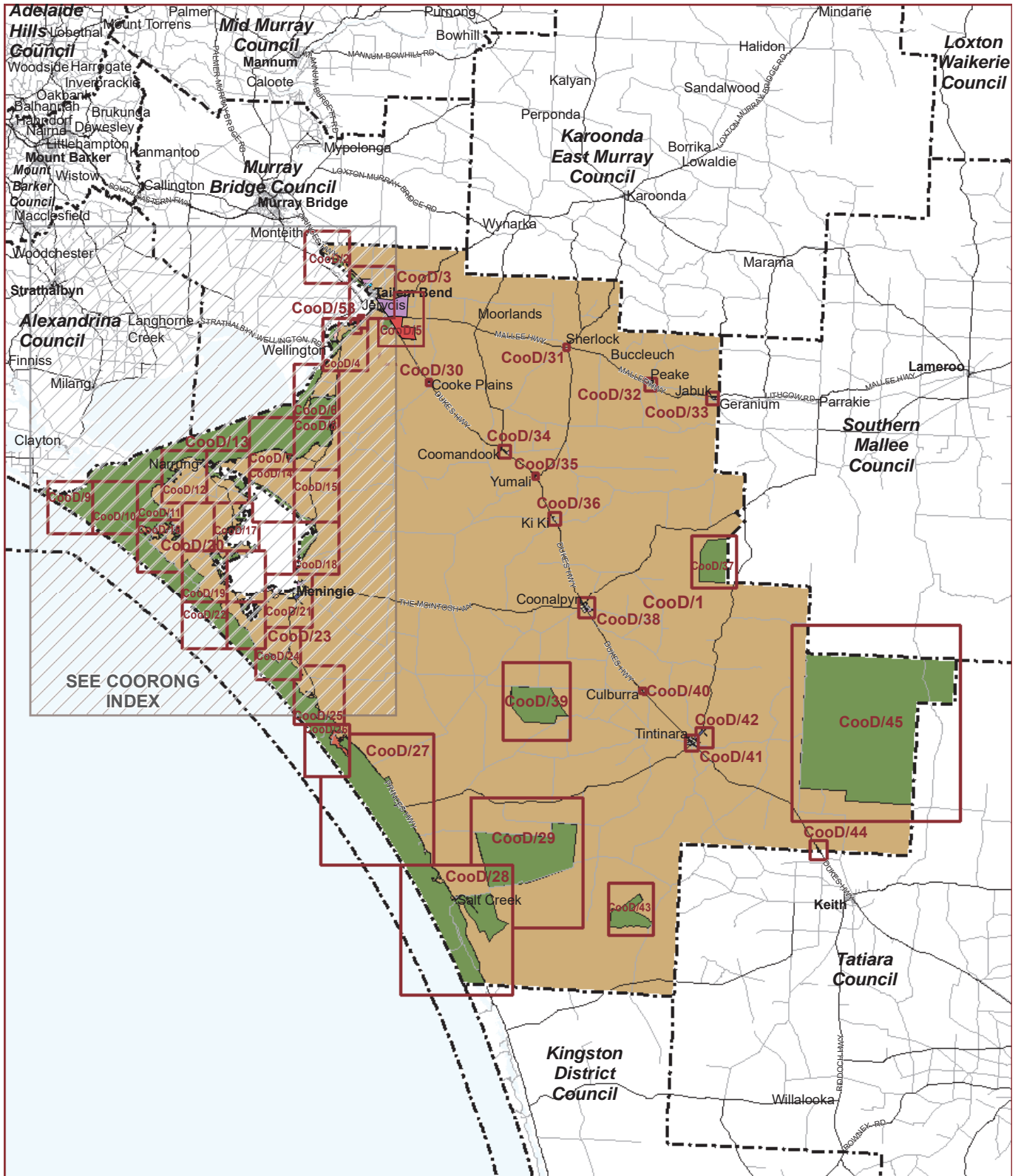
Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

Further, the following forms of development (except where the development is non-complying) are designated:

Category 1	Category 2
Aircraft hangar	Advertisement and/or advertising hoarding
Single story detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield.	The following development where ancillary to and in association with aviation activities: (a) road transport terminal (b) service industry (c) store (d) warehouse.

Attachment G

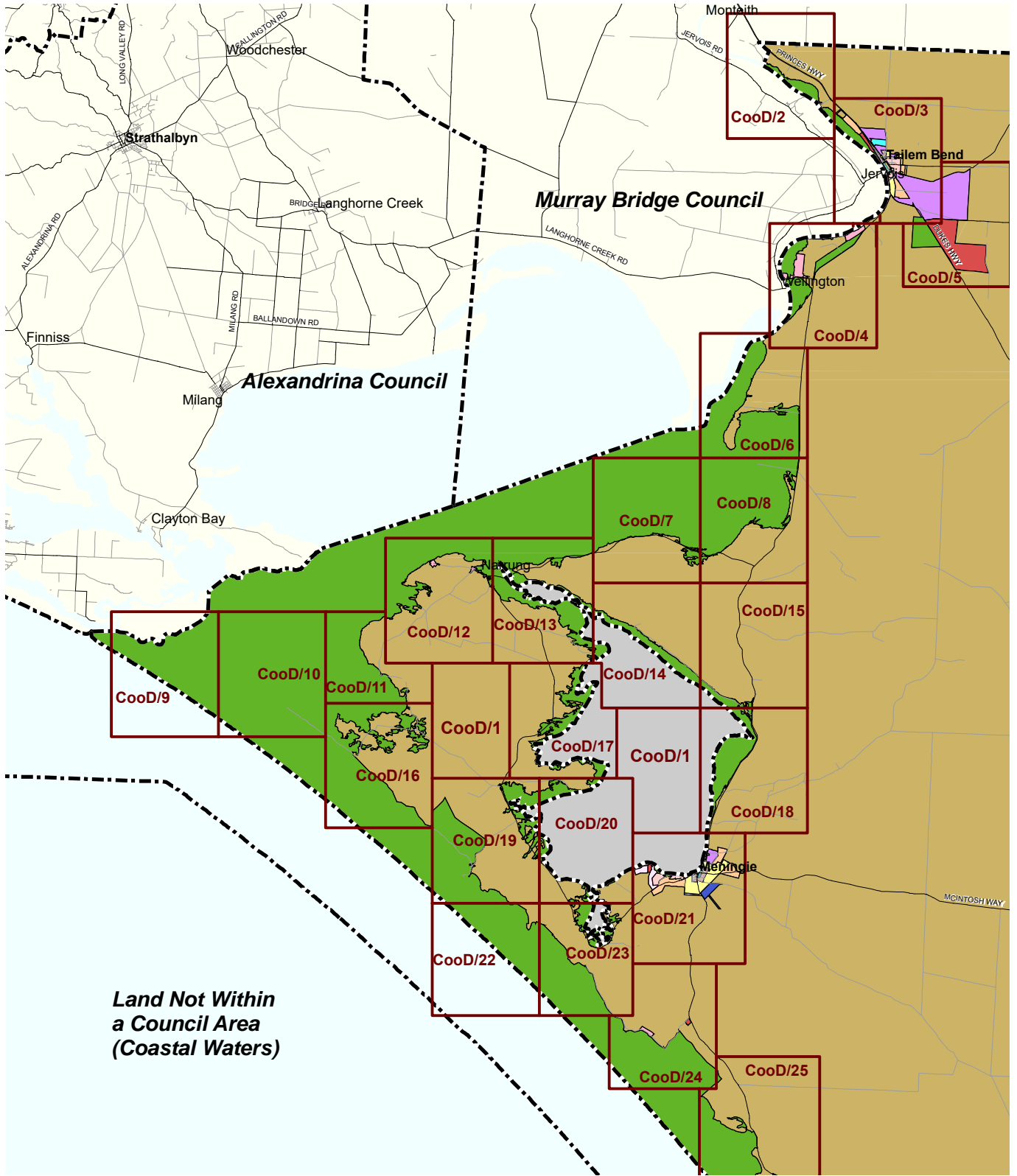
Replacement Council Index Map and Enlargement Index Map



For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area/precinct boundaries depicted on or intended to be fixed by Maps CooD/1 to Map CooD/66 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area/precinct boundaries are shown or otherwise indicated.



