

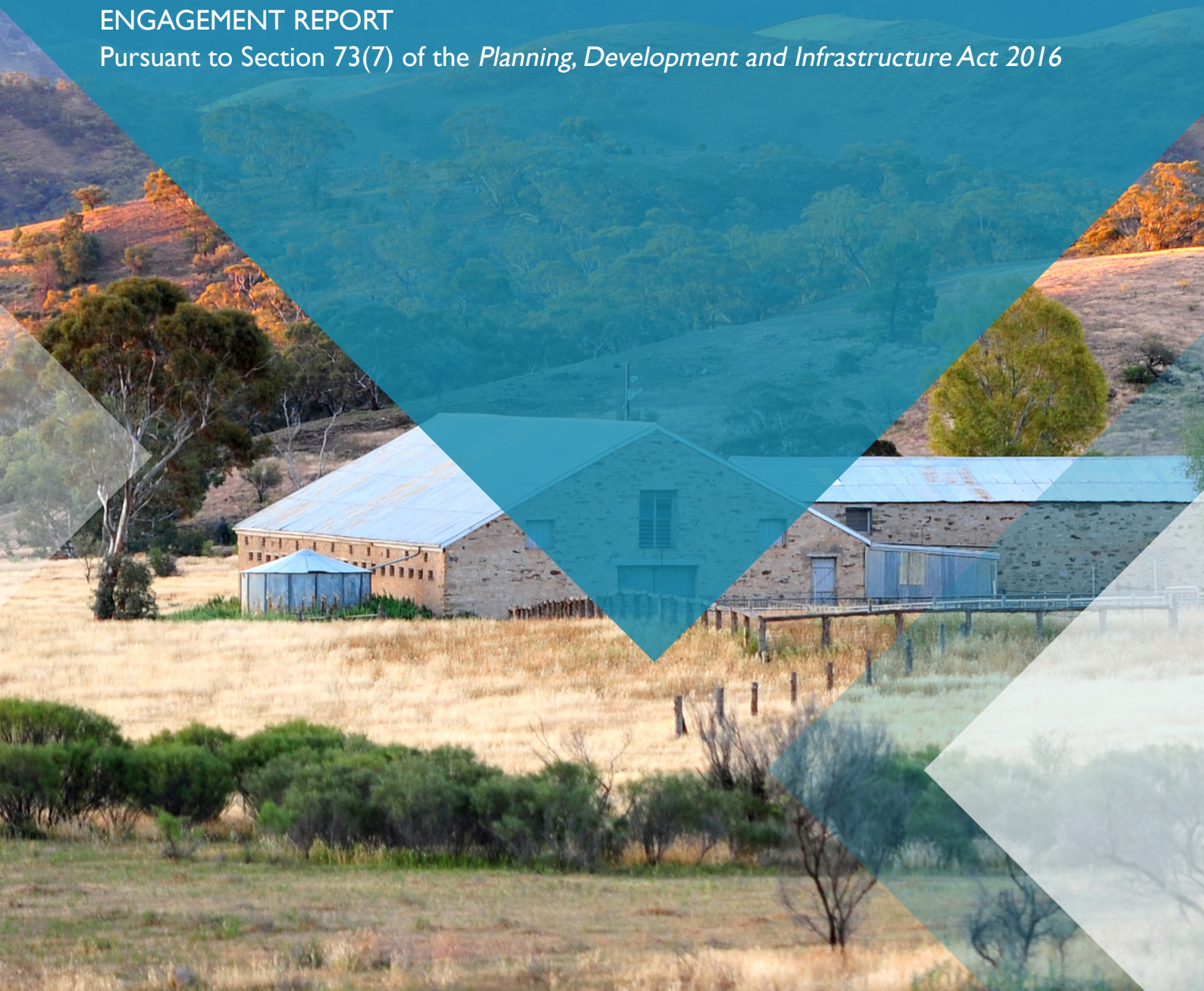
# PLANNING AND DESIGN CODE

→ OUR  
NEW  
SYSTEM

## Amendment for Phase Two (Rural Areas)

### ENGAGEMENT REPORT

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



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# 1. Purpose

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This report has been prepared by the State Planning Commission (the Commission) for consideration by the Minister for Planning (the Minister) in adopting the amendment to the Planning and Design Code (the Code) for application to local government areas in rural parts of South Australia – known as the Phase Two (Rural Areas) Code Amendment. It has been prepared in accordance with the requirements prescribed in section 73(7) of the *Planning, Development and Infrastructure Act 2016* and *State Planning Commission Practice Direction 2 – Preparation and Amendment of Designated Instruments*.

The report summarises:

- The engagement and consultation activities undertaken by the Commission and the Department of Planning, Transport and Infrastructure (DPTI) to support the preparation and delivery of the Phase Two (Rural Areas) Code Amendment.
- Feedback received during the public consultation period on the draft Phase Two (Rural Areas) Code Amendment.
- The Commission's response to the feedback received during the public consultation period (i.e. the changes it recommends be made to the draft Phase Two (Rural Areas) Code Amendment by the Minister).

## 2. Background

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### 2.1 What is the Planning and Design Code?

The Planning and Design Code (the Code) is the cornerstone of South Australia's new planning system under the *Planning, Development and Infrastructure Act 2016* (the PDI Act). Once it is fully adopted, it will become the single source of planning policy for assessing development applications across the state. The Code will consolidate and replace all 72 South Australian Development Plans with a single comprehensive set of policies, rules, and classifications for the purposes of development assessment and related matters.

The Code will be available centrally via an ePlanning platform on the *SA Planning Portal* (the Portal) to all residents, planners, developers, and local governments and will dramatically alter the way planning rules are stored, retrieved and maintained in South Australia. The Portal also offers the potential to significantly enhance the collection of data regarding development and assessment outcomes.

### 2.2 Implementation

The Commission is responsible for preparing and maintaining the Code, which is being implemented in three phases:



**1. Phase one** applies to land not within a council area (outback and coastal waters), and became operational 1 July 2019.



**2. Phase two** which will apply to rural areas, including small towns and settlements and will become operational in July 2020.



**3. Phase three** which will apply to urban areas, including large regional towns and cities and will become operational in September 2020.

Phase Two and Three are 'Code Amendments' in that they expand the operation of the Phase One Code, and propose additional policy content that is relevant to these new areas. The process for undertaking a Code Amendment is set out in section 73 of the PDI Act.



# WHAT IS THE ROLE OF THE PLANNING AND DESIGN CODE?

1



## **A single reference point for planning and design policies and rules**

The Code will consolidate South Australia's 72 Development Plans into one clear planning rulebook for the state. Design guidelines will provide advice on best practice design elements and the principles of good design.

2



## **Consistent planning policies to improve certainty in decision making**

The Code will enable improved consistency of all development assessment and decisions.

3



## **Flexibility to deal with local issues, while ensuring consistency for other issues**

Performance-based planning supports consistent policy while allowing decision makers to respond to local context.

4



## **Online delivery of the Code provides assessment authorities with only the policies and rules they need**

The new ePlanning Portal will automatically determine which planning rules apply to a development application for the assessment authority, saving time and improving consistency.

5



## **Reduced costs and delays in updating development plans**

The Code will be administered centrally and electronically, with amendments implemented more efficiently and consistently.

6



## **Significant reduction in paperwork**

The online application of the Code will significantly shift our planning system toward paperless operation, reducing the time-consuming flow of physical information.

7

## **Standardised interpretation of legislation will improve assessment and reduce delays**

The Code will streamline zones and policy to drive a faster and more efficient development assessment process.



## 2.3 Early engagement

A Community Engagement Charter (the Charter) was prepared by the Commission under the PDI Act to provide a more flexible approach to engagement that would be tailored to an individual Code Amendment. In the spirit of the Charter, engagement regarding the new planning system and all statutory instruments has been informed by feedback from the community, the planning and development industry and other interested parties.

This early engagement included:

- Consultation on four Technical Discussion Papers, five Policy Discussion Papers and six Policy Position Papers released by the Commission to help guide the policy development and structure of the first generation of the Code.
- A Code Working Group (established in early 2018) to assist with the development of the Code and to consider planning policy related to medium density and mixed-use developments, residential neighbourhoods, employment lands, and primary production. The working group comprised 45 council planners and private planning practitioners and met five times between May and November 2018.
- Regular meetings with three Ministerial Advisory Groups – one focused on Local Government, another on the Development Industry and the final on Sustainability and the Community – as well several Industry Liaison Groups to test and provide advice in relation to draft policy content.
- A series of high-level symposiums with planning professionals, thought leaders and community members to help guide policy development in relation to a range of issues, including car parking in metropolitan areas and Aged Care and Retirement Living.
- Council Liaison Officers assigned to each council to assist in working through the transition from local Development Plans to the Code.
- Elected Member Briefings hosted by the State Planning Commission.

'What we heard' reports were released for most of these activities and are available on the [SA Planning Portal](#).

## 3. Digital Access to the Planning and Design Code

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### 3.1 Digital by Default

Section 12 of the PDI Act, which sets out the objects of the PDI Act, provides that the scheme established by the PDI Act is intended to, amongst other things, enable people who use or interact with the planning system to access planning information, and to undertake processes and transactions, by digital means.

Division 2 of the PDI Act, incorporating sections 48 to 56, sets out the online planning services and information to be provided to enable people to access planning information and undertake processes and transactions by digital means. Section 49 of the PDI Act provides that the Chief Executive of DPTI is to establish and maintain an electronic database (the SA planning database) that produces textual and spatial information that identifies the planning policies, rules and information that apply to specific places within the State under the PDI Act by gaining access to designated instruments under the PDI Act including the Code. Section 49 of the PDI Act provides that the SA planning database must be accessible on the SA planning portal.

The Commission is pleased to advise that an important milestone in the creation of the SA planning database has been reached – being the creation of online systems that store and integrate the textual information making up the Code with the spatial information also making up the Code to produce the planning policies, rules and information that apply to specific places. Equally importantly, the Phase Two (Rural Areas) Code incorporating amendments as recommended by the Commission in the Engagement Report has been stored in these.

This milestone means that, for the first time, the Code can now principally be accessed through digital means in keeping with the objects of the PDI Act. Gaining this access requires some explanation.

### 3.2 Operation of the SA Planning Database and Viewing Spatial Data

The spatial boundaries of zones, subzones and overlays as they apply in relation to the various parts of the State are determined through the operation of the Code and are accessed through the SA planning database.

In particular, the Code spatially applies the zones, subzones and overlays to the various parts of the State. This application results in spatial layers that show the location of the zones, subzones and overlays and, accordingly, applies the policies, rules and other information that is relevant to any specific place within the State. This feature of the Code operates through data that is housed in multiple databases and electronic files. These databases and files interact to produce data that accurately shows the spatial application of the policies, rules and other relevant information within the Code, combining textual information with spatial information.

This electronic feature of the Code works in conjunction with the SA planning database under section 49 of the PDI Act, so that the spatial boundaries of any zone, subzone or overlay, and accordingly relevant textual information, may be accessed through the SA planning database.

The Code and the SA planning portal in turn operate in conjunction with the South Australian Property and Planning Atlas (SAPPA) and other related databases and systems and services. The data in SAPPA defines the spatial extent and boundaries of the zones, subzones and overlays established by the Code. This spatial data is developed, maintained, securely stored and delivered through information systems established and maintained by DPTI. This functionality allows spatial data and textual data to be brought together in the SA planning database, and in the Code as published on the SA planning database.

### 3.3 Standard to Support the SA Planning Database

The status of the SA planning database is further supported by standards established by the Commission under section 51 of the PDI Act and, importantly, section 52 of the PDI Act supports the publication of statutory instruments, including the Code. A version of the Code published on that part of the SA planning portal that states that instruments published on that part are certified by the Chief Executive of DPTI under section 52(1) of the PDI Act, is able to be presumed (in the absence of proof to the contrary) to be a complete and accurate record of the statutory instrument (as amended from time to time and as in force at a specified day)<sup>1</sup>. In addition, any information produced on the SA planning database as to the application of planning policies, rules and information to a specified place within the State (as envisaged by section 49(1) of the PDI Act) will be presumed, in the absence of proof to the contrary, to be accurate and correct (and may be relied on for the purposes of the PDI Act)<sup>2</sup>.

