

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

Organisation:

First name:

Last name:

Email: *

Consultation Document Submissions

Part 2 - Zones and Sub Zones > Adelaide Country Zone

- Support
- Oppose
- Amend

Your Feedback

Issues

It is noted that the SPC has abandoned the Peri-Urban Zone in its original form and contracted its proposed extent.

These amendments will see the area originally proposed to be zoned Peri-Urban zoned **Rural**.

Comment

This change is consistent with the request from Council in February 2020.

A review of proposed policy confirms that the intent of the zone supports the use of land for rural and allied industry pursuits.

Land uses such as the establishment of a small-scale shop have been retained. Further, policy which encourages value-add rural industry has been retained.

It is noted however that policy guiding these land uses has been refined. The previous version of the Code provided guidance to the primary source of input and connection to the local area for these uses. Namely policy supported these activities being directly related to activities on the subject site and sourcing commodities or sale of products from the region.

The revised Code introduced refined policy which now specifically references connection to the subject site or adjoining sites.

Council **supports** the introduction of the Rural Zone in-lieu of the Peri-Urban Zone and the refinements to policy to provide greater levels of guidance to the establishment of allied shops.

Part 2 - Zones and Sub Zones > Rural Zone

- Support
- Oppose
- Amend

Your Feedback

Issue

As previously requested, the Revised Code recognises and carries through the current infill development sites as identified in Council's development plan (Table Lig/6). This occurs by excluding these sites from the policy controls of the 'Minimum Dwelling Allotment Size TNV' as otherwise applies to the Barossa region.

It is noted that there is one anomaly, namely the identification of the incorrect allotment.

Table Lig/6 lists 1 Stonewell Road, Tanunda (Lot 2 in F14726 (CT:5485/993)) as an infill site. However, when interrogating the SAPP mapping, it appears that the incorrect allotment has been excluded from the TNV, being Lot 1 in F14726 (CT:5149/433).

Recommendation

Amend the application of the Minimum Dwelling Allotment Size TNV to correctly identify:

- Stonewell Road, Tanunda - Lot 2 in F14726 (CT:5485/993) – now 439 Stonewell Road.

Remove the application of the Minimum Dwelling Allotment Size TNV from:

- Lot 1 in F14726 (CT:5149/433)

Part 2 - Zones and Sub Zones > Rural Zone

- Support
- Oppose
- Amend

Your Feedback

Issue

Kapunda Fringe

Council's Development Plan identifies an area to the north-east of Kapunda as:

- Primary Production Zone
- Policy Area 6 – Township Fringe
- Precinct 18 – Kapunda Fringe

The area in question is characterised by a large number of allotments, few comprising rural residential activities and the majority comprising primary production.

The allotment pattern in this Precinct is characteristic of a 'Paper Town'. That is, there are a substantial number of small allotments, some of which are held individually, whilst many are held collectively and used for primary production purposes. This area of Kapunda is outside of the Planned Urban Lands to 2045 (Urban Boundary) as identified in the 30-Year Plan for Greater Adelaide (2017 Update) and is not serviced with any supporting infrastructure.

Council's Development Plan controls are as follows:

- Land Division (where not boundary re-alignment) - Non-Complying
- Dwelling – Non-Complying

It is noted that this policy approach is targeted at avoiding the inappropriate proliferation of detached dwellings, seeks the consolidation of development within the township boundaries and retains primary production land for its intended purpose.

The revised Code nominates the Kapunda Fringe area as Rural Zone which is problematic. Whilst applying the Limited Land Division Overlay which addresses the current non-complying controls for land division, the Code does not adequately address the non-complying dwelling trigger as currently exists (e.g. via the limited dwelling overlay).

The outcomes of this decision and absence of dwelling controls could have significant negative impact on the future growth scenario and characteristics of Kapunda. In particular, should controls not be applied via the Code this could result in the development of some 235 additional dwellings on the basis of the current allotment pattern.

Recommendation

Insert the Limited Dwelling Overlay to that area currently located within Precinct 18 – Kapunda Fringe to avoid the inappropriate proliferation of dwellings on the fringe of Kapunda.