Council Index Map



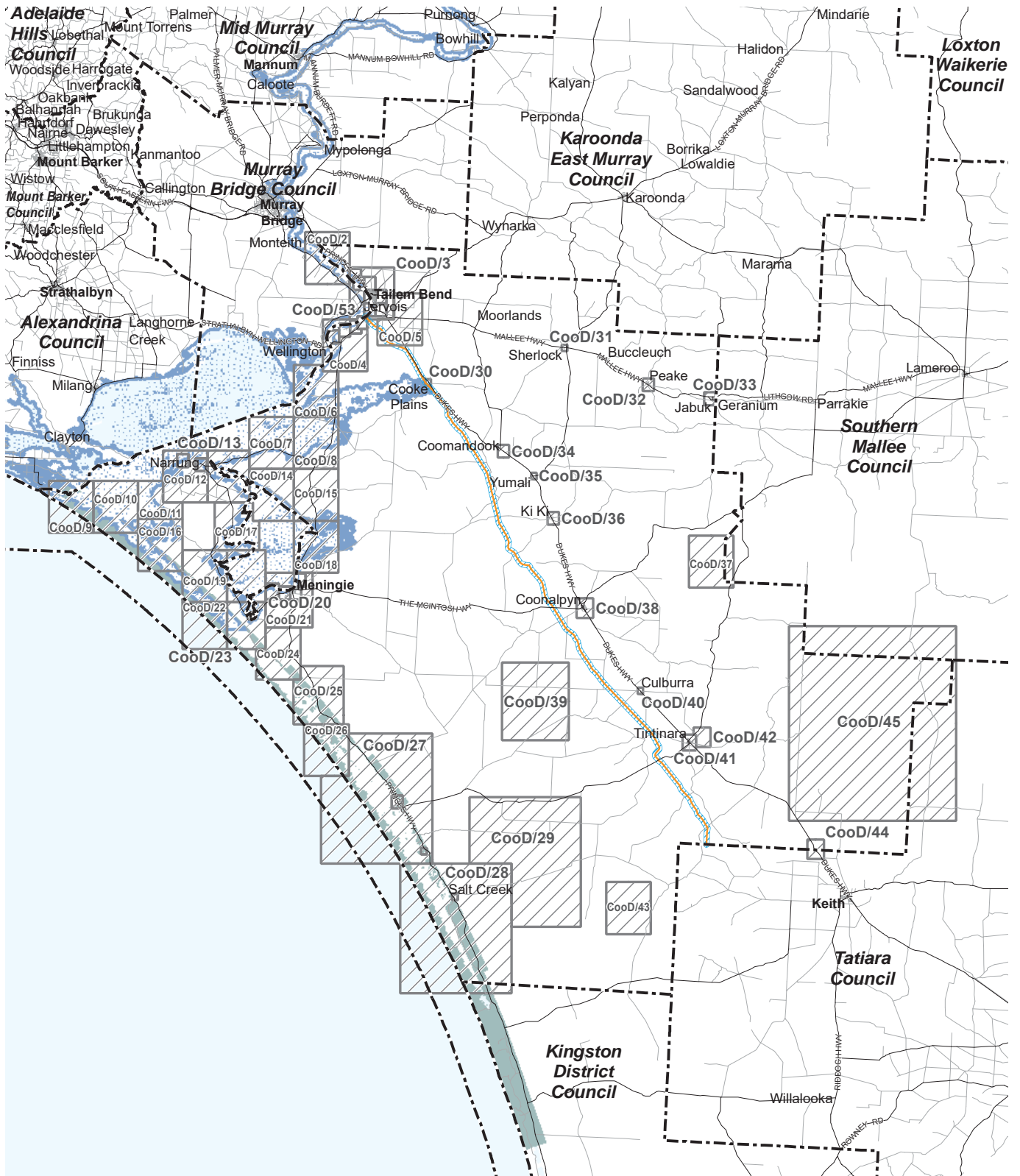
For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area/precinct boundaries depicted on or intended to be fixed by Maps CooD/1 to Map CooD/66 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area/precinct boundaries are shown or otherwise indicated.



COORONG Enlargement Index Map

Attachment H

Replacement Overlay Map CooD/1 Development Constraints, Location Map CooD/5 and Overlay Map CooD/5 - Transport



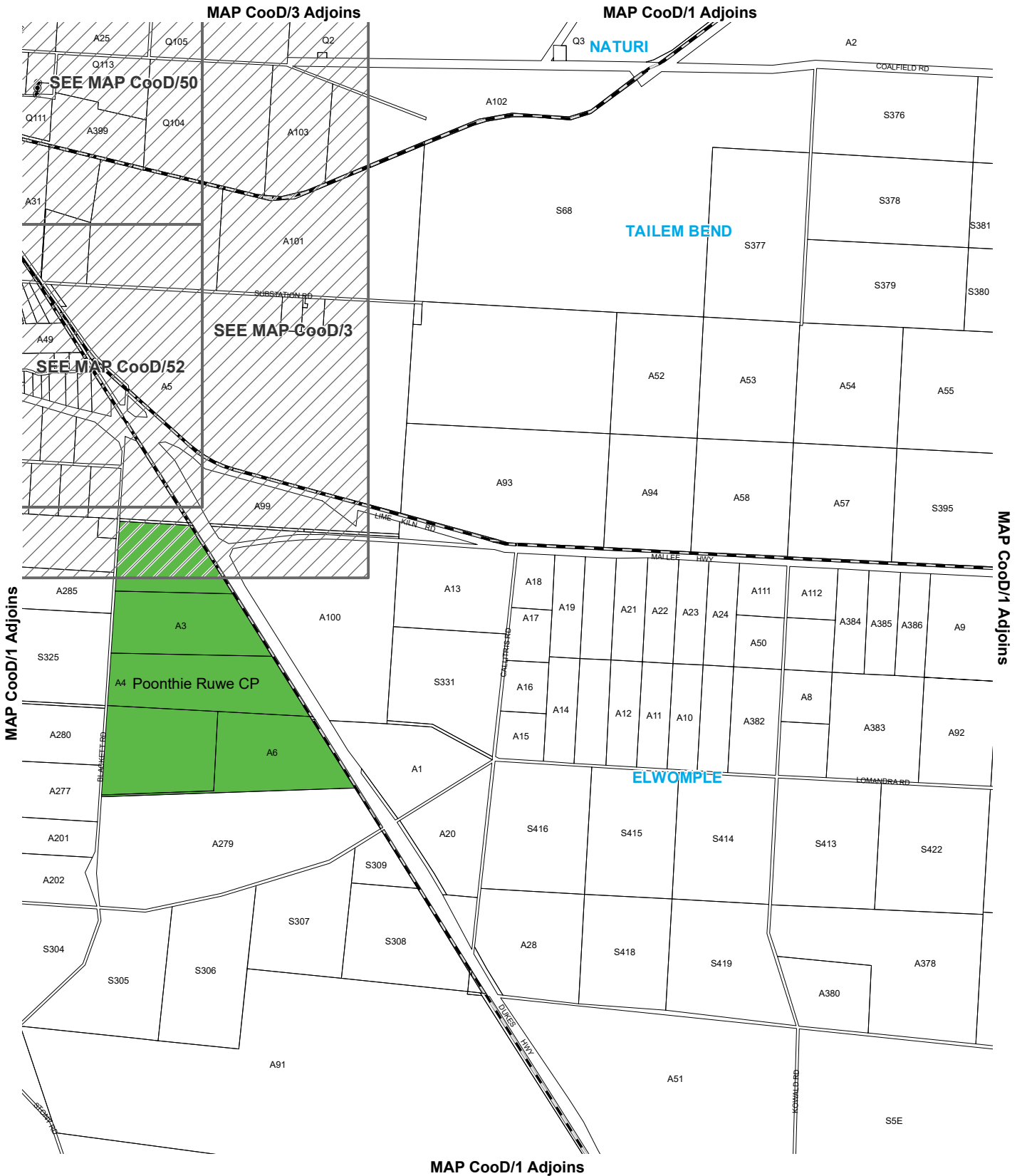
- SEAGAS Pipeline
- SEAGAS 640m buffer
- 1956 Flood Boundary
- Coastal Acid Sulfate Soils
- Development Plan Boundary