Furthermore, as part of the SA planning portal and in connection with the SA planning database, the online atlas under section 50 of the PDI Act provides a search facility to search across the database that is relevant to the spatial application of the Code. The online atlas enables the viewing and searching of the spatial mapping feature of the Code, and enables viewing of the location of zones, subzones and overlays by reference to council boundaries. The Commission intends to establish a standard under section 51 of the PDI Act that will identify, using database version naming conventions, the data defining the spatial extent and boundaries of the zones, subzones and overlays established by the Code. The Commission will, in due course, provide the Minister with advice regarding creation of such a standard.

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<sup>1</sup> See also regulation 7 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

<sup>2</sup> See section 52(2) of the PDI Act.



## 4. The Phase Two (Rural Areas) Code Amendment

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### 4.1 What is a Code Amendment?

A Code Amendment is the alteration or amendment of the Code in accordance with Section 73 of the PDI Act. Amendments can be initiated by a number of different entities and the Minister is responsible for the final determination of Amendments. He/she may adopt the Code, with or without changes, or determine that the Amendment not proceed. The Commission provides independent advice to the Minister on all Amendments and is responsible for ensuring the Code is maintained, reflects contemporary approaches to planning, and responds to emerging trends or issues.

In this case, the Commission has initiated the amendment process and is therefore responsible for preparing the Code Amendment, running the consultation process and preparing a report to the Minister (this report).

### 4.2 Scope of this Amendment

On 16 August 2019, the Commission initiated two separate Code Amendments to be progressed in parallel. This Code Amendment, the Phase Two (Rural Areas) Code Amendment, amends the Outback Areas (Phase One) Code by:

- adjusting policy and mapping
- applying the Code's rules and policies
- creating and amending the Code's policies and rules
- reviewing the Code's 'Rules of Interpretation' to ensure it continues to provide comprehensive information relating to the use of the Code, including:
  - how the Code content can be accessed through digital means
  - how development is classified
  - how rules and policies are applied
- improvements to land use and administrative definitions
- review of referral triggers through new overlays and in Part 9 of the Code.

The Amendment proposes to replace Development Plan content with new zones, subzones, overlays and general policy modules from the Code Library that fit best with the overall policy intent and preserves the core land use and built form intention.

Note: The nature of the Code is such that the transition from Development Plans cannot avoid significant change in relation to policy expression, which is necessary in the consolidation of many similar policies across South Australia. The new assessment pathways provided for under the PDI Act also result in change to how development proposals will be assessed. For example, the removal of non-complying development and inclusion of 'deemed-to-satisfy' and 'restricted' assessment pathways.

Council and Ministerial Development Plan Amendments (DPAs) that are currently being processed under the *Development Act 1993* will continue to progress outside of this Code Amendment process. However, these DPAs may be incorporated into this amendment if they are approved prior to a point enabling this.

### 4.3 Area Affected

The Phase Two (Rural Areas) Code Amendment affects parts of the state that are contained within a Local Government Area that can be characterised as rural in nature and in which there are no urban centres having a population exceeding 10,000 persons.

This includes the following councils:

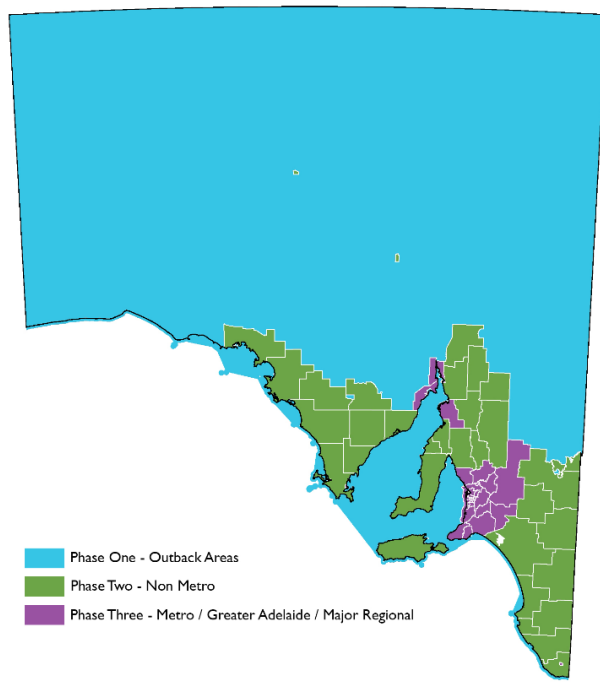
Barunga West	Grant	Renmark Paringa
Berri Barmera	Kangaroo Island	Robe
Ceduna	Karoonda East Murray	Roxby Downs
Clare & Gilbert Valleys	Kimba	Southern Mallee District
Cleve	Kingston	Streaky Bay
Cooper Pedy	Lower Eyre Peninsula	Tatiara
Coorong	Loxton Waikerie	Tumby Bay
Copper Coast	Mount Remarkable	Wakefield Regional
Elliston	Naracoorte Lucindale	Wattle Range
The Flinders Ranges	Northern Areas	Wudinna
Franklin Harbour	Orroroo	Yorke Peninsula
Goyder	Peterborough	

The Phase Two (Rural Areas) Code Amendment also affects the land not within a council area (shaded blue in Figure 1) by updating various parts of the Code, including general development policies, zones, overlays and rules of interpretation.

**Note:** The District Council of Copper Coast made a representation to the Commission in relation to its inclusion in the Phase Two (Rural Areas) Code Amendment. The Council is of the view that the complexity of planning policy applying to the Council area is such as to impede achieving readiness for the commencement of operation of the Code. The Commission is sympathetic to this view.

The devastating bushfires recently experienced in Kangaroo Island have clearly impeded the ability for that Council and the island's community to prepare for the change that will come with commencement of operation of the Phase Two (Rural Areas) Amendment.

The Commission therefore recommends that the areas within the District Council of Copper Coast and the Kangaroo Island Council be the subject of delayed implementation by delaying the revocation of the relevant Development Plans.



*Figure 1. Map of Planning and Design Code Phases in South Australia*

## 5. Code Amendment Engagement

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The following section provides a summary of engagement activities undertaken as part of this Code Amendment. A detailed description of all activities is provided in [Attachment A](#).

### 5.1 Engagement Plan

Code Amendments are required to comply with the Community Engagement Charter. The Charter outlines the key principles that must be taken into consideration when planning for and conducting consultation and engagement on statutory instruments.



To ensure the Code Amendment aligns with the principles of the Charter, the Commission prepared the Engagement Plan in accordance with the requirements of *State Planning Commission Practice Direction 2 (Consultation on the Preparation or Amendment of a Designated Instrument) 2018* and the IAP2<sup>3</sup>'s public participation spectrum.

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<sup>3</sup> International Association for Public Participation



## 5.2 Consultation Release

On 19 September 2019 the Commission endorsed the release of the draft Phase Two (Rural Areas) Code Amendment for public consultation.

Consultation commenced on 1 October 2019 with submissions invited until 29 November 2019. The consultation process was promoted in a number of ways:

- Public notices in regional and metropolitan newspapers
- A consultation page launched on the Department of the Premier and Cabinet's YourSAy website
- SA Planning Portal Website (there were over 6,300 visits to the SA Planning Portal during the consultation period)
- Social media, including Facebook, LinkedIn and Twitter
- Letters to councils, industry groups and community organisations
- The Planning Ahead Newsletter.

On 4 November 2019, the Commission released 41 Historic Area Statements applying to 11 Phase Two councils to support the policies contained within the draft Historic Areas Overlay.

The draft statements, which were on consultation until 6 December 2019, helped to identify and articulate the key historic features and characteristics relevant to a specific location in order to provide guidance for the assessment of heritage items across the state. Letters were distributed to all landowners affected by the Historic Areas Overlay as well as local councils.

## 5.3 Engagement Events

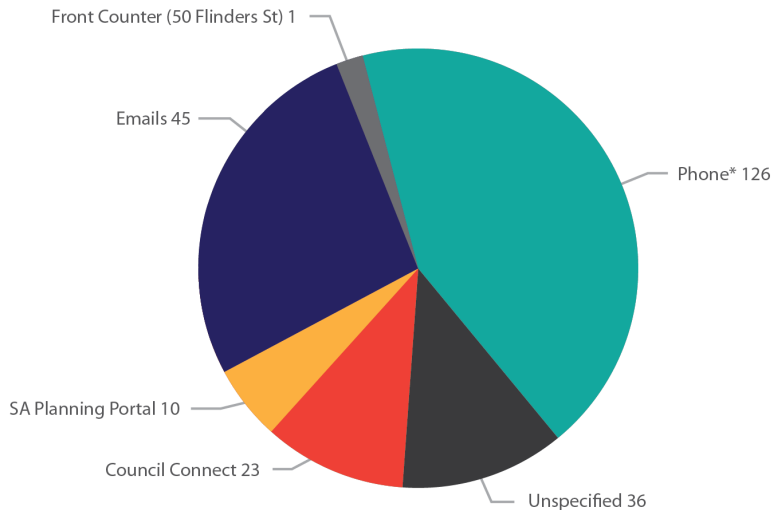
A number of engagement events were held to support the consultation process. A full schedule of events and activities is provided in **Attachment A**.

### Phase Two Code (Rural Areas) Engagement Events

Community information sessions.	31
Council practitioner information sessions.	16
Council Chief Executives, Mayors and Elected Member information sessions.	15
Industry / Stakeholder information sessions.	13

## 5.4 Support for enquiries

To support enquiries, the Commission and DPTI established a number of opportunities for interested parties to ask questions or seek support in their understanding of the Code. This included a 1800 hotline, planning and engagement email accounts, the SA Planning Portal and Government 'YourSAy' website. The web interface 'Council Connect' was also established as a mechanism for council planning professionals to provide feedback or ask questions in relation to the Code. Over **248 public enquiries** were received through the consultation period, mostly through the hotline (over 100 calls) or email.



\* 1800 Hotline, DPTI front desk, Duty Planner phone, direct calls to DPTI staff

A dedicated page for the consultation process was established on the SA Planning Portal. There were 6300 visits to this page during the Phase Two consultation period.

## 5.5 Testing the Code

A testing program was developed to evaluate the effectiveness of the Code, which included key council planners and industry representatives. The test sought to understand how practitioners would use the Code in a 'real world' environment by undertaking parallel assessments of development applications against a Development Plan and the draft Phase Two (Rural Areas) Code.

A total of 49 applications were assessed, including a range of development types and various locations across the state. The assessment indicated that all the applications would have resulted in a similar or improved assessment outcome via a shorter assessment pathway under the Code.