Part 3 - Overlays > Limited Dwelling Overlay

- Support
- Oppose
- Amend

Your Feedback

Issue

Councils Development Plan identifies an area to the north-east of Kapunda as:

- Primary Production Zone
- Policy Area 6 – Township Fringe
- Precinct 18 – Kapunda Fringe

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The allotment pattern in this Precinct is characteristic of a 'Paper Town'. That is, there are a substantial number of small allotments, some of which are held individually, whilst many are held collectively and used for primary production purposes. This area of Kapunda is outside of the Planned Urban Lands to 2045 (Urban Boundary) as identified in the 30-Year Plan for Greater Adelaide (2017 Update) and is not serviced with any supporting infrastructure.

Recommendation

Insert the Limited Dwelling Overlay to that area currently located within Precinct 18 – Kapunda Fringe to avoid the inappropriate proliferation of dwellings on the fringe of Kapunda.

Part 2 - Zones and Sub Zones > Rural Zone > Assessment Provisions (AP)

- Support
- Oppose

Amend

Your Feedback

Dwelling

The revised Code has refined the policy associated with the development of a dwelling (DTS/DPF & PO 5.1) to more accurately reflect the ancillary and subordinate role that a dwelling should play in the rural setting and the need for a dwelling to be ancillary to primary production and rural industry.

This emphasis on the principal role of the zone in support primary industry and associated value-add activities is supported.

Part 2 - Zones and Sub Zones > Rural Horticulture Zone

Support

Oppose

Amend

Your Feedback

Issue

Application

Council once again wishes to highlight concerns with the application of the Rural Horticulture Zone. As identified in its original submission, the application of this zone represents an **elevation of a Precinct to a Zone**. In this case, the precincts in question are within this broader Primary Production Zone, Policy Area 3 – General Farming. The precincts are identified as:

- Precinct 16 – Horticulture
- Precinct 17 – Market Gardening

For context, the following is noted:

Precinct 16 – Horticulture

This Precinct is a recognition of the mixed-use nature of the affected areas and is quite similar to the policy contained in Policy Area 2 – Barossa Valley Region. In particular, the precinct which recognises the special characteristics of the Barossa region as a mixed wine grape and broad hectare farming/grazing district, along with a tourism destination.

A review of aerial photography shows that the majority of primary industry activities occurring within this precinct are of a broad hectare cropping and grazing, and viticulture nature.

The intention of the current policy is not to facilitate whole-scale intensive horticultural land uses in the form of greenhouse/glass house development, as is envisaged via DO 1 of the proposed Rural Horticulture Zone. Rather, it is to support the continuation and expansion of the current primary industry land uses noted above.

Note: the areas identified are subject to the Character Preservation District Overlay.

Precinct 17 – Market Gardening

In comparison, the Market Gardening Precinct is located around Gawler River, Buchfelde and Ward Belt. Whilst the characteristics of this area are different to that of Precinct 16 with the dominance of broad hectare farming and broad hectare horticulture (e.g. irrigated potato crops) and supporting infrastructure.

There is also a relatively small concentration of intensive enclosed horticultural activities (green house/glasshouse) occurring in proximity of the Gawler River where water is available via the Virginia Pipeline Scheme. However, the scale and intensity of intensive horticulture in this locality is not the same as that occurring within the Adelaide Plains Council or City of Playford.

Another factor is that a considerable portion of this land is subject to flooding in a 1 in 100-year ARI event affecting the Gawler River.

Policy Shift

The application of the Rural Horticulture Zone across all three distinct areas is considered inappropriate. In comparing rural and rural horticultural zone code content, it is clear that the policies within the Rural Zone and more closely align with the current and intended activities occurring within the zone.

Recommendation

Rezone land within the proposed Rural Horticulture Zone to **Rural Zone**. This rezoning more accurately reflects the current zoning of these areas as Primary Production and the land uses occurring and intended to occur.

Part 2 - Zones and Sub Zones > Master Planned Neighbourhood Zone

- Support
- Oppose
- Amend

Your Feedback

Roseworthy Township Expansion Area (RTE Area)

Zoning

Council acknowledges and supports the introduction of the Master Planned Neighbourhood Zone as a replacement for the proposed General Neighbourhood Zone within the Roseworthy Township Expansion Area.

Emerging Activity Centre Subzone

Council supports the insertion of the Emerging Activity Centre Subzone and associated reference to the Concept Plan.

Shops

Council supports the insertion of the exclusion within Table 4 – Restricted Development for shops within an Activity Centre as identified on a Concept Plan. This supports the development of a centre within the RTE Area in line with previous policy.