Overlay Map CooD/1

DEVELOPMENT CONSTRAINTS

COORONG COUNCIL

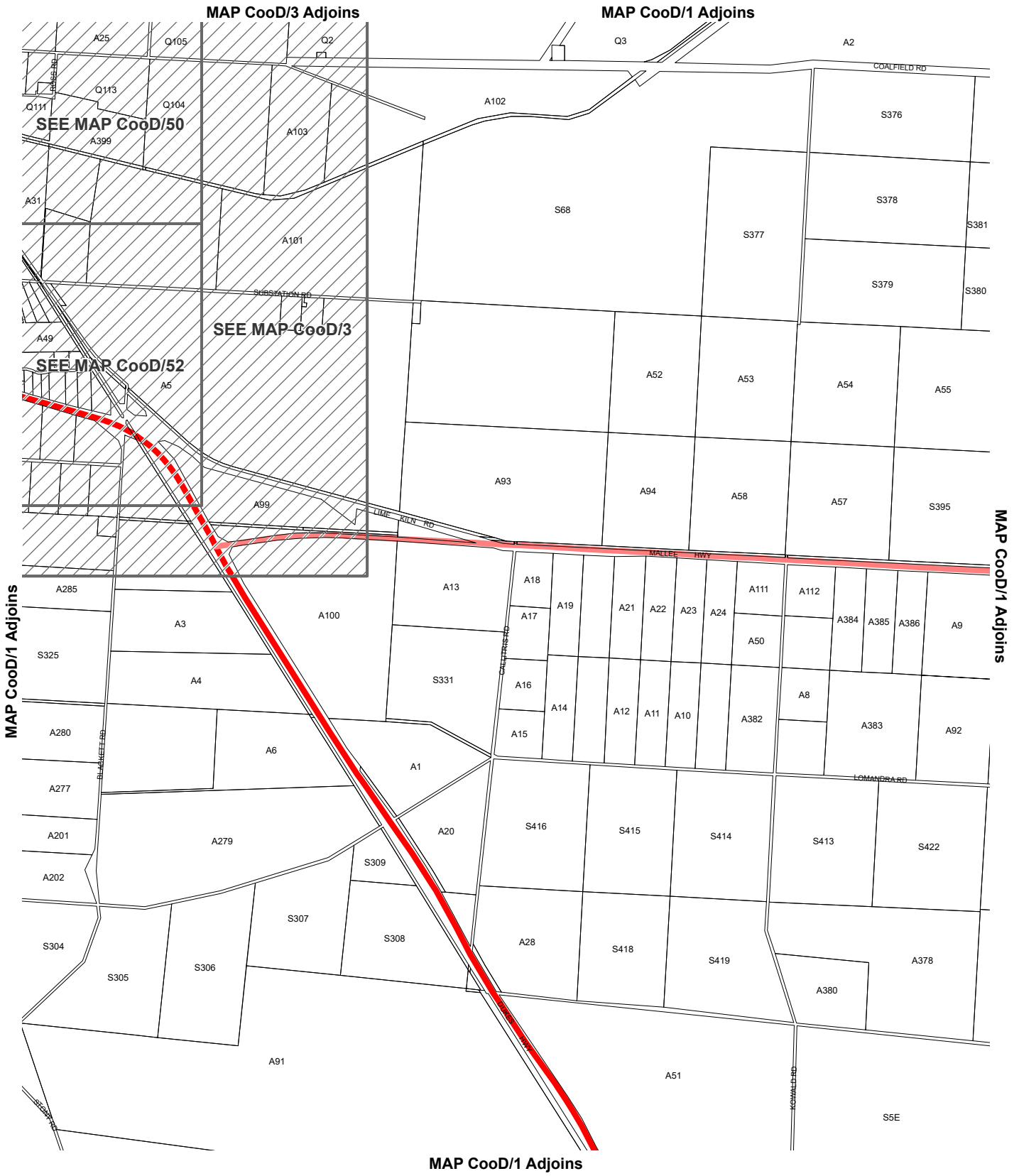




-  Railways
-  Conservation Park



Location Map CooD/5



MAP CooD/1 Adjoins

MAP CooD/1 Adjoins

MAP CooD/1 Adjoins

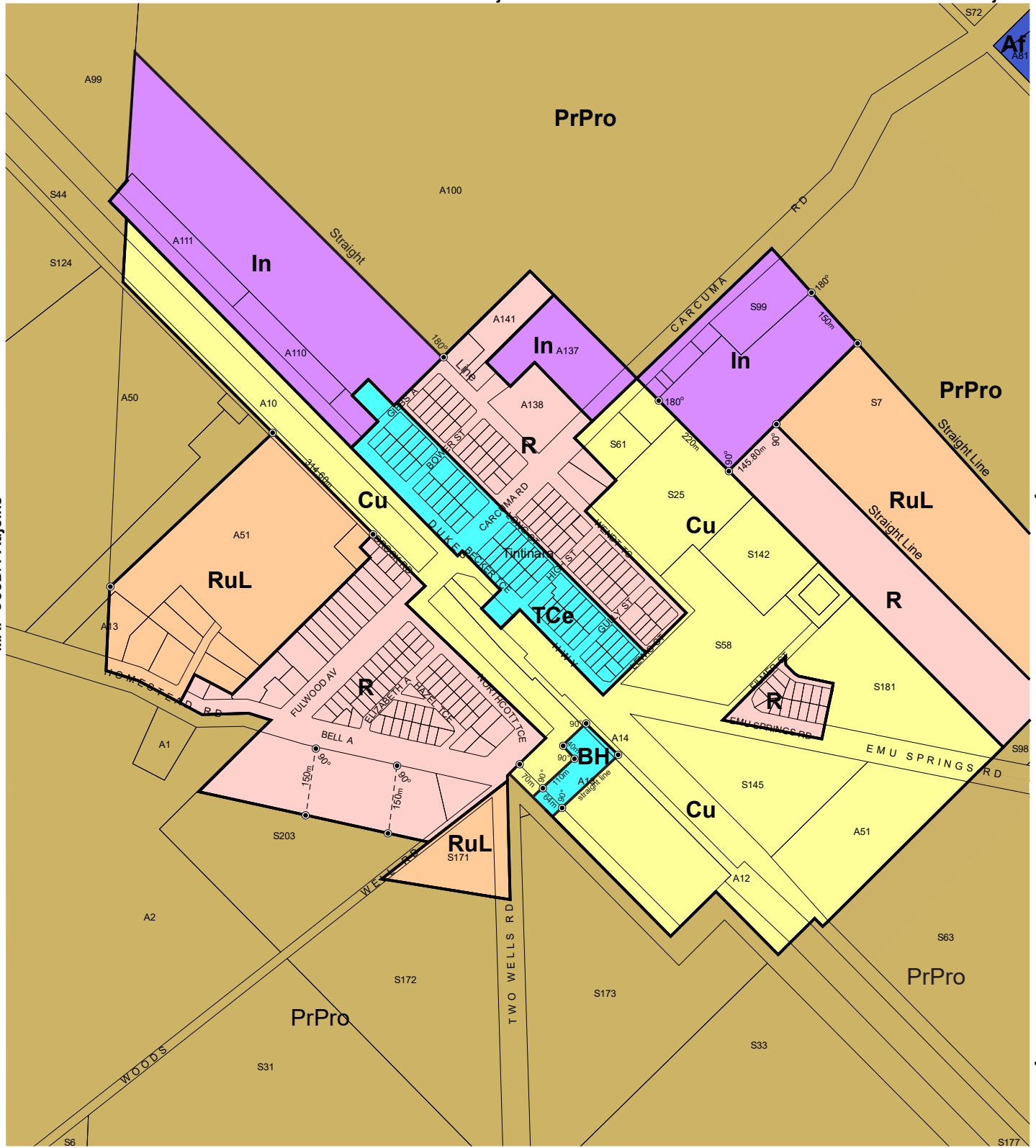


- Primary Arterial Roads
- Secondary Arterial Roads

Overlay Map CooD/5 TRANSPORT

Attachment I

Replacement Zone Maps CooD/3, 5, 38, 41, 48, 49, 50, 52, 61, 62



MAP CooD/1 Adjoins

Lamberts Conformal Conic Projection, GDA94

Zones

- Af Airfield
- BH Bulk Handling
- Cu Community
- In Industry
- PrPro Primary Production
- R Residential
- RuL Rural Living
- TCe Town Centre
- Zone Boundary