The testing also provided valuable feedback to DPTI, which has been included in the Code Amendment:

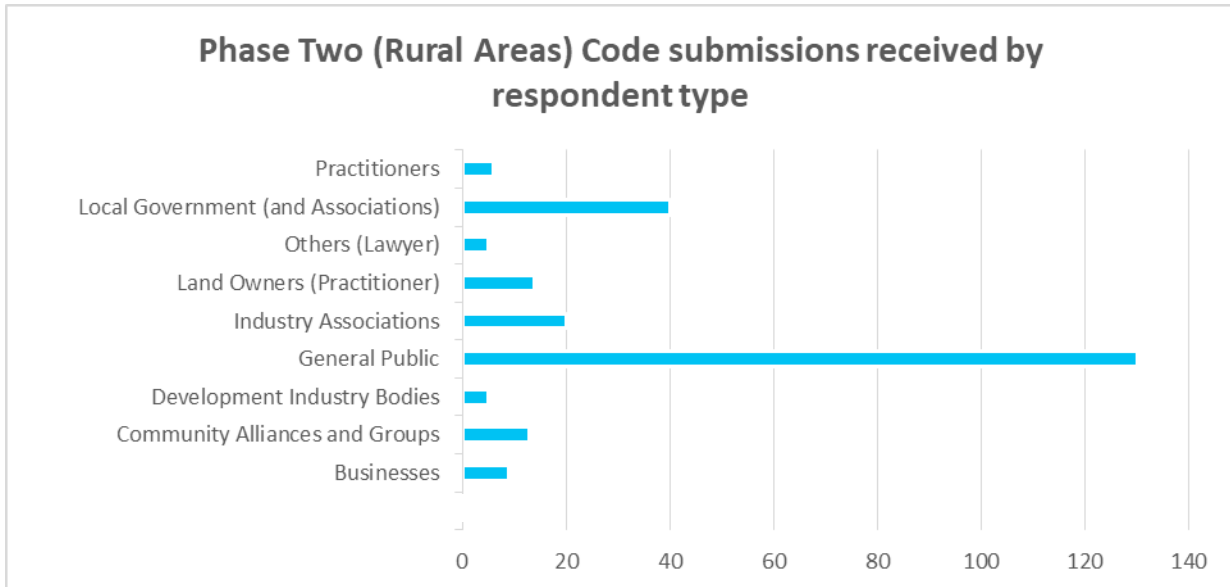
- technical details for location specific Technical and Numerical Variations (TNVs) have been incorporated
- incorrect cross references have been fixed
- much of the policy expression and interpretation has been clarified
- improvements have been made to the Code's interface with the SA Property and Planning Atlas (SAPPA).

A number of technical changes have also been made to policies linked to classes of development and public notification triggers.

To help councils prepare for the introduction of the Code and for quality assurance purposes, councils were invited to participate in a review of the new mapping for their area. In addition, they were invited to assess a range of developments using assessment pathways and policies from the draft updated Code and provide feedback on any necessary changes. Changes arising from this process were of a technical nature rather than substantive policy amendments and have now been incorporated into the Code.

## 5.6 Processing Submissions

A total of 237 written submissions were received via email and online, all of which have been published on the SA Planning Portal – except where a request was received to keep it confidential.



The process for documenting submissions included:

- a submissions register to track and record every issue raised either via a formal submission (received online or via email) or an engagement event or activity
- a decision-making framework to theme and triage the above issues
- an issues register to record all issues raised and recommendations/decisions reached in relation to proposed alterations
- a Code Control Group made up of senior Departmental staff to consider and provide direction in relation to complex policy and spatial issues
- regular workshops with the Commission on strategic policy issues.

## 6. Recommended Amendments

---

This section describes the Commission's recommendations regarding changes that should be made to the draft Phase Two (Rural Areas) Code Amendment in response to feedback:

1. **Procedural and Technical** – including Public Notification, Definitions, Referrals, compatibility with the Act/Regulations and Code structure/drafting.
2. **Code Framework and Policy Library** – proposed amendments to the policy content of the draft Code, including (where required) the mapping rules governing their spatial application.
3. **Spatial Application and Mapping** – summary of the recommended alterations to the spatial application of the Code to specific affected Local Government Areas, including the application of Technical and Numeric Variations (TNVs) and amendments to transitional zoning.

## 6.1 Procedural and technical (PT)

Procedural and technical matters—including public notification, definitions, referral triggers, compatibility with the PDI Act and Regulations, the Code’s structure and drafting principles—were the subject of general feedback from respondents. This feedback was not specific to particular zones, subzones, overlays or general development policies, but was more general in nature.

### Public Notification

#### Public notification for Performance Assessed development

Section 107(6) of the PDI Act establishes that the Code may exclude specified classes of performance assessed development from requiring public notification. Feedback received on the exclusions proposed within the draft Code recommended these be reviewed to avoid:

- increasing the amount of public notification required over that which currently occurs
- increasing the resources required to administer the public notification process and development assessment generally (recognising that public notification may result in development applications needing to be considered by assessment panels)
- notification occurring for comparatively low-risk development that is reasonably expected within a zone.

Specifically, it was recommended that:

- development envisaged in a zone should not be subject to notification. To achieve this, it was suggested that reference to 'All Other Code Assessed Development' in the Notification tables be amended to 'any class of development not listed in DTS/DPF 1.1' (which lists the envisaged uses in the zone)
- the requirement for notification of 'All Other Code Assessed Development' be removed as it is inadvertently capturing minor forms of development
- minor forms of performance-assessed development are not notified due to a minor departure from the accepted or Deemed-to-Satisfy criteria.

#### Commission’s Recommendations:

**PT.1 AMEND** all 'Procedural Matters – Notification tables' to list classes of development excluded from notification as envisaged by the PDI Act.

**PT.2 AMEND** 'Procedural Matters – Notification tables' in all zones to ensure development envisaged within the zone, namely:

- a) An accepted class of development identified in Table 1 of the Zone
- b) A Deemed-to-Satisfy class of development identified in Table 2 of the Zone
- c) A type of development identified as land uses that are expected in the zone in DTS / DPF 1.1

is not subject to notification, except where:

- a) acceptable standards of built form or intensity are exceeded
- and/or

- b) the development is likely to result in impacts on the amenity of adjacent dwellings located on land in another zone.

While *State Planning Commission Practice Direction 3 – Notification of Performance Assessed Applications 2019* provides the ability for a relevant authority to deem an application minor in nature and waive the need to undertake notification under section 107(3) of the DPI Act, feedback demonstrated a lack of understanding of the function of this practice direction.

**Commission’s Recommendation:**

**PT.3 AMEND** the 'Procedural Matters – Notification' tables to specify that minor forms of development, in the opinion of the relevant authority, do not need to be notified.

**Public notification near a zone boundary**

Feedback suggested that the requirement for notification of development on land adjacent another zone created excessive notification requirements for development that was an envisaged land use within the zone. Some raised concern that the term ‘adjacent’ called up the definition of adjacent land in the PDI Act which captures all properties within 60 metres of a development site, suggesting this distance is excessive.

**Commission’s Recommendations:**

**PT.4 REMOVE** the trigger of ‘land adjacent another zone’, but **RETAIN** this trigger in commercial and industrial-type zones where development may impact on sensitive uses, such as where located adjacent a zone with ‘neighbourhood’ in its title.

**PT.5 RETAIN** the term ‘adjacent’ for the public notification trigger, but only apply this trigger to land uses that are anticipated to have impact on land within 60 metres of the site.

**Consistency with current Regulations**

Some submissions identified specific forms of development that should not be notified, such as those that are currently prescribed as Category 1 in Schedule 9 of the *Development Regulations 2008*, e.g.:

- Swimming pools
- Land division
- Dwelling additions
- Telecommunications facilities in certain zones
- Advertisements.

**Commission’s Recommendation:**

**PT.6 AMEND** ‘Procedural Matters – Notification’ tables to generally exclude development from notification that is identified as Category 1 in Schedule 9 of the *Development Regulations 2008*.

**Height/setbacks as a trigger for notification**

The suitability of notification being dependent on setback or height policy was queried, with concern about this potentially resulting in excessive notification requirements.

Clarification:

The proposal to remove setback is supported, given that failure to satisfy a setback is unlikely to have a direct impact on adjacent land (i.e. properties within 60m of the site), however it is considered that excess in building height generally warrants notification due to the potential for overshadowing and visual impacts on adjacent land owners/occupiers.

**Commission’s Recommendation:**

**PT.7 AMEND** ‘Procedural Matters – Notification’ tables to remove public notification triggers based on a failure to satisfy boundary setbacks.

**Additional cases where notification is required**

Several submissions identified additional forms of performance-assessed development that should be publicly notified, including:

- Removal of significant trees
- Demolition of heritage places.

**Clarification:**

The Regulated Tree Overlay and Significant Trees are not applicable to the Phase Two (Rural Areas) Code Amendment area.

**Commission’s Recommendation:**

**PT.8 AMEND** relevant ‘Procedural Matters – Notification’ tables to prescribe that demolition of heritage places is subject to public notification.

Submissions encouraged ‘neighbourhood’ zones to list non-residential forms of development (such as shops) in the notification tables to ensure they are notified, particularly where exceeding the floor area limits in the zone provisions.

**Commission’s Recommendation:**

**PT.9 AMEND** the ‘Procedural Matters – Notification’ table in the Neighbourhood Zone to require public notification of non-residential land uses that exceed the relevant DTS standard for gross leasable floor area.

In the Suburban Employment Zone, several responses observed that the subclauses identifying matters triggering notification were omitted and should be reconsidered. This is discussed further under the Suburban Employment Zone chapter of this report.

**Exemptions from the need to place a notice on the relevant land**

Respondents emphasised that the need for placement of notification signs on land in rural areas is not practical and should be reconsidered.

**Commission’s Recommendation:**

**PT.10 AMEND** the ‘Placement of Notices – Exemptions for Performance Assessed Development’ in the Rural Zone, Remote Areas Zone, Rural Aquaculture Zone, Rural Horticulture Zone, Rural Intensive Enterprise Zone, and Coastal Waters and Offshore Islands Zone to remove the need to place a notice on the land in these rural/remote areas.



## Land Use Definitions

The definitions within the Code had been transitioned from the *Development Act 1993* and associated Regulations. They were also informed by a discussion paper released by the Commission in 2018 which is available on the SA Planning Portal. There is significant case law on definitions that was considered through the drafting process. The definitions were consulted on through the Outback Code in early 2019, and again through the Phase Two (Rural Areas) Code Amendment .

### Accommodation

Respondents expressed support for the definition of ancillary accommodation but suggested that it be broadened to apply to buildings with more than one bedroom. Providing a definition for tourist accommodation was also supported by a number of submissions, however it was suggested that the definition could be more specific to avoid confusion with dwellings and campgrounds.

#### Clarification:

Tourist accommodation that presents and operates like a dwelling may continue to fit both definitions of tourist accommodation and dwelling. This is an issue that is difficult to avoid without wholesale amendments to the definitions which in itself could open up other issues. It is therefore recommended that no change to the new definition of tourist accommodation be made in respect to this issue but that its application be evaluated further once the Code is operational to see if any adjustments or further guidance is needed.

Some respondents suggested that workers' accommodation should not be limited to temporary accommodation and that the definition be expanded to include workers associated with all transport infrastructure construction rather than being limited to road and/or railway infrastructure construction.

#### Clarification:

The focus of the definition is accommodating workers on a temporary basis so it is therefore not considered necessary to amend the definition.

### Commission's Recommendations:

#### Ancillary accommodation

**PT.11 AMEND** the Land Use Definition 'ancillary accommodation' to allow for a maximum of 2 bedrooms; add 'dwelling' to the list of exclusions, and add 'ancillary accommodation' to the exclusions for dwelling.

#### Tourist accommodation

**PT.12 AMEND** the Land Use Definition 'tourist accommodation' to add 'campground' to the list of exclusions.

#### Workers' accommodation

**PT.13 AMEND** the Land Use Definition 'Workers' accommodation' to replace the words 'road and/or railway infrastructure construction' with 'transport infrastructure construction' to broaden the scope of definition for transport related projects.

### Agricultural buildings

Some improvements recommended by local councils included adding 'silo' and 'frost fans' to the list of inclusions for agricultural buildings to ensure such improvements don't get caught up in longer assessment processes than required.

Note: To ensure that large bulk handling silos are not inadvertently captured by such an amendment, it is recommended that 'farm silo' be inserted instead of just 'silo'.

**Commission’s Recommendation:**

**PT.14 AMEND** the Land Use Definitions to add 'frost fan' and 'farm silo' to the inclusions list of agricultural building.

**Detached, semi-detached and row dwellings**

The definitions of detached, semi-detached and row dwellings are very similar to those used in the *Development Regulations 2008* in that each of these dwellings must be located or occupy a 'site that is held exclusively with that dwelling'. Issues were raised about the phrase 'held exclusively' as it requires applicants to create allotments prior to any authority being able to determine applications for dwellings of this nature. Submissions have suggested that while it is logical, from a legal perspective, to require allotments to be created before a dwelling application is determined, from a planning perspective, it is often preferable for the dwelling application to come first in order to gain a greater appreciation of built form outcomes.