Part 2 - Zones and Sub Zones > Master Planned Neighbourhood Zone

- Support
- Oppose
- Amend

Your Feedback

Issue

Existing Roseworthy Township

The Revised Code incorrectly proposes to zone the existing township (currently Residential Character Zone) within the Master Planned Neighbourhood Zone (MPNZ).

It is not clear what the basis is for including the existing, established township within this zone. The existing township exhibits little consistency with the Desired Outcome of the MPNZ and uplift in zoning is inconsistent with the townships character.

For consistency with the zoning approach at Freeling, the existing township of Roseworthy (Residential Character) area should be zoned Established Neighbourhood.

Recommendation

Rezone the Roseworthy Township (currently Residential Character Zone – RC) to the **Established Neighbourhood Zone**.

Part 2 - Zones and Sub Zones > Master Planned Neighbourhood Zone

- Support
- Oppose
- Amend

Your Feedback

CWMS Land

Whilst addressing the above zoning anomaly within the existing Roseworthy township, Council believes there is merit in retaining the proposed Master Planned Neighbourhood Zone for a single parcel, namely Horrocks Highway, Roseworthy (Lot 3 in D45110 – CT:5346/754).

This parcel comprises the Roseworthy CWMS infrastructure, and in considering its spatial relationship with the existing township and the Roseworthy Township Expansion area (RTE), has a closer connection to that of the RTE.

Unlike the existing township, the RTE will be serviced by the SA Water sewer network. This presents a long-term opportunity for Council to work closely with SA Water to realise the decommissioning of the CMWS infrastructure which is located in close proximity to both the existing township and the RTE.

Council considers the retention of this single parcel within the Master Planned Neighbourhood Zone will facilitate opportunity to develop a strong point of connection between the growth area and township, whilst making positive use of the site post-decommissioning.

Recommendation

Retain the Roseworthy CWMS land as Master Planned Neighbourhood Zone to future proof development into the future.

Part 2 - Zones and Sub Zones > Employment (Bulk Handling) Zone

- Support
- Oppose
- Amend

Your Feedback

Roseworthy

Whilst noting the Commission's reluctance to rezone land zoned Rural to Employment (Bulk Handling) at Roseworthy, a further review of the zoning confirms that there appears to be an anomaly in the zone boundary when compared to the cadastre boundary.

Namely, the southern boundary of the proposed Employment (Bulk Handling) Zone at Roseworthy does not follow the property cadastre. This anomaly results in a portion of the bulk handling facility, namely silos, located within the proposed Master Planned Neighbourhood Zone.

For the sake of maintaining all bulk handling facilities within a single zone, this error must be rectified.

Recommendation

Rezone the southern portion of Lot 101 in D72101 (CT:5989/963) to Employment (Bulk Handling) Zone.

Part 2 - Zones and Sub Zones > Strategic Employment Zone

- Support
- Oppose
- Amend

Your Feedback

Subzone

The Kingsford Regional Industrial Estate is subject to the controls of the *Industry Kingsford Regional Estate Policy Area 1* which divides the estate into 2 Precincts (7) Kingsford North and (8) Kingsford South.

The Code proposes to separate these precincts into:

- Strategic Employment Zone
- Employment Zone

Council has considered the policy content contained in both zones against that of the Policy Area and brings the following to the Commissions attention:

- The proposed zone fails to recognise the nature of activities currently occurring within the zone which are considerable in nature and of significance to the State (e.g. Orora glass)
- The 24/7 nature of operations in the estate

- The local characteristics of the estate which has, since the State rezoned the land, been constrained by limited stormwater discharge options.

Stormwater within this region is a known constraint. Unlike other locations, there is no discharge pathway for stormwater generated within the Kingsford Estate to a watercourse. Rather, should stormwater not be effectively managed on-site via detention and retention basins, this would lead to flooding of residential and rural living areas at Gawler Belt. Gawler Belt is the lowest point downstream of the estate and has identified flooding impact. Stormwater which flows to Gawler Belt is not able to discharge to the Gawler River and as such ponds.

It is for this reason that the Kingsford Regional Industrial Estate has retained the following land division controls:

Policy Area 7 - Kingsford North

9. Land Division in the precinct should create allotments that:

- (a) are of a size and shape suitable for the intended use
- (b) have a minimum average allotment area of 50 000 square metres
- (c) have no allotment with an area of less than 30 000 square metres

Precinct 8 - Kingsford South

11. Land Division in the precinct should create allotments that:

- (a) are of a size and shape suitable for the intended use
- (b) have an area of not less than 2500 square metres

The above minimum allotment sizes permit and facilitate the detention and retention of stormwater generated by new industrial activities to occur on-site and the strength and success of these controls is demonstrated in the nature of development occurring on-site.