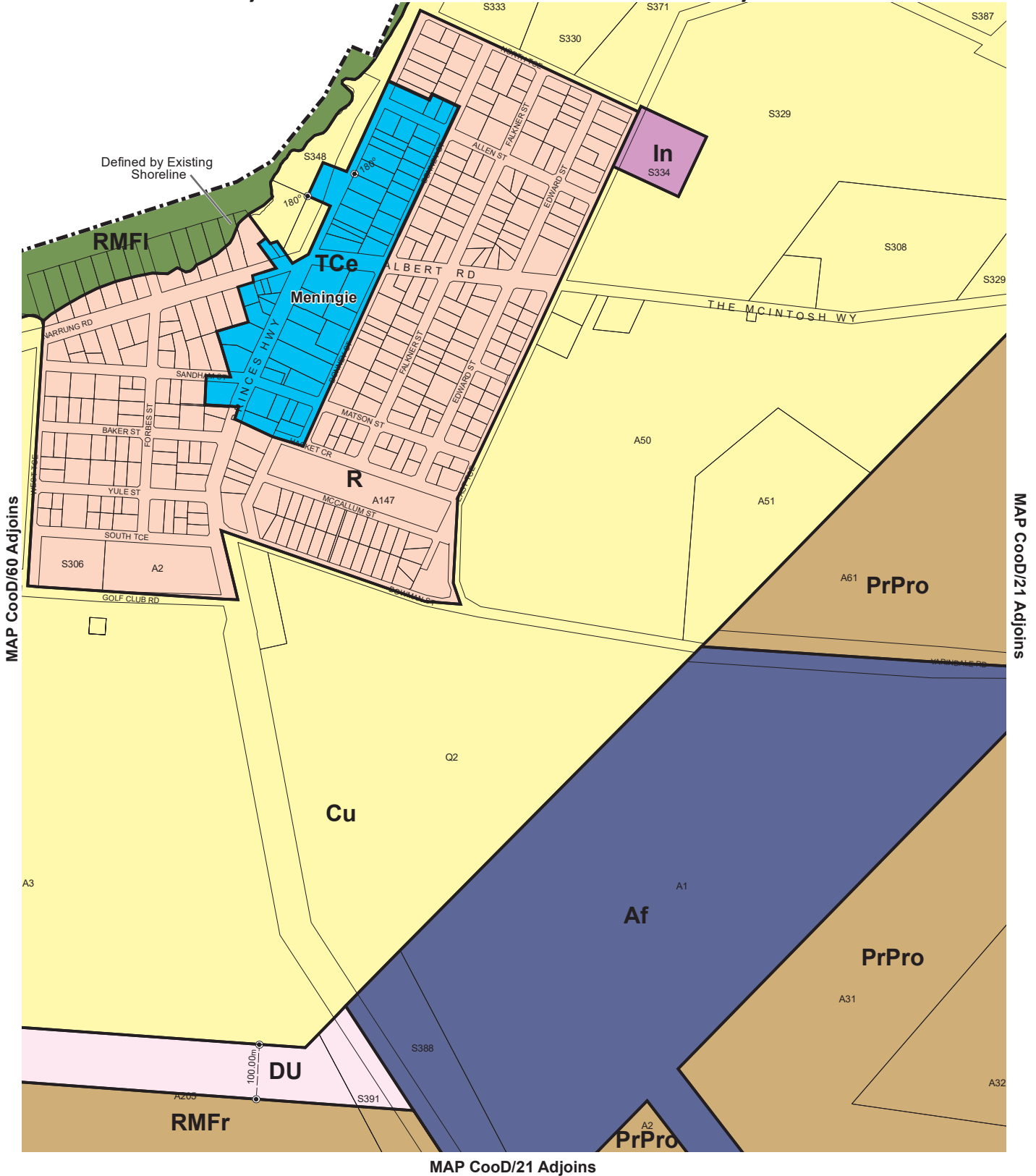


TINTINARA

Zone Map CooD/41

MAP Cood/21 Adjoins

MAP Cood/62 Adjoins



Lamberts Conformal Conic Projection, GDA94

Zones

- Af** Airfield
- Cu** Community
- DU** Deferred Urban
- In** Industry
- PrPro** Primary Production
- R** Residential
- RMFI** River Murray Flood
- RMFr** River Murray Fringe
- TCe** Town Centre
- Zone Boundary**
- Development Plan Boundary**

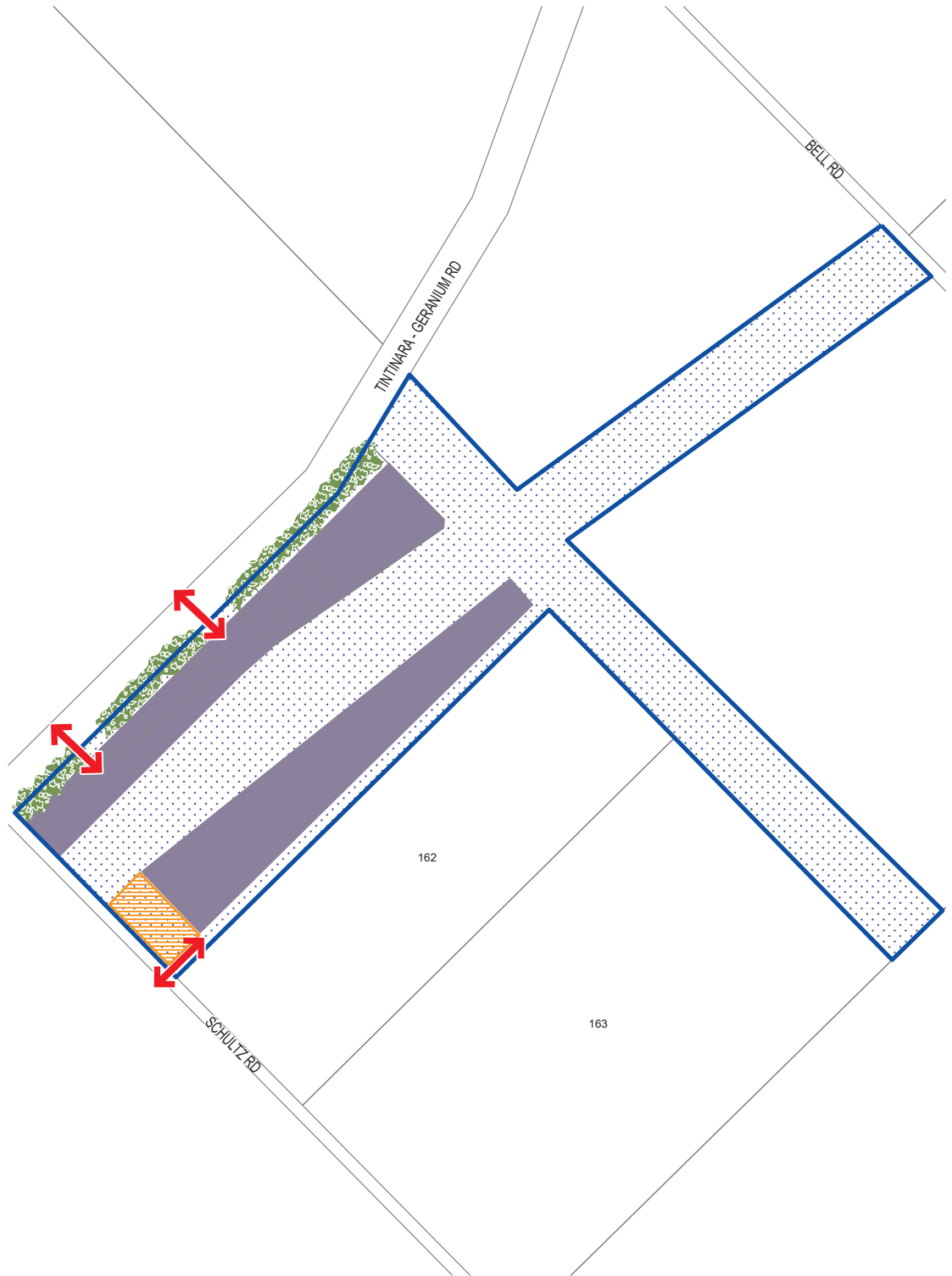


MENINGIE






Zone Map Cood/61

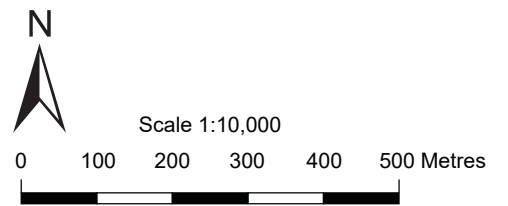
Attachment K

Replacement Concept Plan Maps CooD/1 - Airfield Zone - Tintinara and Concept Plan Map CooD/12 - Motorsport Park



NOTE: For Zones See MAP CooD/ 42

-  Residential Airpark
-  Building and Services Area
-  Airfield Strips
-  Roadside Vegetation / Landscape Area
-  Preferred Vehicular Access
-  Zone Boundary



Concept Plan Map CooD/1

AIRFIELD ZONE - TINTINARA



Development Act 1993

Coorong District Council

Town Centres, Townships and Environs
DPA

Summary of Consultation and Proposed Amendments (SCPA) Report

September 2017

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List of Attachments

- Attachment A - Summary and Response to Public Submissions
- Attachment B - Summary and Response to Public Meeting Submissions
- Attachment C - Timeframe Report
- Attachment D - Schedule 4A Certificate
- Attachment E - Schedule 4B Certificate

1. Introduction

This Summary of Consultation and Proposed Amendments (SCPA) report is provided in accordance with Section 25(13) of the Development Act 1993 to identify matters raised during the consultation period and any recommended alterations to the amendment. The report also provides details of the consultation process undertaken by Council.