**Commission’s Recommendation:**

**PT.15 AMEND** the Land Use Definition for detached, semi-detached and row dwelling to replace the words 'site that is held exclusively with that dwelling' with '...comprising 1 dwelling on its own site and has a frontage to a public road' or similar.

**Renewable energy**

Industry and community groups called for a reconsideration of what size and scale of facilities should be classified as a renewable energy facility. Some suggested that the 5MW minimum threshold is not low enough given the typical footprint for a solar facility is approximately 1.4ha of panels for every MW produced. Others suggested that solar facilities less than 5MW be separately defined in the Code with their own suite of policy.

Submissions also suggested the adoption of the qualification for 'small scale solar', as exists in the NSW SEPP, which uses both generation capacity and land area in a scaled definition of solar farms from small to large.

There is also an argument that renewable facilities are a form of industry as they produce electricity. This is an issue that could potentially complicate and confuse assessment procedures. Refer to discussion on Infrastructure and Renewable Facilities General Development Policies.

**Commission’s Recommendation:**

**PT.16 AMEND** the Land Use Definitions to exclude renewable energy facility from the definition of industry.

**Primary Production**

Respondents suggested the following improvements in relation to the primary production definitions:

Feedback	Comment
Include a new definition of grazing	Not recommended on the basis that it is a well-recognised term that is included in the definition of low intensity animal husbandry.
Include containment feeding as part of the definition for low intensity animal husbandry	Not recommended on the basis that it is generally an ancillary and subordinate activity to low intensity animal husbandry. Where

	containment feeding becomes the predominant activity it would be treated as intensive animal husbandry.
Distinguish between commercial forestry and environmental plantings	Not recommended on the basis that environmental planting is not likely to become development—requiring an application—unless there is some form of commercial benefit obtained from the plantings.
Include operational aspects of commercial forestry such as timber processing as part of the definition	Not recommended on the basis that on-site processing activities can be dealt with as 'ancillary or subordinate' to the primary use of commercial forestry.

### Requests for additional or minor adjustments to definitions

Respondents suggested that the following types of land uses may warrant definition or minor adjustment:

- Function centre
- Manager's residence
- Motor repair station
- Private bushfire shelter
- Tiny house
- Sales office
- Private works depot
- Bulk petroleum storage
- B85 passenger vehicle
- Biodiversity
- Ecological sustainable
- Exceedances per year (EY)
- Human wastewater – supported to provide greater alignment with related legislation
- Sewerage infrastructure – supported to provide greater alignment with related legislation
- Tangent point – supported to improve interpretation.

The ordinary meaning of a word (i.e. the dictionary definition) can be used when interpreting terms used in the Code. Thus, it is not necessary to define all terms used in the Code. Some of the other requests such as a definition of 'tiny house' will require further research before they can be considered.

Others, like private bushfire shelter, are covered in the *Planning, Development and Infrastructure (General) Regulations 2017* and therefore do not need to be included. Minor adjustments such as the inclusion of 'servicing and maintenance' to the 'repair' function of motor repair station are logical enhancements to the Code and are supported.

## Administrative Definitions

### Density

In relation to the definition of density, some respondents observed that the numeric standards are too low while others observed that the densities are too high and are orientated around the context of metropolitan Adelaide.

#### Clarification:

The density definitions are based on the current parameters set by *The 30-Year Plan for Greater Adelaide (2017 Update)* which defines 'low density' as up to 35 dwellings per hectare. The introduction of allotment area TNVs (the current allotment sizes from Development Plans) provides the local context to which some of the regional councils have sought. No changes to the definition of density are therefore recommended.

## Site

The definition of 'site' was queried, observing that it appears to relate only to a building on a single allotment, but should include more than one allotment.

### Clarification:

The definition for site has been 'transitioned' over from the *Development Regulations 2008* and is generally well understood.

### Commission's Recommendations:

**PT.17 AMEND** the definition of 'tangent point' to reflect its measurement point from the kerb, to provide greater clarity as follows: *Means the end point of a road's curve at the point of intersection, measured at the kerb.*

**PT.18 INSERT** new administrative definitions as follows:

- 'human wastewater' - Has the same meaning as in the *Environment Protection (Water Quality) Policy 2015*
- 'sewerage infrastructure' - Has the same meaning as in the *Water Industry Act 2012*
- 'exceedances per year (EY)' - Means the number of times an event is likely to occur or be exceeded within any given year.

## Referrals

Feedback was given regarding the following referrals to the Environment Protection Authority (EPA):

- The current definition of 'electricity generating plant' may capture any form of generating plant, so the reference to energy storage facility could be removed.
- The referral should be amended to remove the words, 'that is to be connected to the state's power system', as not all development that generates energy is proposed to be connected to the state's power system.
- Successful reform of site contamination assessment through the planning system requires integration of a number of elements, particularly the draft State Planning Commission Practice Direction (Site Contamination Assessment) with site contamination policies within the draft Code.
- Concern was expressed regarding the potential for site contamination referrals to the Environment Protection Agency to add considerable time and cost to the development assessment process for applications for a more sensitive land use.
- The conduct of a 'petrol station' should not be the subject of a referral to the EPA unless the minimum evaluation distance specified in the EPA's Evaluation distances for effective air quality and noise management are not satisfied or the volume of fuel storage on site exceeds 120,000 litres.
- The conduct of works at which paper pulp or paper is manufactured or is capable of being manufactured is referenced in the Code, however, the *Development Regulations 2008* includes the referral trigger with the words "exceeding 100 tonnes per year".

### Clarification:

The 100 tonne threshold in the paper manufacturing referral was intentional to reflect the current EPA referral in Schedule 21 of the *Development Regulations 2008*.

The referral for a 'petrol station' is consistent with the current EPA referral in Schedule 22 of the *Development Regulations 2008*.

#### Commission's Recommendations:

- PT.19 AMEND** the referral for energy generation and storage in Part 9.1 to relate only to energy generation (not energy storage) and to capture all such electricity generating plants, irrespective of whether they are connected to the state's power system.
- PT.20 REMOVE** the referral for site contamination to the EPA in the Phase Two Code to allow for further consultation on the draft Practice Direction on Site Contamination throughout Phase Three consultation.

Submissions regarding the remaining sections of Part 9, and referrals generally, raised a concern regarding the power of direction provided for most referrals.

#### Clarification:

The scope of referrals under the PDI Act and the draft Code have been narrowed to specifically reflect state interests. The State Agencies responsible for these interests will have the power to direct refusal or set conditions on a development application. Referrals for direction are proposed to be reduced from 24 under the *Development Regulations 2008* to 20 in the new system.

DPTI has identified the following technical amendments to referrals to provide greater clarity and consistency:

- Purpose of the Aquaculture referral be amended to read: 'the associated aquaculture lease and/or licence, and any other existing aquaculture leases and/or licences within the region, and aquaculture zone policies under the *Aquaculture Act 2001*'.
- In relation to referrals for Dams under Part 9.2:
  - Overlays which have the same referral (e.g. River Murray Flood Plain Protection Area Overlay, River Murray Tributaries Protection Area, Prescribed Surface Water Overlay, Prescribed Watercourse Overlay, Mount Lofty Ranges Catchment (Area 1) Overlay or the Mount Lofty Ranges Catchment (Area 2) Overlay, to be excluded from the Part 9.2 referral to avoid double up.
  - The expert assessment and direction must be in accordance with the provisions of the relevant water allocation plan or natural resources management plan or equivalent. DEW have confirmed that this amendment should also be applied to the Mount Lofty Ranges Catchment (Area 1) Overlay, Mount Lofty Ranges Catchment (Area 2) Overlay and the Prescribed Watercourses Overlay.
- Under the *Commonwealth Airports Act 1996* and Part 4 Regulation 8 of the associated *Airports (Protection of Airspace) Regulations 1996*, local government bodies/building authorities are required to give notice of a proposed Obstacle Limitation Surface intrusion to the airport operator. To ensure consistency with Commonwealth legislation, the airport operator to be included as a referral authority for matters covered by the Airports Building Height (Regulated) Overlay.

### Commission's Recommendations:

- PT.21 AMEND** the purpose of the Aquaculture referral to read: 'the associated aquaculture lease and/or licence, and any other existing aquaculture leases and/or licences within the region, and aquaculture zone policies under the *Aquaculture Act 2001*'.
- PT.22 AMEND** the referral for 'dams' under Part 9.2 to exclude the River Murray Flood Plain Protection Area Overlay, River Murray Tributaries Protection Area, Prescribed Surface Water Overlay, Prescribed Watercourse Overlay, Mount Lofty Ranges Catchment (Area 1) Overlay and the Mount Lofty Ranges Catchment (Area 2) Overlay from this referral.
- PT.23 AMEND** the referral body in the Airport Building Heights (Regulated) Overlay to: 'the airport-operator company for the relevant airport, or, if there is no airport-operator company for the airport, to the Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996'.

### Code structure, drafting and consistency with regulations

Submissions identified some issues associated with consistency and accuracy of the Code policy/rules and drafting, such as:

- Different policies called up for the same land uses in different zones
- Inconsistency of accepted and Deemed-to-Satisfy pathways when compared to the Development Regulations 2008
- Concern about the relevance of overlays to certain classes of development.

### Commission's Recommendations:

- PT.24 AMEND** all classification tables to ensure Accepted, Deemed-to-Satisfy and Performance Assessed pathways and policies are consistent between similar zones
- PT.25 REMOVE** classes of development from Performance Assessed Classification Tables which can vary in scale or intensity, which will be addressed through the policy.

For example, do not list educational establishment in Performance Assessed Classification Tables, because even if it is an envisaged land use in the zone, such development may be a small single-storey building or a multi-storey complex. Design policies for such different scales of development are difficult to identify upfront, and therefore such development is more suitably captured as 'All Other Code Assessed Development', allowing the relevant authority to identify the relevant policies from the Code Library appropriate to the particular proposed development.

Note: Development classification tables serve only to provide pre-selected policies for common land uses; they do not necessarily signify whether a class of development is envisaged in that zone. Exclusions from public notification will no longer be linked to the classes of development listed in Performance Assessed Development classification tables.

- PT.26 AMEND** all classification tables to provide a Deemed-to-Satisfy pathway for classes of development listed in Schedule 4 complying development in the *Development Regulations 2008*. (For example: the replacement of an existing building in substantially the same manner as the existing building.)
- PT.27 AMEND** the classification tables to ensure overlays are called up in assessment only where the overlay policy is directly relevant to the class of development.

**PT.28 AMEND** the classification tables to ensure land use classes list only the relevant development type and do not incorporate policy or references to policy.

### Technical corrections and editing

Multiple submissions were received highlighting a number of irregularities within the classification tables as well as opportunities to make minor refinements and improvements to the final draft of the Phase Two Code to assist in interpretation.

#### Commission's Recommendation:

**PT.29 AMEND** the Phase Two Code to address editorial and formatting issues.

**PT.30 AMEND** references to the *Natural Resource Management Act 2004* to the new *Landscape South Australia Act 2019*, with associated amendment to referral bodies.

**PT.31 AMEND** the expression of policy which prescribes minimum site/allotment areas to clarify that it does not apply to dwellings located on an existing allotment.

**PT.32 INSERT** 'temporary accommodation in areas affected by bushfire' in deemed-to-satisfy tables in all zones that intersect with Hazard (Bushfire) overlays, consistent with recent amendments to Schedule 4 of the Development Regulations 2008.