The proposed zones facilitate land division as follows:

Strategic Employment

- 2500m² where connected to CWMS
- 3000m² where not connected to CWMS

Employment

- 1250m² where connected to CWMS
- 2000m² where not connected to CWMS

It is clear from the criteria uses (connection to CWMS) that stormwater has not been adequately factored into consideration of land division.

A separate observed benefit of retaining a requirement for large allotments has been the ability of the estate to cater for larger industry which otherwise are forced to locate in areas which are less desirable.

The accommodation of smaller allotments will:

- Lead to stormwater management issues and flooding downstream of the estate
- jeopardise the superior nature of the estate and not fully leverage the benefits that come with the estate's strategic location with convenient and easy access to key transport routes in the Sturt Highway, Thiele Highway and Horrocks Highway.

Recommendation

Insert a Kingsford Regional Estate Subzone across both the proposed Strategic Employment and Employment Zone which:

- recognises the strategic importance of the estate and its function accommodating larger industrial type activities
- carries through the current minimum site area controls for Precinct 7 and Precinct 8 to ensure that land division retains allotments which adequately accommodate stormwater retention and detention capacity.

Council would be pleased to work with the Department in preparing the necessary policy content.

Part 2 - Zones and Sub Zones > Strategic Employment Zone

- Support
- Oppose
- Amend

Your Feedback

Land Use Buffer

Further to the comments provided in Councils previous response on the Code, it is noted that the Commission has introduced a new interface management type Overlay:

- Interface Management Overlay

As highlighted previously, 'Interface between Land Uses' General Module (PDC 7) calls for a 500m minimum separation distance between the boundary of Precinct 7 – Kingsford North and '*residential development, development accessible by the public and other development potentially sensitive to industrial emissions.*'

The intent of this policy control is twofold:

1. Protect new sensitive land uses from the potential impacts of a lawfully established industrial land uses;
2. Provide certainty and protection to the operation of the lawfully established industrial land uses.

The Kingsford Regional Industrial Estate is a premiere estate which is strategically located on the Sturt, Horrocks and Thiele Highways and with easy access to key ports (Port Adelaide and Adelaide International Airport). The estate is yet to realise its full potential as a result of constraints which arose from previous Ministerial amendments. Notwithstanding, Council continues to make a concerted effort to address infrastructure constraints to facilitate development within the estate for industrial purposes.

Given the untapped potential, there remains validity in implementing an interface management tool to ensure that new sensitive land uses do not unreasonably impede upon the continued operation of the state significant industrial activities occurring within the location or proposed in the future.

Recommendation

Insert the Interface Management Overlay to mitigate potential impact of the lawfully established land uses. This Overlay can mirror the current policy which requires a 500m separation buffer between land within Precinct 7 Kingsford North and sensitive development.

(Policy Reference: Interface between Land Uses – PDC 7).

Part 3 - Overlays > Interface Management Overlay

- Support
- Oppose
- Amend

Your Feedback

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The Kingsford Regional Industrial Estate is a premiere estate which is strategically located on the Sturt, Horrocks and Thiele Highways and with easy access to key ports (Port Adelaide and Adelaide International Airport). The estate is yet to realise its full potential as a result of constraints which arose from previous Ministerial amendments. Notwithstanding, Council continues to make a concerted effort to address infrastructure constraints to facilitate development within the estate for industrial purposes.

Given the untapped potential, there remains validity in implementing an interface management tool to ensure that new sensitive land uses do not unreasonably impede upon the continued operation of the state significant industrial activities occurring within the location or proposed in the future.

Recommendation

Insert andnbsp;theandnbsp;Interface Management Overlayandnbsp;to mitigate potential impact of the lawfully established land uses. This Overlay can mirror the current policy which requires aandnbsp;500m separation buffer between land within Precinct 7 Kingsford North and sensitive development.

(Policy Reference: Interface between Land Uses – PDC 7).

Part 2 - Zones and Sub Zones > Tourism Development Zone > Winery Experience Subzone

- Support
- Oppose
- Amend

Your Feedback

Issues

Seppeltsfield Winery

The Code as originally consulted proposed to zone the Seppeltsfield Winery land Peri-Urban (currently Primary Production Zone, Policy Area 5 – Seppeltsfield Winery).