The SCPA Report should be read in conjunction with the consultation version of the DPA. Where relevant, any new matters arising from the consultation process are contained in this report.

The Amendment reflects the recommendations of Council contained in this report.

2. Consultation

2.1 Consultation Process

Statutory consultation with agencies and the public was undertaken in accordance with DPA process B2 (with consultation approval and in accordance with Section 25(6) of the Development Act 1993; Regulations 10 and 11 of the Development Regulations 2008) and as agreed in the Statement of Intent.

The public consultation period was from 1 June to 28 July 2017.

2.2 Public Notification

Notices were published in the Government Gazette and the local newspapers.

The DPA documents were also on display at Council's Local Government Centre and Website during the consultation period.

A copy of the DPA was forwarded to the Department of Planning, Transport and Infrastructure at the commencement of the consultation period.

2.3 Member of Parliament

Consultation was undertaken with the State Member for MacKillop and the State Member for Hammond - no comments received.

3. Public and Agency Submissions

3.1 Public Submissions

Twelve (12) public submission was received.

A report on the submissions (summary, content, and action taken in response) is contained in **Attachment A**.

3.2 Agency submissions

Twelve (12) agency submissions were received – these have been reviewed by Council and are summarized in a separate schedule, with minor changes made.

3.3 Review of Submissions and Public Meeting

Copies of all submissions were made available for public review from 28 July 2017 until the conclusion of the public hearing.

Four (4) submitters requested to be heard, and therefore the public meeting scheduled for 15 August 2017, was held.

Refer **Attachment B** for Summary and Response to Public Meeting Submissions.

4. Timeframe Report

A summary of the timeframe of the DPA process relative to the agreed Statement of Intent timetable is located at **Attachment C**.

As outlined in Attachment C, the Department was fully informed of timing delays through process.

5. CEO's Certification

The consultation process has been conducted and the final amendment prepared in accordance with the requirements of the Act and Regulations as confirmed by the CEO's Certifications provided in **Attachment D** (Schedule 4A Certificate) and **Attachment E** (Schedule 4B Certificate).

6. Summary of Recommended Changes to the Amendment following Consultation

The following is a summary of the changes recommended to the Amendment as a result of consultation and in response to public and/or agency submissions:-

- (a) To amend Zone Map CooD/62 to rezone Lot 1, Section 103, Lot 3 to 6, Lot 9, Section 121 and Lot 8 to the north of the existing rural living zone at Meningie north, to Rural Living Zone – to make other corresponding/interrelated policy changes as identified
- (b) To amend Zone Map CooD/62 to rezone Lot 11 Yumali Road, Meningie, to Home Industry – to make other corresponding/interrelated policy changes as identified
- (c) To amend Zone Map CooD/61 to retain Lot 101 Narrung Road Meningie (the portion of land identified for rezoning that is outside of the River Murray Flood Zone), within the Residential Zone
- (d) To amend the non-complying entry for 'Dwelling' in the Rural Living Zone procedural table to provide an exception where it relates to Section 84, McIntosh Way, Coonalpyn, for both a dwelling (as already proposed) and residential flat building
- (e) Subject to commissioning Site History Reporting and landfill investigations with satisfactory outcome, to amend Zone Map Coo/50 to rezone Piece 23 in DP 115598 and Lot 399 in FP 207829 Kulde Road, Tailern Bend, to Rural Living Zone
- (f) To amend PDC 1 of the Urban Employment Zone as it relates to Store and Warehouse as identified
- (g) There were minor amendments following agency referral relating to the Motorsport Park Zone, Urban Employment Zone Concept Plan Map, Primary Production Zone, Township Zone (Wellington East Policy Area 10), Settlement Zone, formatting, editorial and minor map formatting, as identified in the separate agency consultation table.

Refer to following Attachments and separate agency consultation table for further details.

List of Attachments

Attachment A

Report on each public submission received (including summary, comments and action taken in response)

Attachment B

Report on each verbal submission with reference to Attachment A

Attachment C

Timeframe report

Attachment D

CEO's Certification as per Schedule 4A

Attachment E

CEO's Certification as per Schedule 4B

Attachment A – Summary and Response to Public Submissions

Report on each public submission received (including summary, comments and action taken in response)

No.	Name and Address	Submission Summary	Comment	Council Response
1.	Fiona and Simon Paech, 278 Substation Rd, Tailem Bend	<p>Submission related to the following concerns:-</p> <ol style="list-style-type: none"> 1. Rezoning of land to Urban Employment Zone to south of Tailem Bend, as their dwelling is located in the middle of the new zone (Lot 1 Substation Road, Tailem Bend) 2. Impacts of solar farm and other future unknown developments 3. Impact on rates 4. About the types of development that may be allowed in the new zone 5. Impact on value <p>Please refer to the copy of the written submission for further details.</p>	<p>Council has identified the land as being suitable to accommodate larger scale activities providing employment opportunities.</p> <p>One of the key drivers for the Urban Employment Zone is to acknowledge and facilitate the proposed \$160 million, 110MW solar farm being developed on the land by Snowy Hydro and Equis. The project is to be co-located with a 28.8MW diesel-fired power station and will connect into the existing and new electricity substation and ElectraNet distribution network.</p> <p>The Zone will also give potential scope for the expansion of the solar farm, large scale battery storage and associated energy infrastructure that takes advantage of its strategic location to the electricity distribution network.</p> <p>In addition to the solar farm proposal, the land is also considered suitable for intermodal freight facilities and associated industrial and other employment and business activities. This is based on the area exhibiting a number of the general characteristics considered desirable for urban employment areas, including proximity to major highways (the convergence of the Dukes, Princes and Mallee Highways) and rail links (the Adelaide - Melbourne rail freight route), access to service infrastructure, and the provision of</p>	No change.

			<p>land with general physical suitability for larger scale development.</p> <p>The provision of employment lands at Tailem Bend is also supported in various regional strategic documents, as outlined in the Statement of Investigations.</p> <p>The Planning Strategy also clearly envisages commercial/industrial and tourism development being attracted to the region as a result of the Tailem Bend Motorsports Park development. It also recognises Tailem Bend as it relates to the passenger and freight rail link between Adelaide and Melbourne passing through Tailem Bend, where a junction connects to standard gauge lines terminating at Loxton and Pinnaroo. Although not currently used, these latter rail lines are located within/adjacent to the zone and provide scope for future opportunity as it relates to direct connectivity to the adjacent Adelaide to Melbourne rail line for regional food, grain and mineral sands exports, transport and logistics.</p> <p>The electricity supply transmission and distribution network also traverses through, and nearby, the area proposed to be rezoned to Urban Employment Zone. These services provide a catalyst for the proposed 110MW solar farm and diesel-fired power station that takes advantage of the strategic advantages of the land in proximity to existing ElectraNet substation and electricity distribution networks.</p> <p>It is acknowledged that the longer term development of the land (if rezoned) would lead to a substantial change in the nature of the land and development on the land – notwithstanding, relevant interface aspects would need to be considered as it related to existing development depending on the nature and scale of future development.</p>	
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			<p>The impact on valuation and Council rates (as a result of potential rezoning of the land) is unknown at this point in time, and is a matter for consideration of the Valuer-General – potentially the rezoning of the land might increase the value of land based on the additional development opportunities that would arise.</p> <p>Alternatively, Council may choose to remove this portion of Urban Employment Zone (i.e. retain in Primary Production Zone) and consider further via Tailem Bend/Wellington East corridor Masterplan.</p>	
2.	<p>Maria Sadlier, PO Box 377, Tailem Bend</p>	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. Wishes to see Lot 8, 69a Yumali Road, Meningie and surrounding lots rezoned from Primary Production Zone to Rural Living Zone, on the following basis:- <ul style="list-style-type: none"> • Most of the lots are already used for rural living and have already been divided • The land is not farm land and already functions as rural living land and could offer future development opportunity adjacent to the township 2. Advised of confusion relating to rate notice land use classification vs zoning classification <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree - based on the existing established predominant land use (fragmented for rural living purposes) directly adjacent to the existing rural living zone, it is considered that Lot 1, Section 103, Lot 3 to 6, Lot 9, Section 121 and Lot 8 to the north of the existing rural living zone at Meningie north, be rezoned to Rural Living.</p> <p>The zone should be included within the existing 4 hectare area, so as to be consistent with the existing zone provisions and to limit future division given the nature of the locality, to provide greater scope for interface buffers to adjoining Industry Zone, and given parts of the land are constrained via localised drainage issues.</p> <p>The matter relating to rate notice classification is simply because the Valuer-General uses a different land use classification for valuation purposes, based on existing use.</p>	<p>Amend Zone Map CooD/62 to rezone Lot 1, Section 103, Lot 3 to 6, Lot 9, Section 121 and Lot 8 to the north of the existing rural living zone at Meningie north, to Rural Living Zone.</p> <p>To make corresponding change to PDC 11 of the Rural Living Zone as it relates to the existing entry for the 'area centred on Yumali Road and east of Dehy Road, Meningie' to read:-</p> <p><i>'area centred on Yumali Road, Minchan</i></p>