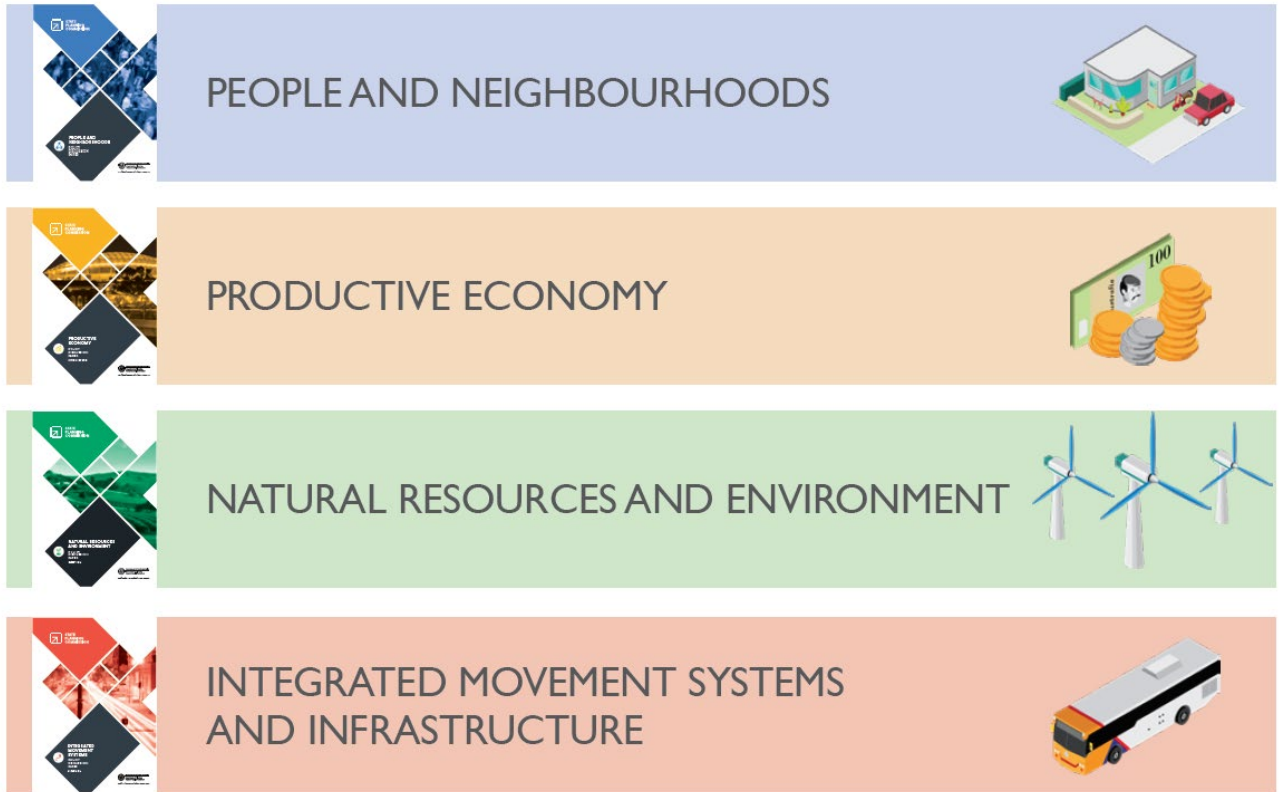
**PT.33 INSERT** new PO and DTS/DPF regarding Concept Plans in all zones where the Concept Plans Technical and Numeric Variation applies.

**PT.34 INSERT** zone provisions regarding the height and size of new advertisements where a deemed-to-satisfy pathway for advertisements is provided for in the zone.



## 6.2 Code Framework and Policy Library

The Planning and Design Code Framework identifies all the policy modules (zones, subzones, overlays and general development policies) that, together, make up the Code Library. The submissions and recommendations have been divided into the following themes that are aligned with the four Discussion Papers released by the Commission during the preparation of the draft Code:



## 6.2.1 People and Neighbourhoods (P)

The People and Neighbourhoods theme attracted some of the highest level of interest through the consultation process. A key issue raised related to naming conventions, in particular the use of the term 'urban' or 'suburban'.

The following summarises the zones, subzones and overlays relevant to this section and proposed name changes. The rationale behind these changes is described in the sections below.

Intensity	Zones (and Subzones in <i>italics</i> )	Overlays
Urban and Suburban Areas	<b>REMOVE</b> Urban Neighbourhood Zone and <i>Mixed Use Transition Subzone</i>	Affordable Housing Character Area Historic Area Local Heritage Place Noise and Air Emissions State Heritage Area State Heritage Place <b>NEW</b> Heritage Adjacency
Suburban Areas	<b>REMOVE</b> Housing Diversity Neighbourhood Zone  <b>RENAME</b> Suburban Greenfield Neighbourhood Zone to Greenfield Neighbourhood Zone  <b>REMOVE</b> Suburban Master Planned Neighbourhood  <b>REPLACE</b> Suburban Neighbourhood Zone and General Neighbourhood Zone with <b>NEW</b> Neighbourhood Zone and Golf Course Estate Zone  <b>NEW</b> <i>American River Subzone</i>  <b>NEW</b> <i>Roxby Downs Subzone</i>  <i>Underground Subzone</i>  <b>NEW</b> <i>Walleroo Landmark Subzone</i>  <b>NEW</b> <i>Waterfront Subzone</i>  <b>RENAME</b> Residential Neighbourhood Zone to Rural Neighbourhood Zone  <b>REMOVE</b> Urban Renewal Neighbourhood Zone  Residential Park Zone	<b>General Development Provisions</b> Design in Urban Areas <b>RENAME</b> Design in Rural Areas to Design Housing Renewal <b>COMBINE</b> Land Division in Urban Areas and Land Division in Rural Areas and <b>RENAME</b> Land Division  Workers' Accommodation and Settlements
Rural Areas and Townships	Township Zone  <b>NEW</b> <i>Bookmark Creek Subzone</i>  Rural Settlement Zone  <b>NEW</b> <i>Fisherman Bay Subzone</i>  <b>NEW</b> Workers' Settlement Zone  Rural Living Zone  <i>Animal Husbandry Subzone</i>  <i>Intensive Horse Establishment Subzone</i>	

## Urban Renewal Neighbourhood Zone

- The zone should be removed from the Phase Two (Rural Areas) Code as it is drafted to support areas experiencing urban renewal in an urban setting.

## Housing Diversity Neighbourhood Zone

- While a few issues were raised in relation to this zone, it was suggested that it be removed from the Phase Two (Rural Areas) Code as it was more applicable to the urban setting.

### Commission's Recommendations:

#### *Amendments to spatial application*

**P.1 REMOVE** the Urban Renewal Neighbourhood Zone from the Phase Two (Rural Areas) Code.

**P.2 REMOVE** the Housing Diversity Neighbourhood Zone and **REPLACE** with a new Neighbourhood Zone (or where relevant the new Golf Course Estate Zone).

*Note: the scope of the new Neighbourhood Zone and Golf Course Estate Zone is set out at the end of this section.*

## General Neighbourhood Zone

- TNVs need to apply to respond to the range of infrastructure issues faced in regional areas.
- The zone needs to recognise that some areas may not have mains sewer and may require additional policy relating to on-site waste water treatment.
- Setbacks from streets and boundaries need to be increased, particularly on larger allotments.
- Larger outbuildings on larger sites should be allowed.
- The floor area requirements for non-residential uses such as shops should be reduced.
- Advertising in association with approved non-residential activities should be excluded from public notification requirements.
- A range of minor development types not listed in the classification tables (e.g. swimming pools) may result in these requiring public notification and for a Council Assessment Panel to be the relevant authority. This is unnecessary and would have significant resource implications in regional areas.
- Ancillary accommodation should not be considered a Deemed-to-Satisfy form of development.

*Note: a number of these issues have been addressed through the new Neighbourhood Zone.*

### Commission's Recommendation:

#### *Amendments to spatial application*

**P.3 REMOVE** the General Neighbourhood Zone from the Phase Two Code Amendment and **REPLACE** with a new Neighbourhood Zone

*Note: the scope of the new Neighbourhood Zone is set out at the end of this section.*

## Greenfield Suburban Neighbourhood Zone<sup>4</sup>

- It was suggested that this zone is not appropriate for some regional locations where larger allotments are envisaged or where on-site waste water treatment may be required.
- The zone should allow higher densities above 100 dwellings/hectare.
- The requirement to have minimum open spaces of 1.5 hectares should apply only to larger developments.
- The zone should identify consulting rooms as an envisaged development type.
- Requirements for tree planting in the public realm should be more specific.
- The current policy refers to buildings 'complementing the height of nearby buildings', which is not relevant in a greenfield context.
- Where rear laneways are provided, a 0m setback should be acceptable.
- Policy should enable building envelope plans to be approved as part of land divisions.
- Minimum finished floor levels identified in Development Plans to address flooding should be transitioned into the Code.
- Request the inclusion of additional Concept Plans that are within Development Plans.

### Clarification:

The Commission supports the provision of Concept Plans where they play an active role in guiding infrastructure and staging, and provide guidance in relation to the location and scale of land uses envisaged in a large scale greenfield or master planned development (such as the establishment on Activity Centres).

### Commission's Recommendations:

- P.4** **RENAME** the 'Greenfield Suburban Neighbourhood Zone' to 'Greenfield Neighbourhood Zone' as it applies in both suburban and rural contexts
- P.5** In relation to the zone's policies:
- (a) **AMEND** DTS 1.1 to identify 'consulting room' as an envisaged development type noting that other policy in the zone envisages small scale consulting rooms.
  - (b) **INCLUDE** a DTS / DPF 1.4 that supports medium and high density development within 200m of an activity centre, 200m of a public transport stop, or abutting/adjacent to public open space greater than 2000m<sup>2</sup>.
  - (c) **REPLACE** DTS / DPF 1.5 with 'None are applicable' to remove prescriptive densities, noting that land division will be performance assessed in this zone and that the PO and administrative definitions identify the density expected across the development area.
  - (d) **AMEND** DTS / DPF 4.1 to specify that only land divisions on sites greater than 15ha require 80% of allotments to be within 400m walking distance of a 1.5ha reserve.

<sup>4</sup> Many policies contained within this zone are reflected in the Master-planned Suburban Neighbourhood Zone contained within the Phase Three (Urban Areas) Code amendment and any changes made will be consistent in both zones.

- (e) **AMEND** PO 8.1 relating to building height to clarify that buildings taller than the DTS requirements (3 levels) should be located adjacent activity centres or open space.
- (f) **AMEND** DTS / DPF 9.1, 10.1, 11.1, 12.1, and 13.1 to facilitate dwellings that accord with building envelopes approved as part of a planning consent for land division as satisfying Deemed-to-Satisfy criteria for building envelopes / setbacks.
- (g) **DELETE** PO and DTS/DPF 11.2 which relate to having sets of row dwellings and semi-detached dwellings setback from adjoining allotments. This policy is relevant to zones that apply to established areas where development should have regard to maintaining separation between buildings consistent with an established suburban context.
- (h) **AMEND** DTS / DPF 13.1 relating to rear setbacks to allow 0m setbacks along rear laneways
- (i) **INCLUDE** an additional PO and DTS/DPF to support concept plans that will exist within the zone, identifying that development is consistent with any relevant concept plan relating to the zone.

## Suburban Neighbourhood Zone

- Changing the name to better reflect the rural character of locations.
- Recognising that some areas may not have mains sewer and may require additional policy relating to on-site waste water treatment.
- Increasing setbacks from the street and boundaries, particularly on larger allotments.
- Allowing larger outbuildings on larger sites.
- Changing the residential design policies which are too onerous for regional areas and may not be appropriate in a regional context where there is limited infill development pressure that needs to be managed through design policy responses.
- Reducing the minimum floor area requirements for non-residential uses such as shops.
- Expanding the list of restricted development to include other activities such as industry, waste treatment and intensive animal keeping.
- The zone should recognise the role that retail fuel outlets can play and that this should be identified as a desired form of development.
- A range of minor development types not listed in the classification tables (e.g. swimming pools) may result in these requiring public notification and for a Council Assessment Panel to be the relevant authority. This is unnecessary and would have significant resource implications in regional areas.
- It was also identified that notification of development adjacent to another zone would result in extensive notification which would be too onerous or unnecessary.

In some locations where the zone was proposed, it was identified that some current Development Plans have minimum finished floor levels as they are located in coastal or riverine environments but this policy was not reflected in the zone.

### Clarification:

Minimum finished floor levels will be applied via an overlay to address potential flooding risk in coastal and river locations where they currently exist in Development Plans.