Council highlighted the value of recognising the status of Seppeltsfield as a destination in its own right via the insertion of a dedicated subzone.

The revised Code proposes an amended approach as follows:

- Zone – Tourism Development Zone

- Subzone – Winery Experience

Council officers have reviewed the contents of both the zone and subzone, noting that the subzone does the majority of the 'heavy lifting'. That is, the subzone provides the policy guidance for development at Seppeltsfield and recognises the mixed-use nature of the activities occurring on site. In the absence of this subzone, the proposed Tourism Development Zoning would not be appropriate.

The proposed subzone content is generally consistent with that of current Policy Area 5. This Policy Area recognises the need to accommodate subsidiary tourist related uses in association with the Seppelt winery and the holistic nature of activities occurring within the area.

Notwithstanding, there is merit in considering the inclusion of additional envisaged uses within the subzone which recognise the mixed-use nature of activities occurring at Seppeltsfield. These land uses would include:

- Cellar Door
- Light Industry.

The inclusion of Cellar Door is recognition that there is little definition guidance within the Code for this land use.

Recommendation

In the Winery Experience Subzone DTS/DPF 1.1 Insert Cellar Door and Light Industry.

Part 3 - Overlays > Hazard (Flooding)

- Support
- Oppose
- Amend

Your Feedback

Tanunda Flood Mapping – Barossa Development Plan

The North Para River runs to the Western side of Tanunda and has a history of flooding. The Barossa Council has mapped the extent of flooding along a section of the River which has been carried through to the revised code as the Hazards (Flooding) Overlay.

Council acknowledges that the current flood mapping contained in The Barossa Council's development plan also identifies the extent of flooding within the Light Regional Council. Given the validity of this mapping and the support of both LRC and Barossa, this Overlay should identify the full extent of flooding on both sides of the North Para River.

(Note: this request was identified as part of Councils response to the call from the Commission for flood mapping data).

Recommendation

Insert the applicable mapping from the Barossa Development Plan (Overlay Map Baro/16) to accurately depict the flood affected area on the LRC (western) side of the North Para River. It is anticipated that this would transition to the Hazards (Flooding) Overlay.

Part 3 - Overlays > Hazard (Flooding)

- Support
- Oppose
- Amend

Your Feedback

Bruce Eastick Dam – Mapping

Council has detailed flood mapping which identifies the flood extent behind the Bruce Eastick dam.

Council acknowledges and supports the insertion of detailed flood hazard mapping to the Code. This represents a carry forward of current data which is of critical importance to development on the flood plain.

In transitioning the current mapping it appears that a flood extent map has been omitted, namely the mapping which depicts the flood extent on the upstream side of the Bruce Eastick Flood Mitigation Dam (Overlay Map Lig/10).

This mapping is detailed and should be transitioned to the Code under the Hazards (Flooding) Overlay.

Recommendation

Identify the flood extent which arises from flood waters on the upstream side of the Bruce Eastick Flood Mitigation Dam.

Part 7 - Land Use Definitions

- Support
- Oppose
- Amend

Your Feedback

Issue

Greenhouse/Glasshouse

In reviewing the Code, Council considers that there is merit in further amending the definition of Agricultural Building to clarify whether this definition includes or does not include buildings in the form of greenhouse or glasshouse.

It is Council's view that there remains confusion when considering the definition of Agricultural Building as per Part 7 – Land Use Definitions which defines such as:

“Means a building used wholly or partly for purposes associated with...or horticulture, or to support the operations of that use”, and includes Horticultural Shed.

My Emphasis

Confusion arises when considering this definition and the content of Rural Zone, namely DTS/DPF 3.1 which notes:

“Horticultural activities:

(f) where carried out in an enclosed building such as a greenhouse, the building has a total floor area not greater than 250m²”

What is not clear is whether this form of development better fits with Horticultural Building or Industry. Interpreting this definition, one could consider that the use of a building for a greenhouse/glasshouse in its own right is not associated with or supporting operations of horticulture. However, this is contrary to the content of DTS/DPF 3.1 which reads to include the use of the building for this purpose.