				<p><i>Road, Princes Highway and east of Dehy Road, Meningie north'</i></p> <p>To amend the Desired Character Statement for the Rural Living Zone to reference need for consideration of interface treatments and buffers for any future development in proximity to the Industry Zone and to also reference the existence of localised drainage issues.</p>
3.	Colleen Stock, Lot 11 Yumali Road, Meningie	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. Seeks that Lot 11 Yumali Road, Meningie, be rezoned to provide scope for a dwelling as a 'non-complying' form of development in the Industry Zone 2. Consider the land is not ideal for industry due to the topography and limestone nature <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree in part, where rezoning of the land to Home Industry would provide scope for smaller scale less intrusive industrial and business activities, plus scope for a dwelling where in association with that business activity.</p>	<p>To amend Zone Map CooD/62 to rezone Lot 11 Yumali Road, Meningie, to Home Industry.</p> <p>To amend the Desired Character Statement for the Home Industry Zone to reference need for consideration of interface treatments and buffers for any future 'associated dwelling' in proximity to the Industry Zone.</p>

4.	Lisa Rowntree, Longridge Olives	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. Seeks that dwellings for workers accommodation not be 'non-complying' in the Primary Production Zone, but be treated as 'merit' forms of development 2. Acknowledges the DPA is an urban based DPA, but consider Council should address this now and not wait for a future process 3. There is need to provide scope for worker accommodation associated with primary production to attract workers to the district – this will not impact on farming activities, rather assist in growth of such including value added activities 4. Specifically seeks that the non-complying list for the Primary Production Zone be amended to exclude dwelling(s) from being non-complying where they are used for the purpose of housing workers associated with an existing primary production activity or an on-farm processing activity – and seeks that Council amend PDC 1, 7 & 9 accordingly. <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree – however, is outside of scope agreed to in Statement of Intent, in context of Townships DPA. However, following discussions with DPTI, and in the context of the changes proposed, it was considered appropriate to address in this DPA.</p> <p>Please refer to PIRSA and Council submissions in Agency Consultation response (contained in separate schedule) that adds support to this submission.</p> <p>This submission is also supported by the Council-wide Short-term workers accommodation module policy in the Coorong Council Development Plan.</p> <p>Please refer to proposed amendments outlined in the Council submission in the Summary and Response to Agency Submissions Report.</p>	<p>Please refer to proposed amendments outlined in the Council submission in the Summary and Response to Agency Submissions Report.</p>
5.	J.E. Ayres and others, 10 Murray Drive, Murray Bridge 5253	<p>Submission related to the following concerns:-</p> <ol style="list-style-type: none"> 1. Disagrees with the rezoning of 5 Narrung Road, Meningie (Lot 101) from Residential to Town Centre Zone – although has a preference for Residential in favour of Town Centre, ideally would like the older original zone 	<p>Potentially the Town Centre Zone would provide greater flexibility/scope for a range of future land uses – however, it is acknowledged the land was only identified for rezoning based on earlier discussions with the community.</p> <p>In light of feedback from the land owners, Council should seek to retain the current Residential Zoning of the land.</p>	<p>To amend Zone Map CooD/61 to retain Lot 101 Narrung Road Meningie (the portion of land identified for rezoning that is outside of the River Murray Flood Zone),</p>

		<p>2. Considers rezoning of land would devalue the land in the present climate and inhibit desire to build a new home into the future</p> <p>Please refer to the copy of the written submission for further details.</p>		within the Residential Zone.
6.	<p>Claudia Ait-Touati, Careship Coorong, Coonalpyn</p>	<p>Submission related to the following request:-</p> <p>1. To allow flexibility in the proposed Rural Living Zone (Section 84 McIntosh Way, Coonalpyn) for special circumstances housing options associated with volunteer housing for their dementia care services</p> <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree, noting the Rural Living Zone does provide scope for potential division of the land that could give use to additional future dwellings.</p> <p>In addition to the above, in the context of the land, its location within the heart of the Coonalpyn township, the scope for the specific housing options required by Careship Coorong (apart from detached dwellings) is not unreasonable – therefore a further non-complying exception (in addition to the current proposed exception for dwelling) for a residential flat building is proposed. This will then align with the current amendment proposed to the Desired Character Statement that recognises Careship Coorong and need for alternative forms of accommodation for client needs.</p>	<p>To amend the non-complying entry for 'Dwelling' in the Rural Living Zone procedural table to provide an exception where it relates to Section 84, McIntosh Way, Coonalpyn, for both a dwelling (as already proposed) and residential flat building</p>
7.	<p>R and K Zadow, PO Box 30, Tailem Bend 5260</p>	<p>Submission related to the following concerns:-</p> <p>1. Opposing rezoning of land to Urban Employment Zone to south of Tailem Bend that includes their operative farm adjacent to the proposed solar farm</p> <p>2. Impact on valuation and rates</p> <p>3. The rezoning provides no benefit, as still intend to use the land for farming</p> <p>4. Impact of possible intersection/rail crossing shown on the concept map on their entrance to sheering shed</p>	<p>Council has identified the land as being suitable to accommodate larger scale activities providing employment opportunities.</p> <p>One of the key drivers for the Urban Employment Zone is to acknowledge and facilitate the proposed \$160 million, 110MW solar farm being developed on the land by Snowy Hydro and Equis. The project is to be co-located with a 28.8MW diesel-fired power station and will connect into the existing and new electricity substation and ElectraNet distribution network.</p> <p>The Zone will also give potential scope for the expansion of</p>	No change