### Commission's Recommendations:

#### *Amendments to spatial application*

**P.6 REMOVE** the Suburban Neighbourhood Zone and **REPLACE** with a new Neighbourhood Zone or, where relevant, the new Golf Course Estate Zone.

*(Note: the scope of the new Neighbourhood Zone and Golf Course Estate Zone is set out at the end of this section and takes into account the feedback provided above)*

### Underground Subzone

One respondent suggested that this subzone could include additional policy relating to underground buildings, including additional design guidelines and reference to other underground constructions (not just dwellings).

### Commission's Recommendation:

**P.7 APPLY** an Underground Subzone within areas of the new Neighbourhood Zone at Coober Pedy.

### Residential Neighbourhood Zone

- It is not appropriate for the zone to include references to group dwellings and residential flat buildings due to the zone's low density character.
- Setbacks from public roads should be decreased.
- The minimum site area requirement for on-site waste treatment is too restrictive (1200m<sup>2</sup>) given that in some circumstances this can be achieved on 900m<sup>2</sup>.
- There were mixed views in relation to the extent of non-residential development that should be allowed in the zone. Some respondents indicated that opportunities for non-residential uses should be expanded and that the floor area prescribed for shop office and consulting room was too low, being only slightly higher than the current floor area for a home activity.
- The zone should recognise the role that retail fuel outlets can play and this should be identified as a desired form of development.
- The scale of non-residential development envisaged is not appropriate due to the very low density nature of the zone and the restricted development criteria should be reviewed in this context.
- There are inconsistencies relating to procedural matters, including the notification of performance assessed development table.
- Educational facilities should be a restricted form of development as they have a high impact in a zone that envisages very low residential densities.

### Commission's Recommendations:

**P.8 RENAME** the 'Residential Neighbourhood Zone' 'Rural Neighbourhood Zone' to better reflect the very low density rural residential nature of development envisaged.

**P.9** In relation to the zone's policies:

- **AMEND** DO 1 and POs that refer to low density or low rise as these terms are defined in the administrative definitions and may conflict with Technical and Numeric Variations.
- **AMEND** DTS / DPF 1.1 relating to land uses to:
  - Remove reference to 'residential flat buildings' which are not envisaged a zone that supports very low density development in a spacious rural setting.
  - Include 'consulting rooms', noting that other policy in the zone already references consulting rooms and limits the floor area to 50m<sup>2</sup>.
  - Remove other land uses that would not be expected in a very low density regional residential setting such as 'community facility', 'educational establishment' and 'supported accommodation'
- **AMEND** setback policy, in particular:
  - DTS / DPF 3.1 – Reduce the front setback from 10m to 8m.
  - DTS / DPF 4.1 – Reduce the secondary street setback from 4m to 2m.
- **AMEND** DTS / DPF 7.2 to increase the maximum floor area for ancillary buildings and structures to 120m<sup>2</sup> for sites greater than 2000m<sup>2</sup>.
- **REMOVE** site coverage requirements as these are unnecessary due to very large allotment sizes contemplated in the zone.
- **REMOVE** policy relating to external appearance of 'group dwellings', 'residential flat buildings' and 'battle-axe' development given that these forms of development would generally not be expected in this zone.

## Rural Living Zone

- The full range of land uses encouraged in the Zone should be incorporated into DTS 1.1.
- The maximum Deemed-to-Satisfy size for an outbuilding should be increased.
- The proposed maximum driveway 'handle' length should be extended as 30 metres is insufficient to cater for the typical length of a rural living allotment.
- The proposed 15 metre front setback should be increased as is it insufficient for a typical rural living allotment.

### Commission's Recommendations:

**P.10** In relation to the zone policies:

- **AMEND** DTS/DPF 1.1 and expand to include additional land uses that are encouraged within the Zone.
- **AMEND** DTS/DPF 2.5 to increase the maximum floor area for an outbuilding from 100m<sup>2</sup> to 120m<sup>2</sup>
- **AMEND** DTS/DPF 3.1 to increase the maximum driveway 'handle' length from 30m to 40m
- **AMEND** DTS/DPF 2.1 to increase the front setback for a dwelling from 15m to 20m.



**P.11** In relation to Table 4 – Restricted Development Classification:

- **AMEND** the table to classify a shop having a floor area greater than 1,000m<sup>2</sup> as restricted development.

## Residential Park Zone

- In some circumstances, the zone has been used as a replacement for zones that currently facilitate workers' accommodation in regional areas and the zone is not always best suited to this.
- The types of development envisaged in the zone should be expanded to support a broader range of activities relevant to residential parks in regional areas such as waste treatment and storage, offices, group dwellings, retail fuel outlets and tourist accommodation.

There are inconsistencies relating to procedural matters, including the notification of performance assessed development table.

### Commission's Recommendations:

**P.12** In relation to the zone policies:

- **AMEND** DO 1 to clarify that the zone supports short term accommodation and opportunities for 'affordable living' rather than 'affordable housing'.

*Note: 'affordable housing' is a defined term that is not relevant in this context.*

- **AMEND** PO 1.2 to identify that permanent buildings can be established to accommodate offices in association / ancillary to a residential park.
- **AMEND** DTS / DPF 1.1 to include 'office' and 'tourist accommodation' as land uses that are envisaged in the zone.

### *Amendments to spatial application*

**P.13 REMOVE** the Residential Park Zone from areas that are seeking to facilitate workers accommodation and **REPLACE** with a new Workers' Settlement Zone (e.g. areas currently zoned to accommodate workers associated with mining).

## Township Zone

- The zone's assessment provisions should incorporate a list of desired land uses.
- There should be an ability to have lots that need on site waste water systems to be less than 1200sqm as there are now solutions that enable lots to be around 900sqm (subject to percolation testing).

### Clarification:

Assessment of site areas less than that specified in the DTS/DPF would be possible through a performance assessed pathway, involving assessment of the particular details of the application against the relevant Performance Outcome.

### Commission's Recommendation:

**P.14 INSERT** list of land uses envisaged in the zone in DTS/DPF 1.1.

## Rural Settlement Zone

- Additional design criteria should reflect many of the policies contained within Development Plan design guidelines.
- A subzone is needed to address the unique development requirements of Fisherman Bay in the Barunga West council area. Details relating to this can be found in the Spatial Application and Mapping section of this report.

### Commission's Recommendations:

**P.15 AMEND** the zone to include an additional Desired Outcome to provide design emphasis on providing upper storey separation between dwellings fronting the coastline.

**P.16 CREATE** a new 'Fisherman Bay Subzone' within the Rural Settlement Zone.

### *Amendments to spatial application*

**P.17 APPLY** the new Fisherman Bay Subzone (within the Rural Settlement Zone) to Fisherman Bay.

## Rural Shack Settlement Zone

- A number of submissions raised concerns with the existing policy framework that applies to the Black Point (Yorke Peninsula Council) and Kelledie Bay (Lower Eyre Peninsula Council) settlements. These settlements have longstanding requirements for existing shacks that are located in environmentally sensitive locations to be relocated to adjoining allotments that are more suitably protected from coastal hazards. The consultation version of the Rural Shack Settlement Zone does not reflect this.
- An additional performance outcome is needed to provide opportunities for land division (to create an additional allotment) where existing Development Plans allow land division to a certain allotment size.
- A new Performance Outcome should be inserted into the zone that emphasises that no allotments are to be created unless a TNV applies which prescribes the minimum allotment size.
- A number of submissions identified the need for additional design criteria for upper storey components of residential development that front the coast. While existing design standards are not being carried over from Development Plans to the Code, it is proposed that an additional Performance Outcome be inserted into the zone to ensure appropriate separation for upper storey developments.

### Commission's Recommendations:

**P.18** In relation to the zone policies:

- **AMEND** the zone to include a new performance outcome that provides opportunities for land division (to create additional allotments) where existing Development Plans allow this to occur.
- **AMEND** the zone to include a new performance outcome that provides upper storey separation between developments where there is a prevailing character of two-storey developments occurring in the locality.

### *Amendments to spatial application*

**P.19 REMOVE** the Rural Shack Settlement Zone from settlements in Black Point (Yorke Peninsula Council) and Kelledie Bay (Lower Eyre Peninsula Council) and **REPLACE** with the new Shack Relocation Subzone (within the Conservation Zone) supported by the application of the Coastal Areas Overlay.

*Details relating to the proposed Shack Relocation Subzone can be found in the Spatial Application and Mapping section of this report.*

## New Zones and Subzones

### Neighbourhood Zone

This zone has been created based on the feedback on the General Neighbourhood Zone, the Housing Diversity Neighbourhood Zone and the Suburban Neighbourhood Zone (described above).

#### **Commission's Recommendation:**

**P.20 CREATE** a new 'Neighbourhood Zone' for Phase Two councils that includes:

- The ability to use TNVs for minimum allotment size, frontage, building height and concept plans to create better consistency with current Development Plans in the Phase Two area.
- A larger minimum floor area for outbuildings on sites greater than 800m<sup>2</sup> (80m<sup>2</sup> rather than 60m<sup>2</sup>).
- Policy relating to on-site wastewater treatment, including a minimum allotment size of 1200m<sup>2</sup> for sites that are not connected to mains sewer or a common wastewater disposal service.
- A maximum floor area of 50m<sup>2</sup> for shops, offices and consulting rooms which would better respond to the local context and economic conditions in regional locations
- A restricted development trigger of 1000m<sup>2</sup> for a shop, introducing a more rigorous assessment process for large shops in out-of-centre locations on main streets and townships in regional areas.
- References to policy from the new 'Design' General Development Policies rather than Design in Urban Areas to enable the zone to utilise design policy that better responds to a rural context.
- The Underground Subzone.
- A new 'Waterfront Subzone' which provides additional design policy relating to buildings in waterfront (some coastal and riverfront) locations.
- A new 'Wallaroo Landmark Subzone' which provides for medium density residential development presenting an attractive built form overlooking the Wallaroo Marina.
- A new 'American River Subzone' which provides additional policy regarding preservation of important habitat for the Glossy Black Cockatoo.

### Golf Course Estate Zone

This zone has been created as the application of a Recreation Zone or Residential Zone over golf course estates did not adequately reflect the nature of these areas.

#### **Commission's Recommendation:**

**P.21 CREATE** a new 'Golf Course Estate' Zone that:

- Facilitates development of a golf course and associated club facilities (e.g. clubroom, shop and office as well as tourism accommodation and residential development)

- Includes the ability to use TNVs for minimum allotment size, frontage and concept plans
- Includes policy relating to on-site wastewater treatment, including a minimum allotment size of 1200m<sup>2</sup> for sites that are not connected to mains sewer or a common wastewater disposal service
- Includes policy about the built form of residential development around the golf course.

### Workers' Settlement Zone

Roxby Downs Municipality and BHP raised concerns regarding the replacement of the Special Living Zone with the Residential Park Zone. The Special Living Zone was designed to provide for Olympic Village which is a unique workplace living site accommodating shift workers on a rotational basis. The concerns raised about the proposed Residential Park Zone included:

- Olympic Village is not a residential park formed under the *Residential Parks Act 2016*.
- The zone does not provide for the range of land uses required for Olympic Village.
- Unlike other temporary workers' accommodation for seasonal workers, Olympic Village operates year round.

#### **Commission's Recommendation:**

**P.22 CREATE** a new 'Workers' Settlement Zone' for Olympic Dam to respond to the requirements of Olympic Village.

### Roxby Downs Subzone

- Workers' accommodation should be supported in residential areas within Roxby Downs.
- Swimming pools should require approval in this area.

#### **Commission's Recommendation:**

**P.23 CREATE** a new 'Roxby Downs Subzone' that facilitates development of workers accommodation in residential areas in Roxby Downs and **AMEND** the Neighbourhood Zone to exclude swimming pools from being accepted in the area of the Roxby Downs Subzone.

### Bookmark Creek Subzone

The Renmark Paringa Council requested this area to the west of Renmark be made available for further land division and development. One of the barriers to land division was appropriate wastewater management in an environmental sensitive area adjacent the Bookmark Creek. The development of a subzone for this area will enable appropriate policies additionally with any proposed allotment less than 2 hectares being restricted to enable a comprehensive assessment.