Given the characteristics of intensive enclosed horticultural activities and the nature of operations occurring within, it is considered unreasonable to include such as agricultural buildings. For example, the use of a building for enclosed horticulture is quite different to the use of the same building for machinery storage. Enclosed horticulture has many additional considerations including the need to manage substantial volumes of wastewater and both green and hard waste.

To avoid ambiguity and ensure consistent application of the Code, additional refinements to the definitions should be undertaken to specifically identify glasshouse/greenhouse as either its own land use or include within the definition of industry.

Recommendation

Clarify and amend definition of Agricultural Building to clearly exclude intensive horticulture from the definition of Agricultural Building.

Part 2 - Zones and Sub Zones > Conservation Zone

Support

Oppose



Amend

Your Feedback

Issue

Kapunda Mine Historic Site

Council cautiously supports the introduction of the Conservation Zone in-lieu of the General Neighbourhood Zone for this important locality. For the information of the Commission, the area proposed to be zoned Conservation includes both public and private land with six (6) allotments comprising dwellings.

The proposed zone, supporting policy and assessment tables continue to provide certainty to these private landowners and is generally consistent with the high-level intent of the current Historic (Conservation) Kapunda Mine Zone.

When considering the zoning structure for the former mine site itself (public ownership), the proposed Conservation Zone is lacking.

The Kapunda Mine Historic Site is a State significant cultural heritage site, and as such is State Heritage listed. Overtime, Council has made concerted effort to enhance the visitor experience by undertaking works which has re-discovered and conserved the sites rich copper mine history.

In reviewing the proposed zone policy, it is Council's view that the current Desired Outcome (DO) is too narrow. Namely, the current DO states:

“DO1 - The conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development.”

our emphasis

Collectively, the absence of an additional DO and supporting policy which specifically talks to the conservation and enhancement of significant cultural heritage sites the proposed zone structure has the potential to unintentionally stymie otherwise appropriate development. Namely, Councils continued efforts to enhance the visitor experience and realise the potential of the site as identified in in both a Conservation Management Plan and Tourism Development Plan.

Recommendation

Insert an additional DO which recognises the zone as an appropriate policy setting for areas of cultural heritage significance.

Insert additional guiding policy relating to development for recreation/tourism experience activities.

Part 2 - Zones and Sub Zones > Conservation Zone

- Support
- Oppose
- Amend

Your Feedback

Issue

Zone Boundary

Notwithstanding the above policy commentary which remains of vital importance, Council recognises that there may be greater merit in concentrating the Conservation Zone to those parcels which represent the State Heritage Listing for the Mine Site, save the parcel zoned Suburban Employment.

This approach would capture the land representing the core former mine sites, whilst retaining the balance allotments, largely held in private ownership, within the corresponding zones.

Recommendation

Land to be zoned Conservation includes the following CT's:

- 5208/927
- 5119/139
- 5113/118
- 5502/698
- 5701/906
- 5751/298
- 5786/670
- 5786/672
- 5837/690
- 5843/524
- 5890/950
- 5948/415

Land to be zoned **Township Main Street:**

- CT5948/417
- CT5948/416

Land to be zoned **Established Neighbourhood**

- CT5820/481

- CT5948/416

Land to be zoned **Neighbourhood**

- CT6233/890

Land to be zoned **Rural**

- CT5280/31
- CT5140/676
- CT5750/912

NOTE: THIS MATTER IS ALSO ADDRESSED VIA THE LIGHT REGIONAL COUNCIL SPATIAL TABLE

Part 2 - Zones and Sub Zones > Rural Living Zone

- Support
- Oppose
- Amend

Your Feedback

Issue

Gawler Belt Precinct 31 – Minimum Site Area TNV

The Rural Living area of Gawler Belt is divided into 2 Precincts and a series of sub-areas.

The revised Code has addressed a previous anomaly with respect to minimum site area, however in doing so, has created a subsequent error.

The revised Code has removed the previously identified Minimum Site Area TNV of 1ha for that part of the Gawler Belt Rural Living Zone located within Precinct 31.

Recommendation

Insert Minimum Site Area TNV of 1ha for current Gawler Belt Precinct 31 to maintain consistency with the Development Plan and the originally consulted version of the P&D Code.

Part 6 - Index of Technical and Numeric variations > Part 6.1 Minimum Allotment Sizes

- Support

Oppose

Amend

Your Feedback

Issue

Gawler Belt Precinct 31 – Minimum Site Area TNV

The Rural Living area of Gawler Belt is divided into 2 Precincts and a series of sub-areas.