		<p>Please refer to the copy of the written submission for further details.</p>	<p>the solar farm, large scale battery storage and associated energy infrastructure that takes advantage of its strategic location to the electricity distribution network.</p> <p>In addition to the solar farm proposal, the land is also considered suitable for intermodal freight facilities and associated industrial and other employment and business activities. This is based on the area exhibiting a number of the general characteristics considered desirable for urban employment areas, including proximity to major highways (the convergence of the Dukes, Princes and Mallee Highways) and rail links (the Adelaide - Melbourne rail freight route), access to service infrastructure, and the provision of land with general physical suitability for larger scale development.</p> <p>The provision of employment lands at Tailem Bend is also supported in various regional strategic documents, as outlined in the Statement of Investigations.</p> <p>The Planning Strategy also clearly envisages commercial/industrial and tourism development being attracted to the region as a result of the Tailem Bend Motorsports Park development. It also recognises Tailem Bend as it relates to the passenger and freight rail link between Adelaide and Melbourne passing through Tailem Bend, where a junction connects to standard gauge lines terminating at Loxton and Pinnaroo. Although not currently used, these latter rail lines are located within/adjacent to the zone and provide scope for future opportunity as it relates to direct connectivity to the adjacent Adelaide to Melbourne rail line for regional food, grain and mineral sands exports, transport and logistics.</p> <p>The electricity supply transmission and distribution network also traverses through, and nearby, the area proposed to be</p>	
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			<p>rezoned to Urban Employment Zone. These services provide a catalyst for the proposed 110MW solar farm and diesel-fired power station that takes advantage of the strategic advantages of the land in proximity to existing ElectraNet substation and electricity distribution networks.</p> <p>It is acknowledged that the longer term development of the land (if rezoned) would lead to a substantial change in the nature of the land and development on the land – notwithstanding, relevant interface aspects would need to be considered as it related to existing development depending on the nature and scale of future development.</p> <p>The impact on valuation and Council rates (as a result of potential rezoning of the land) is unknown at this point in time, and is a matter for consideration of the Valuer-General – potentially the rezoning of the land might increase the value of land based on the additional development opportunities that would arise.</p> <p>In terms of the ongoing operation of the farm, at law, the owners have the right to continue to use the land for farming purposes into the future regardless of the zoning based on existing use rights.</p> <p>The Concept Plan Map CooD/13 (and references to a possible intersection upgrade) is indicative, and if such is to occur in the future would be subject to final design and engagement with any affected land owners.</p> <p>Alternatively, to remove this portion of Urban Employment Zone (i.e. retain in Primary Production Zone) and consider further via Tailern Bend/Wellington East corridor Masterplan.</p>	
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8.	T. Rasheed, Raine & Horne, Meningie	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. Whilst supported the DPA generally, seeks Council rezones Lot 1, 3, 4, 5, 6, 8, 9 and Sections 121 & 103 Hd Bonney (Meningie north) to Rural Living Zone 2. Considers the land is not suitable for primary production given its already fragmented rural living land and allow for more flexible and practical bank lending options <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree.</p> <p>Refer submission no. 2.</p>	<p>As per submission no. 2.</p>
9.	Andrew Davidson, Property Development Consultants, on behalf of I & N Jaensch	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. In addition to supporting the current proposal to rezone land from Community Zone to Rural Living Zone on Kulde Road, Tailem Bend, seeks that additional land (being Piece 23 of 25.34ha to immediate east of Racecourse Road, fronting Kulde Road) be rezoned to Rural Living 2. Considers land is well suited for rezoning based on range of township growth, economic growth, infrastructure capability, lifestyle reasons and site suitability reasons. 3. Considers that the adjoining land to south (Lot 399 of 26 ha) could also be considered for rezoning <p>Please refer to the copy of the written submission for further details.</p>	<p>Agree with regard to suitability of land to cater for longer term growth options for township of Tailem Bend.</p> <p>To support the proposal, some additional investigations would be required, inclusive of site history reporting by qualified environmental consultant (in same way as Council investigations for other land to be rezoned) – noting the JBS&G Site History Report 2017, for other land in the locality has identified catering waste landfill disposal on adjacent land to the south.</p> <p>DPTI has raised query with regard to potential oversupply and demand as it relates to the DPA as it currently stands, notwithstanding land owner requests to rezone further additional land - this is notwithstanding the areas proposed to be rezoned allow for modest growth, and are specifically proposed to help stimulate the market and cater for forecasted growth associated with likely and current major economic investment into the region – the growth objectives have been supported by adjoining Councils, Regional Development Australia and the SA Tourism Commission.</p>	<p>Subject to commissioning Site History Reporting and landfill investigations with satisfactory outcome, to amend Zone Map Coo/50 to rezone Piece 23 in DP 115598 Kulde Road Tailem Bend to Rural Living Zone – 0.5 ha, with policy promoting larger 2 ha lots and interface buffers for future dwellings adjacent to the Primary Production Zone.</p>

			<p>In respect of the above, Council has commissioned further investigations relating to growth and economic development in the district, as tabled to the Agency Submission report, by Coorong Realty, September 2017, to highlight strong economic development drivers.</p> <p>Outside of this current DPA process, Council also plans to commission further investigations relating to growth and economic development options within the Taillem Bend/ Wellington east corridor – whilst such investigations in this corridor would require considerable resources and government/land owner support/engagement and willingness of government/Minister to support, the Council acknowledges the need to consider further economic and township growth opportunities.</p> <p>Should Council resolve to seek to rezone the land, it is acknowledged that the release of the land to the market would need to be staged, for which can be appropriately addressed via staging plans at a development application stage.</p> <p>Alternatively, Council may choose to defer further considerations to the Taillem Bend/Wellington East corridor Masterplan.</p>	
10.	Fyfe, on behalf of the Peregrine Corporation (letter dated 23 June 2017)	<p>Submission related to the following request:-</p> <ol style="list-style-type: none"> 1. Appreciates efforts of Council in responding to initial feedback on the draft DPA 2. Whilst not opposed to the new Urban Employment Zone, it seeks the following additional amendments to the DPA as to the Urban Employment Zone, so as to reduce 	<p>Agree, as this will reinforce the policy outcome intended by Council.</p> <p>For consistency, use same terminology as already shown for Industry, being:-</p> <ul style="list-style-type: none"> ● Store (other than motorsport industry and support activities) 	Amend PDC 1 of the Urban Employment Zone as it relates to Store and Warehouse accordingly.

		<p>potential for land use duplication with the Motor Sports Park activities:-</p> <ul style="list-style-type: none"> - Revise PDC 1 so that a Store and Warehouse are only envisaged 'other than for motorsport industry and commercial support activities (ie car or motorbike storage/warehousing) <p>3. Thanked Council for the amendments as it relates to the Motorsports Park Zone.</p> <p>Please refer to the copy of the written submission for further details.</p>	<ul style="list-style-type: none"> • Warehouse (other than motorsport industry and support activities) 	
11.	<p>Planning Solutions SA, for Clandene Pty Ltd, PO Box 1117 Gawler SA 5118</p>	<p>Submission related to the following request and concerns:-</p> <ol style="list-style-type: none"> 1. Seeks consideration of zoning outcomes as it relates to Lot 399 (old Tailem Bend Race Course) located in the Primary Production Zone, and Lot 99 adjacent to the Mallee Highway 2. Opposing the rezoning of land to the west of Lot 399 (currently zoned Community Zone) as Rural Living as shown in the DPA, as that land provides an important buffer to Lot 399 and the owners ongoing potential to establish a bulk grain storage and handling facility 3. Raises concern regarding the ownership of existing land (in the Community Zone) proposed to be rezoned to Rural Living, being owned by an elected member 4. Outlines commentary relating to grain storage in the proposed Urban Employment Zone 	<p>Comments noted.</p> <p>Agree with regard to suitability of Lot 399 Kulde Road Tailem Bend to cater for longer term growth options for township of Tailem Bend. To support the proposal, some additional investigations would be required, inclusive of site history reporting by qualified environmental consultant (in same way as Council investigations for other land to be rezoned) – noting the JBS&G Site History Report 2017, for other land in the locality has identified catering waste landfill disposal on this land.</p> <p>The provision of larger lots abutting the adjacent CWMS wastewater storage lagoons (to the south on adjoining land) will assist in future dwellings satisfying environmental evaluation buffer distance requirements.</p> <p>DPTI has raised query with regard to potential oversupply and demand as it relates to the DPA as it currently stands, notwithstanding land owner requests to rezone further additional land - this is notwithstanding the areas proposed to be rezoned allow for modest growth, and are specifically</p>	<p>Subject to commissioning Site History Reporting and landfill investigations with satisfactory outcome, to amend Zone Map Coo/50 to rezone Lot 399 in FP 207829 Kulde Road Tailem Bend to Rural Living Zone – 0.5 ha, with policy promoting larger 2 ha lots and interface buffers for future dwellings to the Primary Production Zone and Urban Employment Zone.</p>