#### **Commission's Recommendation:**

**P.24 CREATE** a new 'Bookmark Creek Subzone' under the Rural Neighbourhood Zone and **APPLY** this to the area within Renmark West (current Rural Living Zone, Precinct 11 Renmark West Rural Living Land).

### Waterfront Subzone

Some Development Plans have policies specifically relating to waterfront development (for example residential canal / marina developments along the River Murray). These policies primarily respond to development having dual frontages to a street and the waterfront and address issues such as:

- development being designed to provide attractive frontages to both public streets and the waterfront (river or coast)
- locating service areas and outbuildings so they do not dominate views from streets or the waterfront.

#### **Commission's Recommendations:**

**P.25 CREATE** a new 'Waterfront Subzone' within the new Neighbourhood Zone which provides additional policy relating to the design of buildings in waterfront locations which identifies that other water based development is appropriate (e.g. canals, jetties and pontoons associated with marina developments).

#### ***Amendments to spatial application***

**P.26 APPLY** the subzone where relevant across the new Neighbourhood Zone to ensure that where these policies apply in Development Plans, that they are transitioned accordingly.

### Fisherman Bay Subzone

One submission identified a gap in the policy included in the draft Township Zone in relation to Fisherman Bay, which has a unique development pattern, lack of infrastructure and high risk of coastal and inland flooding. This has resulted in existing Development Plan provisions seeking to manage these issues, including:

- requiring a minimum finished floor level for all development
- limiting development to land division, dwellings, outbuildings and coastal protection measures
- ensuring built form that reflects the current character of development.

#### **Commission's Recommendations:**

**P.27 CREATE** and **APPLY** a new Fisherman Bay Subzone within the Rural Settlement Zone which provides additional policy to address the unique local conditions in this location and identify a minimum finished floor level TNV.

**P.28 APPLY** the Coastal Areas Overlay where the new subzone applies.

### **Affordable Housing Overlay**

- Affordable housing incentives such as reduced site area and car parking should be:
  - more generous to offset costs associated with delivering affordable housing
  - available outside of the overlay to encourage affordable housing to be delivered in other locations.

It was identified that affordable housing overlay had not been applied to Zones or Policy Areas where Objectives and Principles of Development Control require Affordable Housing.

### Commission's Recommendations:

**P.29 AMEND** the Affordable Housing Overlay to include new PO and DTS policies to ensure overlay requirements do not apply to development comprising less than 20 dwellings / allotments.

*Note: The Commission will further consider how affordable housing incentives could be applied more broadly as a general module to allow them to be utilised outside the overlay as part of the Phase Three (Urban Areas) Code amendment.*

#### **Amendments to spatial application**

**P.30 AMEND** the application of the Affordable Housing Overlay to ensure that those Development Plans containing policies for affordable housing (where 20 or more dwellings or allotments are proposed) are transitioned accordingly. It is recommended that the Overlay be applied in these locations –

- Berri Barmera (current Recreation Zone and Residential Zone)
- Clare and Gilbert Valleys (current Residential Zone)
- Coorong District (current Residential Zone)
- Barunga West (current Residential Zone)
- Elliston (current Residential Zone)
- Franklin Harbour (current Residential Zone)
- Grant (current Residential Zone)
- Karoonda East Murray (current Residential Zone)
- Kimba (current Residential Zone)
- Lower Eyre Peninsula (current Residential Zone)
- Loxton Waikerie (current Recreation Zone and current Residential Zone)
- Naracoorte and Lucindale (current Residential Zone)
- Renmark Paringa (current Residential Zone)
- Robe (current Residential Character Zone and Residential Zone)
- Streaky Bay (current Residential Zone)
- Tatiara (current Residential Zone)
- Copper Coast (current Residential Zone)
- Yorke Peninsula (current Residential Zone and Residential Park Zone)
- Northern Areas (current Residential Zone)
- Southern Mallee (current Residential Zone)
- Wakefield (current Residential Zone).

### Character Area Overlay

- This Overlay should include a Deemed-to-Satisfy pathway for minor buildings (e.g. outbuildings, verandahs) constructed behind dwellings within character areas.
- A set of Design Guidelines is needed to provide guidance for development within character areas.

Clarification:

The creation of a set of Design Guidelines to provide guidance for development within character areas may be considered after the full Code is implemented.

- Tatiara Council requested the Character Area Overlay be applied over the Township at Mundulla.
- Some respondents sought the inclusion of words such as 'should' and 'must' to strengthen policy within the Character Area Overlay.

**Clarification:**

This type of language does not meet the drafting principles of the Code.

Location-specific information relating to the Character Area Overlay for a council area will be included in the corresponding Character Area Statement.

**Commission's Recommendations:**

**P.31 AMEND** the Classification Tables to provide a DTS pathway for minor buildings where they are located behind dwellings in character areas.

**P.32 AMEND** the Overlay to include a new PO to provide a clear link to Character Area Statements and to ensure this is considered for all development.

***Amendments to spatial application***

**P.33 APPLY** the Character Area Overlay to the township of Mundulla and prepare a Character Area Statement based on the existing Development Plan.

**Historic Area Overlay**

- This Overlay should include a Deemed-to-Satisfy pathway for minor buildings (e.g. outbuildings, verandahs) constructed behind dwellings and the development of a set of Design Guidelines for development in Heritage areas.
- Demolition where associated with open space / recreation / educational establishments should be identified as appropriate given the importance of these land uses.

**Clarification:**

Demolition is performance assessed in the Historic Area Overlay and as such, any proposal for such would be considered on its merits. Exclusions or a Deemed-to-Satisfy pathway is not supported in this instance.

- Concerns were also raised in relation to the proposed demolition criteria, particularly in relation to economic tests, as well as the removal of contributory items in the Code, with many respondents seeking to have them reinstated with stronger demolition controls.
- Some respondents raised concerns regarding the level of detail within Historic Area Statements, considering them to be confusing and inadequate. However, the content in Historic Area Statements has been informed by existing Development Plan policy which varies in quality across the State.

**Clarification:**

- Both the *Development Act 1993* and the PDI Act set up a scheme for heritage which recognises:
  - State Heritage Places under the *Heritage Places Act 1993*



- Local Heritage Places – being “places of local heritage value”, which must satisfy one or more of the listed criteria in section 23 of the *Development Act 1993* or section 67 of the PDI Act.
- There is no recognition within either Act for another level of heritage protection (i.e. contributory items). Whilst contributory items will not exist in the new system as individual entities, it does not mean they will not have protection.
- The intent is they will not need to be singled out because the overlay will provide them with performance assessed demolition control. It is worth noting, this is consistent with the approach taken in the current system, whereby demolition is considered 'on merit' in the overwhelming majority of cases.
- The Expert Panel on Planning Reform supported the approach to heritage and contributory items.

#### Commission’s Recommendations:

**P.34 AMEND** the Classification Tables to provide a DTS pathway for minor buildings where they are located behind dwellings in historic areas.

**P.35 AMEND** the Overlay to include a new PO to provide a clear link to Historic Area Statements and to ensure this is considered for all development.

*Note: No other amendments are considered necessary at this time. Matters will be revisited once submissions on the Phase Three (Urban Areas) Code Amendment have been considered.*

#### Local Heritage Place Overlay

- Noting this Overlay captures land adjacent to Local Heritage Places, the Overlay should be amended to clearly identify what policies apply specifically to Local Heritage Places as opposed to development adjacent Local Heritage Places. It has been suggested that as it currently reads, the Overlay treats adjacent development in the same way as development of a Local Heritage Place.
- Some existing Local Heritage Places are currently listed and mapped incorrectly in Development Plans (i.e. using incorrect property address details).

#### Clarification:

The Commission will further consider and investigate current known uncertainties with the accuracy of some Local Heritage listings within Development Plans as a separate project, and where necessary will revisit this issue as part of a future Code Amendment.

#### Commission’s Recommendations:

##### ***Amendments to spatial application***

**P.36 AMEND** the spatial application of the Local Heritage Place Overlay to match extent of the listed properties only in order to provide clear delineation between listed properties and adjacent properties.

**P.37 APPLY** the new Heritage Adjacency Overlay to guide development adjacent heritage properties without placing additional development controls over owners.

## State Heritage Area Overlay

- Code Heritage Statements should be incorporated into the State Heritage Areas Overlay to reflect and provide appropriate guidance in relation to unique historic attributes for individual areas, similar to the approach taken to Historic Areas and Character Areas.

### Clarification:

Whilst this warrants further consideration, the Commission notes that all State Heritage Areas are the subject of a 'Statement of Significance' in the SA Heritage Register, which is maintained by the South Australian Heritage Council under the *Heritage Places Act 1993*. These outline why an area is of heritage value. Several State Heritage Areas have specific Guidelines for Development – in addition to several more generic technical guides applicable to all Areas. In addition, development within State Heritage Areas generally triggers a referral to the Heritage Minister.

- Include a definition of 'minor' as this has implications for referrals to the Minister administering the Heritage Act.

### Clarification:

It is considered a definition should not be provided as 'minor' will depend on the context of the proposal. For example, a small shed next to a very large and imposing State Heritage building could be deemed minor, whereas the same small shed next to a more modest State Heritage building could have significant implications. Further clarification could be considered for any potential future guidance material to support the Code.

Other issues raised in feedback included:

- Policy expression and inclusion of words such as 'should' and 'must'
- Concern regarding inclusion of DTS pathway and referral triggers
- Suggestion of inclusion of policy to require landscaping where listed trees/gardens are removed
- Suggested rewording of policies to provide clarity around buildings of heritage value.

### Clarification:

The Commission will further consider and investigate the merit of introducing Heritage Statements to guide development in State Heritage Areas for future generations of the Code.

### Commission's Recommendation:

#### *Amendments to spatial application*

**P.38 AMEND** the spatial application of the State Heritage Area Overlay to match extent of listed area only in order to provide clear delineation between listed properties and adjacent properties.

## State Heritage Place Overlay

Feedback received in relation to this Overlay was similar to that which is recorded above for the Local Heritage Place Overlay with regard to the need to clearly identify what policies apply to State Heritage Places as opposed to properties adjacent to these sites.

There was also a suggestion the Code should include the mapping of National Heritage. This will require further consideration, but in the meantime these sites are currently covered by Commonwealth legislation.

Other items of note include:

- Policy expression and inclusion of words such as 'should' and 'must'
- Concern regarding inclusion of a DTS pathway and referral triggers.
- Suggestion of inclusion of policy to require landscaping where listed trees/gardens are removed.
- Minor rewording of policies to provide clarity.

**Clarification:**

- As with the feedback received for the Local Heritage Place Overlay above, the inclusion of words such as 'should' and 'must' in policy does not meet the drafting principles of the Code however and is therefore not recommended for adoption.
- Guidance was sought in relation to the term 'irredeemably beyond repair' – this is intended to describe building fabric that is so compromised its value would be lost were it to be repaired or replaced.
- DTS pathways and referral triggers contained within the Overlay were developed in conjunction with the Department for Environment and Water. The feedback relating to this will be revisited once submissions on Phase Three have been considered.

**Commission's Recommendations:**

***Amendments to spatial application***

**P.39 AMEND** the application of the State Heritage Place Overlay to match the extent of listed properties only in order to provide clear delineation between listed properties and adjacent properties.

**P.40 APPLY** the new Heritage Adjacency Overlay to guide development adjacent heritage properties without placing additional controls over owners.

*Note: No other amendments are considered necessary at this time. Matters will be revisited once submissions on Phase Three (Urban Areas) Code Amendment have been considered.*

**New Overlays**

Heritage Adjacency Overlay

To strengthen the heritage policy framework, policies should be clearly set out that guide development adjacent to a heritage place. Non-heritage listed places should be designed to have regard to impacts on listed properties, however demolition controls should not be applied. A new Overlay is proposed to provide this additional clarity.