The revised Code has addressed a previous anomaly with respect to minimum site area, however in doing so, has created a subsequent error.

The revised Code has removed the previously identified Minimum Site Area TNV of 1ha for that part of the Gawler Belt Rural Living Zone located within Precinct 31.

Recommendation

Insert Minimum Site Area TNV of 1ha for current Gawler Belt Precinct 31 to maintain consistency with the Development Plan and the originally consulted version of the P&D Code.

Part 4 - General Development Policies > Interface between Land Uses

Support

Oppose

Amend

Your Feedback

Issue

Council continues to take an interest in the content contained in the Interface between Land Use module and how the module seeks to address interface conflicts.

It is observed that DTS/DPF 5.3 requires new dwellings to be sited 40m from allotment boundaries, whilst DTS/DPF 3.1 requires new primary industry activities (e.g. horticulture) to be sited 100m from sensitive receivers in other ownership. Council questions the difference in these distances and the differences between the siting of a new sensitive land use -v- the siting of new primary industry which is arguably the principal use for the zone.

Recommendation

Amend and increase the setback requirements for non-related new dwellings to ensure that appropriate separation distances and consistency in separation is achieved.

Part 2 - Zones and Sub Zones

- Support
- Oppose
- Amend

Your Feedback

Issue

Proposed Zoning

Council has reviewed the proposed zoning of schools noting the following:

Kapunda Primary – Established Neighbourhood Zone

Kapunda High – Neighbourhood Zone

Freeling Primary – Established Neighbourhood Zone

Roseworthy Primary - Master Planned Neighbourhood Zone (requested amendment to Established Neighbourhood Zone separately)

Hewett Primary – Neighbourhood Zone

Xavier College – Rural Living Zone

Trinity College (proposed) - Master Planned Neighbourhood Zone

The majority of these examples are longstanding, established facilities, some of which are expanding.

Revised Zoning

Council questions the rationale for this mixed zoning approach, in-lieu of zoning all schools consistently and within the Community Facilities Zone. This Zone envisages and anticipates this form of development both within the Desired Outcomes and within the DTS/DPF.

In making such an amendment, Council calls for the identification of both a Deemed to Satisfy pathway for certain forms of development (e.g., x% increase in floor area, setbacks and height met and car parking provided), and specify a Performance Assessed pathway where not meeting the DTS criteria.

The above amendments would facilitate a consistent approach to the consideration of educational establishments and recognise the importance of these land uses.

Recommendation

Rezone the identified primary and secondary schools to Community Facilities Zone.

Part 3 - Overlays > Historic Area Overlay

- Support
- Oppose
- Amend

Your Feedback

Issue

Previous Request for Amendments

As previously identified in Council's submission in February 2020, and separately via correspondence to the Commission dated 16 December 2019, there is a need to consider the extent of areas identified within the Historic Area Overlay.

This request is based on the considerable volume of work and community engagement undertaken by Council prior to the planning reform process, namely the advancement of a detailed Heritage Policy Review and subsequent Historic Conservation Development Plan Amendment, Statement of Intent (SOI).

These amendments related to longstanding matters which Council, in good faith, held over to await the new system. Council's willingness to hold over the required amendments followed a request and confirmation from DPTI of the availability to include these matters in Generation 1 of the Code.

Background

In 2013, Council undertook a detailed review of the areas identified as Historic Conservation (Historic Conservation Area – HCA) and the policies applicable. This review was initiated by the Elected Body following feedback from the community about the extent of the HCA, and its subsequent influence on development within the HCA.

In commencing this review, a Working Party was established comprising both Council officers and Elected Members. The Working Party considered the pertinent matters and engaged closely with the Community both early in the process to gain feedback on critical matters and areas of concern, and as a means of verification and refinement. Engagement exercises were well attended and provided the Working Party with an understanding of the community's sentiment towards contributory items, the extent of the HCA and the implications of the HCA designation on unrelated buildings.

The outcomes of this review and comprehensive engagement led to a series of recommended amendments, not the least, the reduction in areas identified as HCA and a corresponding reduction in

the number of Contributory Items. It is noted that the proposed amendments were reviewed and 'validated' independently by Councils Heritage Consultant following the conclusion of the process.

Thus the Council is satisfied that the work it has completed previously is reflective of community aspiration with respect to this policy aspect.