		<p>5. In summary, submission:-</p> <ul style="list-style-type: none"> - Opposes the rezoning of existing Community Zone west of Lot 399 Kulde Road, Tailem Bend - Advises that in the event of Council not supporting the above submission, they do not wish to be disadvantaged by being left with a parcel of land that they would find hard to develop and (if on that basis) requests Lot 399 also be rezoned Rural Living <p>Please refer to the copy of the written submission for further details.</p>	<p>proposed to help stimulate the market and cater for forecasted growth associated with likely and current major economic investment into the region – the growth objectives have been supported by adjoining Councils, Regional Development Australia and the SA Tourism Commission.</p> <p>In respect of the above, Council has commissioned further investigations relating to growth and economic development in the district, as tabled to the Agency Submission report, by Coorong Realty, September 2017, to highlight strong economic development drivers.</p> <p>Outside of this current DPA process, Council also plans to commission further investigations relating to growth and economic development options within the Tailem Bend/Wellington east corridor – whilst such investigations in this corridor would require considerable resources and government/land owner support/engagement and willingness of government/Minister to support, the Council acknowledges the need to consider further economic and township growth opportunities.</p> <p>Should Council resolve to seek to rezone Lot 399 Kulde Road Tailem Bend, it is acknowledged that the release of the land to the market would need to be staged, for which can be appropriately addressed via staging plans at a development application stage.</p> <p>Alternatively, Council may choose to defer further considerations to the Tailem Bend/Wellington East corridor Masterplan.</p>	
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<p>12.</p>	<p>O'Loughlins Lawyers, GPO Box 2410 Adelaide SA 5000 on behalf of United Petroleum Pty Ltd</p>	<p>Submission related to the following concerns:-</p> <ol style="list-style-type: none"> 1. Objects to aspects of the DPA and contends Council is in breach of the Act primarily as it relates to the nature of the amendment not being specifically identified in the Statement of Intent and as it related to undertaking investigations – raising serious concerns about the fairness and transparency of the DPA process 2. Submits that the offending parts of the DPA (as outlined in Schedule A of the submission) be deleted from the current DPA, and if necessary be reconsidered at a later time in a subsequent DPA – the offending parts relate to Council's proposal to amend the Industry Zone and Town Centre Zone in regard to envisaging Service Station Complex and interrelated amendments versus the current Development Plan that envisages Petrol Filling Station. 3. Submits that, it reserves its rights in relation to the DPA, including but not limited to issuing legal proceedings to seek judicial review and an injunction to prevent the implementation of the DPA, should it progress in its current form. <p>Please refer to the copy of the written submission for further details.</p> <p>Please note, that in relation to many of the matters raised about the former development application process of Caltex, the DPA process, access to and provision of information and the</p>	<p>Council respects the submission made.</p> <p>Council considers that whilst the specific amendments were not stated in the Statement of Intent, there was a clear basis outlined in the Statement of Intent as it related to considering zoning provisions within the identified townships, inclusive of Tintinara.</p> <p>The amendments proposed in the DPA have been available for public scrutiny through public agendas/minutes of Council's Strategic Planning Development Policy Committee.</p> <p>The DPA has also been made available for consultation through the formal consultation period, inclusive of making a working draft of the DPA available to the public prior to the formal consultation period.</p> <p>There has been various communications between Council and O'Loughlins prior to the release of the DPA for formal consultation that included reference to proposed amendments, and communications during the formal consultation process.</p> <p>As part of the DPA, investigations are outlined in Section 3 of the DPA - as it relates to the matter of Service Station Complexes, the investigations are contained in Section 3.2.17, as undertaken by URPS consultants.</p> <p>The DPA has been made available for public and agency consultation, conduct of public hearing and for consideration of submissions accordingly.</p> <p>Further to the above, Council has sought legal advice that advises Council has not breached the Development Act as it relates to this DPA.</p>	<p>For direction of Committee for consideration of Council.</p> <p>The Committee considered that no further change be made to the DPA.</p> <p>No change.</p>
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		like, there has been various communications between Council's Director Planning and Economic Development and O'Loughlins.		
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Attachment B – Summary and Response to Public Meeting Submissions

Four (4) submitters requested to be heard – therefore Council held the Public Hearing as scheduled, on 15 August 2017.

No.	Name of Respondent	Summary of Verbal Submission/Issues Raised	Council Response
1.	Andrew Davidson, Property Development Consultants, on behalf of I & N Jaensch	Mr Davidson spoke to the written submission. Please refer to written submission in Attachment A – Item 9.	Refer to Item 9 in Attachment A.
2.	Trevor White, Planning Solutions SA, on behalf of Clandene Pty Ltd	Mr White spoke to the written submission. Please refer to written submission in Attachment A – Item 11.	Refer to Item 11 in Attachment A.
3.	Michael Connelly, O'Loughlins Lawyers, on behalf of United Petroleum Pty Ltd	Mr Connelly attended the meeting and advised he did not wish to speak as the written submission spoke for itself. Please refer to written submission in Attachment A – Item 12.	Refer to Item 12 in Attachment A.
4.	Mrs Ayres on behalf of J.E. Ayres and others	Mrs Ayres spoke to the written submission. Please refer to written submission in Attachment A – Item 5.	Refer to Item 5 in Attachment A.

Attachment C - Timeframe Report

SCPA Timeframe Report: Process B2 – consultation approval not required

The SOI was agreed by the Minister and Council on 20 January 2015.

Key steps	Period agreed to in SOI	Actual time taken	Reasons for difference (if applicable)
Investigations conducted and DPA prepared	32 weeks	February 2015-May 2017	Time required to engage environmental and planning resources to assist with investigations, Council reporting etc – DPTI fully informed of timing through process.
Consultation	8 weeks	June 2017-July 2017	Nil
Public Hearing held, submissions summarised and DPA amended in accordance with Council's assessment of submissions. <i>Summary of Consultations and Proposed Amendments</i> submitted to Minister for approval.	8 weeks	August-October 2017	To accommodate formal Council review and agenda/reporting cycles.

Attachment D - Schedule 4A Certificate

Schedule 4a Certificate

CERTIFICATION BY COUNCIL'S CHIEF EXECUTIVE OFFICER

DEVELOPMENT REGULATIONS 2008

SCHEDULE 4A

Development Act 1993 – Section 25 (10) – Certificate - Public Consultation

CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A

DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF
PUBLIC CONSULTATION

I Vincent Cammell, as Chief Executive Officer of the Coorong District Council, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments-

- (a) accord with the Statement of Intent (as agreed between the Coorong District Council and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in Regulation 9 of the *Development Regulations 2008*; and
- (b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that related to the amendment or amendment has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation; and
- (c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
- (d) complement the policies in the Development Plans for adjoining areas; and
- (e) satisfy the other matters (if any) prescribed under section 25(10)(e) of the *Development Act 1993*.

The following person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

Geoff Butler MPIA - CPP, Senior Associate at URPS

David Altmann - RPIA, acting for Council

DATED this 16 of May 2017



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Chief Executive Officer

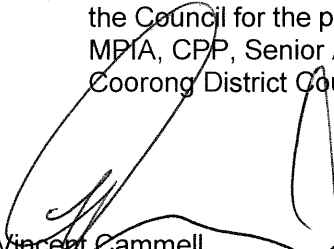
Attachment E - Schedule 4B Certificate

Schedule 4B—Certificate—section 25(14)(b)

Certificate of chief executive officer that an amendment to a Development Plan is suitable for approval.

I Vincent Cammell, as Chief Executive Officer of the Coorong District Council, certify, in relation to the proposed amendment or amendments to the Coorong District Council Development Plan as last consolidated on 24 November 2016, referred to in the report accompanying this certificate:-

- (a) that the Council has complied with the requirements of section 25 of the Development Act 1993 and that the amendment or amendments are in a correct and appropriate form; and
- (b) in relation to any alteration to the amendment or amendments recommended by the Council in its report under section 25(13)(a) of the Act, that the amendment or amendments (as altered):-
 - (i) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the report of the Council; and
 - (ii) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
 - (iii) complement the policies in the Development Plans for adjoining areas; and
 - (iv) satisfy the other matters (if any) prescribed under section 25(14)(b)(ii) of the Development Act 1993; and
- (c) that the report by the Council sets out a comprehensive statement of the reasons for any failure to complying with any time set for any relevant step under section 25 of the Act; and
- (d) that the following person or persons have provided professional advice to the Council for the purposes of section 25(13)(a) of the Act – Geoff Butler MP/A, CPP, Senior Associate at URPS and David Altmann, RPIA, Coorong District Council,.


Vincent Cammell
Chief Executive Officer
Date 26/10/2017

ATTACHMENT D

Timetable for Code Amendment by the Chief Executive

Step	Responsibility	Timeframe
Preparation of the Code Amendment		
Engagement Plan Prepared Investigations conducted; Code Amendment Report prepared Drafting instructions and draft mapping prepared	Chief Executive (as Designated Entity)	6-8 weeks
Preparation of Materials for Consultation	Chief Executive (as Designated Entity)	Informed by the Engagement Plan
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan	Chief Executive (as Designated Entity)	Informed by the Engagement Plan
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared	Chief Executive (as Designated Entity)	6-8 weeks
Prepare report to the Commission	DTI	2 weeks
Consideration of Advice	Commission	4 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision	Minister	3 weeks
Implementing the Amendment (operation of the Code Amendment)		
Go-Live - Publish on the PlanSA Portal	DTI	2-4 weeks
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC	DTI	8 weeks