Revised Code

The revised code provides an opportunity to:

- Refine and more accurately identify places which contribute to the character of townships, identifying these as Representative Buildings. In doing so, remove those items which have compromised character or have been demolished.
- Refine the boundary of the Historic Area Overlay to accurately depict areas representing a defined character.

The above amendments would present an opportunity to realise the Councils and community's desires.

Council remains committed to its previous recommendations and again calls on the Commission to make the requested amendments which not only rectify an anomaly but also support the desires of the Community.

Recommendation

Amend the areas identified within the **Historic Area Overlay** to reflect the amendments arising from Councils Heritage Policy Review Working Party and subsequent Historic Conservation DPA.

Rezone land removed from the Historic Area Overlay **in Kapunda** from Established Neighbourhood Zone to align with the balance of neighbourhood zoning in Kapunda.

NOTE: THIS IS ADDRESSED IN THE LIGHT REGIONAL COUNCIL SPATIAL ISSUES TABLE

Part 3 - Overlays > Historic Area Overlay

- Support
- Oppose
- Amend

Your Feedback

Issue

Representative buildings

Over time, Council has had cause to consider applications for the demolition of Contributory Items (now Representative Buildings). This has resulted in approval to demolish eight (8) Contributory Items identified as:

Address	Approved	Demolished
6 Cherry Street, Freeling	1/04/2020	No
9-11 Church Street, Freeling	3/05/2019	Yes
18 Peake Street, Freeling	29/11/2018	Yes
9 Triplett Street, Kapunda	25/09/2018	Yes
6 George Street, Wasleys	24/04/2017	Yes
10 Carrington Street, Kapunda	11/08/2017	Yes
24 Coulls Street, Freeling	4/11/2016	Yes
32 Schuster Street, Freeling	18/12/2015	Yes

Given the time and complexity involved in progressing minor DPA projects for the purpose of updating Table Lig/7 – Contributory Items, the table is now outdated.

Council requests the exclusion of the listed Contributory Items which have been demolished from being transitioned as Representative Buildings.

Recommendation

Delete reference to the following properties as Representative Buildings:

Address	Demolition Approved	Demolished
6 Cherry Street, Freeling	1/04/2020	Not yet
9-11 Church Street, Freeling	3/05/2019	Yes

18 Peake Street, Freeling	29/11/2018	Yes
9 Triplett Street, Kapunda	25/09/2018	Yes
6 George Street, Wasleys	24/04/2017	Yes
10 Carrington Street, Kapunda	11/08/2017	Yes
24 Coulls Street, Freeling	4/11/2016	Yes
32 Schuster Street, Freeling	18/12/2015	Yes

Part 2 - Zones and Sub Zones > Rural Zone > Table 3 - Applicable Policies for Performance Assessed Development

- Support
- Oppose
- Amend

Your Feedback

Detached Dwelling

The Code fails to adequately cross-reference pertinent General Development Policies.

Namely, when assessing a Detached Dwelling in the Zone it was observed that reference to important General Provisions is not made and therefore not part of the assessment process when a relevant authority is considering an application for a dwelling.

Council considers it paramount to include cross-reference to the following provisions when considering a detached dwelling:

Interface Between Land Uses

General Land Use Compatibility - PO 1.1

Interface with Rural Activities

- PO 9.1
- PO 9.2

- DTS/DPF 9.3 & PO 9.3
- DTS/DPF 9.4 & PO 9.4
- DTS/DPF 9.5 & PO 9.5
- PO 9.6

The omission of the above demonstrates a misunderstanding of the zones primary intent for primary industry activities, not as a pseudo rural-residential environment.

Part 2 - Zones and Sub Zones > Rural Horticulture Zone > Table 3 - Applicable Policies for Performance Assessed Development

- Support
- Oppose
- Amend

Your Feedback

Detached Dwelling

The Code fails to adequately cross-reference pertinent General Development Policies.

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Council considers it paramount to include cross-reference to the following provisions when considering a detached dwelling:

Interface Between Land Uses

General Land Use Compatibility - PO 1.1

Interface with Rural Activities

- PO 9.1
- PO 9.2
- DTS/DPF 9.3 & PO 9.3
- DTS/DPF 9.4 & PO 9.4
- DTS/DPF 9.5 & PO 9.5
- PO 9.6

The omission of the above demonstrates a misunderstanding of the zones primary intent for primary industry activities, not as a pseudo rural-residential environment.

Attached Documents

File

No records to display.