**Clarification:**

- At present Development Plans contain general policy that seeks to regulate development that affects State and Local Heritage Places, including on land adjacent to listed properties. These requirements are often 'buried' in layers of Development Plan policy, are not consistently expressed across Development Plans and are not spatially applied. This results in inconsistent interpretation, weight and application being applied to adjacent properties. These requirements also cannot be used in assessment of complying kinds of development, consequently exposing the heritage values of State and Local Heritage Places to risk from development on adjacent land.

- Spatial application of the State and Local Heritage Place overlays to land adjacent to listed properties was not intended to apply all of the performance outcomes relevant to listed properties. It is recognised that this can be made clear through creation of a new Heritage Adjacency Overlay containing performance outcomes relating specifically to land adjacent to listed properties.

#### **Commission's Recommendations:**

**P.41 CREATE** a new Heritage Adjacency Overlay to clearly delineate land adjacent to State and Local Heritage Places upon which development should be required to preserve heritage and cultural values – and to ensure that deemed-to-satisfy assessment pathways are not available to development having potential to erode heritage values of State and Local Heritage Places.

#### ***Amendments to spatial application***

**P.42 APPLY** the new Heritage Adjacency Overlay in accordance with the following mapping rules:

(a) Within urban areas:

- Any directly abutting allotment, to a maximum distance of 60 metres, plus
- Any property within 6 metres of the allotment on which the heritage place is located, to a maximum distance of 60 metres, except where separated by a road/reserve greater than 6 metres wide.
- Any land that falls within 30 metres of a place where the place is located within a road reserve.

(b) Within rural areas, apply to:

- Any land that falls within 500 metres of a heritage place and that is on a separate allotment to the heritage place.

### **Design in Rural Areas General Development Policies**

Some respondents queried whether the Design in Rural Areas module was too similar to the Design in Urban Areas module and whether it responded adequately to a rural context. In particular:

- Policy relating to the design of dwellings such as requiring a window or door facing the street should be removed as dwelling facades are often not visible from streets in rural locations.
- Additional policy relating to the visual impact of horticultural netting could be included in the Design in Rural Areas module.
- The size of ancillary buildings is often larger in a rural context.

Other respondents sought policy improvements, or additional policy relating to:

- Water Sensitive Urban Design (WSUD).
- Environmentally sustainable design including passive heating and cooling.
- Responses to projected climate impacts.
- Landscaping that contributes to the viability of ecosystems and uses locally indigenous species.
- Recycling and waste.

- Design generally including reference to previous guidelines and reference material prepared by the Office of Design and Architecture SA.

It should be noted that some of the comments provided in relation to the Design in Urban Areas module are also relevant, given that some policies are contained in both modules. Therefore, some of the recommendations that have resulted from feedback provided about the Design in Urban Areas have been included below.

#### Commission's Recommendations:

**P.43 RENAME** this module 'Design' noting that many of these policies are suited to Phase Two areas as well as greenfield locations in urban areas where there is limited infill development or high rise residential development likely to occur.

**P.44 AMEND** the minimum private open space requirements contained in Table 1 – Outdoor Open Space to address inconsistency in expectations between various allotment sizes. This can be achieved by introducing a single minimum requirement for private open space of 24m<sup>2</sup> noting that where relevant, other policies address maximum site coverage and maximum building envelopes.

*Note: Private open space is outdoor space for building occupants to provide access to sunlight, ventilation and accommodate outdoor seating, clothes drying etc. The size / dimensions to achieve this should not significantly differ between dwelling types and allotment sizes.*

**P.45 REPLACE** DTS / DPF 7.4 and 7.5 with 'None are applicable' as a standard approach to landscaping / tree planting may not be appropriate given the diverse range of climates and contexts across Phase Two council areas (e.g. in arid environments tree planting may not be appropriate).

**P.46 REMOVE** residential design requirements that are specific to an urban context (where higher rates of infill development are occurring) noting that the development of a new 'Neighbourhood Zone' specific to Phase Two areas will allow for greater distinction between rural and urban areas in relation to residential design policy. In particular:

- Removing PO and DTS / DPF 13.1 which relates to façade design.
- Removing PO and DTS / DPF 10.2 which relates to incorporating entry doors along public streets to provide a legible entry for visitors.
- Replacing DTS / DPF 18.1 relating to waste bin storage with 'None are applicable'.

**P.47 AMEND** DTS / DPF 10.1 including removing the minimum habitable room dimension (noting that habitable room is defined in the administrative definitions) and clarifying the minimum window area is related to the total aggregate window area across the façade, rather than a minimum individual window size.

**P.48 REPLACE** DTS / DPF 12.1 and 12.2 relating to ancillary buildings and structures with 'None are applicable'.

*Note: Specific DTS/DPF policy relating to the design and scale of ancillary buildings and structures will be contained within relevant zone as variation between zones is required. Retaining the PO will ensure that some policy relating to ancillary buildings is available in the general section of the Code for rare circumstances where no zone policy exists.*

**P.49 CREATE** a new PO and DTS / DPF relating to dwelling additions to provide a simpler DTS pathway and assessment for additions that are located to the side or rear of existing dwellings.

**P.50 CREATE** a new PO and DTS / DPF relating the design and siting of balconies, including screening requirements.

**P.51 REMOVE** PO and DTS / DPF 15.3 relating to the position of private open space and allowing private open space in front of dwellings, noting it is recommended the minimum requirement for

POS be reduced in many circumstances and that this policy was only intended to apply in more dense urban settings (e.g. medium density housing in the Urban Renewal Zone).

- P.52 AMEND** DTS / DPF 17.1 and 17.2 to align minimum car parking and garage dimensions with current Australian Standards for carparks and enclosed garages.
- P.53 AMEND** PO and DTS / DPF 17.3 to improve clarity and remove limitations for driveway widths where sites have frontages greater than 12m.
- P.54 AMEND** DTS / DPF 17.5 to improve clarity about appropriate alignment of vehicle crossovers / driveways.
- P.55 AMEND** DTS / DPF 17.6 and 22.1 to better express minimum on-street parking requirements.
- P.56 CREATE** a new DTS / DPF 19.1 relating to transportable buildings to ensure that the sub-floor space of these buildings is enclosed and remove references to 'dwelling' in PO 19.1 to allow this policy to be used for other transportable buildings.
- P.57 AMEND** PO and DTS / DPF 22.2 relating to common driveways to provide greater alignment with Australian Standards and improve clarity.
- P.58 AMEND** PO and DTS / DPF 22.3 relating to common driveways to provide greater alignment with Australian Standards and improve clarity.
- P.59 AMEND** PO and DTS / DPF 22.4 relating to common driveways to provide greater alignment with relevant Australian Standards and improve clarity.
- P.60 AMEND** DTS / DPF 22.5 to clarify that separation of vehicle movement paths from dwellings should be from 'habitable rooms' of dwellings.
- P.61 CREATE** a new PO and DTS / DPF relating to flooding to ensure that development is designed to consider floodwaters where areas of flood risk are not currently identified on the Hazards (Flooding) Overlay.
- P.62 AMEND** water sensitive design policies to increase clarity, ease of use, and ensure that they are contemporary.

*Note: No WSUD rainwater tank policy will be applied to residential development in Phase 2 as this policy was included in the Design in Urban Areas and is specifically designed to address infill development in metropolitan Adelaide.*

## Design in Urban Areas General Development Policies

- There were mixed views on the introduction of policies relating to requirements for tree planting and landscaping. Some respondents broadly supported these policies but others indicated that they would affect affordability and construction costs and impact on available land / floor area for new houses. In particular, there was specific feedback in relation to the impact of tree planting policies due to the effect that trees can have on footings.
- The private open space definitions and requirements should be reviewed to be more consistent with the current Residential Code and reduce significant increases in requirements between allotment sizes (e.g. a 299m<sup>2</sup> allotment requires 24m<sup>2</sup> of private open space, whereas a 300m<sup>2</sup> allotment requires 60m<sup>2</sup>).
- Flooding and water sensitive design policies should be reviewed. In some cases it was suggested that these weren't relevant or suited to rural areas. Other feedback suggested that policy relating to flooding should be strengthened and consider other land uses (not just residential). Some stakeholders suggested that water sensitive design policies related to 5-19 dwellings were too

onerous and unnecessary and that stormwater requirements for smaller residential developments, particularly connecting rainwater tanks, would add cost to development.

- The stormwater policy could be onerous and inequitable in some circumstances and result in a requiring a reduction in pre-development peak flow rates and the policy does not align with relevant guidelines used by engineering practitioners.
- Additional General Development Policies may be required to address flood hazard risk outside of those areas mapped within the Overlay.
- Design in Urban Areas PO 17.1 (Flooding) relates only to residential accommodation, not other development types.
- DTS/DPF criteria relating to development achieving a finished floor level of 300mm above the top of the kerb may be problematic in areas where there is no kerb, or where the development site is below street level, forcing performance assessment even where this may not be necessary.
- A policy mechanism to apply Finished Floor Levels TNV related to Australian Height Datum (AHD) to reflect current Development Plan policies is needed.

#### Clarification:

This feedback was raised in relation to a number of Zones, Overlays and General Development Policies within the Code. As such, reference should be made to a TNV for Finished Floor levels related to AHD in Design in Urban Areas DTS/DPF 17.1. Amending the *Coastal Flooding Site and Floor Level* TNV in Part 6.8 of the Code to read *Site and Floor Level* would allow this issue to be addressed while avoiding the need for policy duplication or the creation of an additional Overlay or TNV for Finished Floor Levels outside of coastal areas.

There was some feedback in relation to specific design policies and the impact these would have on choice, limit design options and add cost including:

- Requirements that restrict garage widths and driveway widths
- Requirements to have entry doors facing the street, minimum window area facing the street and façade treatments.
- Some respondents identified that the ancillary development maximum floor area of 60m<sup>2</sup> may be too low compared to current maximum floor areas for these types of development in some rural locations.

#### Commission's Recommendations:

**P.63 REPLACE** linkages from 'Design in Urban Areas' to 'Design' General Development Policies in the Phase Two (Rural Areas) Code, where appropriate.

**P.64 AMEND** the minimum private open space requirements contained in Table 1 – Outdoor Open Space to reduce the inconsistency between allotment sizes. This can be achieved by introducing a single minimum requirement for private open space of 24m<sup>2</sup> noting that where relevant, other general development policies or zone policies address maximum site coverage and maximum building envelopes.

**P.65 AMEND** policy relating to the scale of ancillary buildings in the Design in Urban Areas module to clarify that 60m<sup>2</sup> floor area relates to the individual ancillary structure not the total of all buildings on the site, but in most cases **REMOVE** reference to this policy within relevant 'neighbourhood' zones and instead reference the zone policy on ancillary structures to allow greater variation in size to suit different contexts.



- P.66 AMEND** the Design in Urban Areas PO 17.1 and broaden to address flood hazards for a greater range of development types, rather than solely focussing on residential accommodation
- P.67 AMEND** Design in Urban Areas DTS / DPF 17.1 to more appropriately cater for areas which do not have kerbing, and for allotments where development sites would be located below street level, yet may not be at risk of flood.
- P.68 AMEND** Design in Urban Areas DTS / DPF 17.1 to include reference to a Technical and Numeric Variation (TNV) for Finished Floor levels related to AHD to reflect inundation mitigation policies in current Development Plans.
- P.69 AMEND** Technical and Numeric Variations (TNV) *Coastal Flooding Site and Floor Level* in Part 6.8 to read *Site and Floor Level* to address floor level requirements outside of coastal areas.
- P.70 AMEND** DTS / DPF 14.1 to remove the minimum habitable room dimension (noting that habitable room is defined in the administrative definitions) and to provide clarity that the minimum window area is related to the total aggregate window area across the façade rather than a minimum individual window size.
- P.71 AMEND** DTS / DPF 14.2 and expand to allow a broader range of dwelling designs by indicating that a dwellings entry door should be 'visible' from the street rather than facing the street.
- P.72 CREATE** a new PO and DTS / DPF relating the design and siting of balconies including screening requirements.
- P.73 AMEND** DTS / DPF 23.1 and 23.2 relating to minimum car parking and garage dimensions to align with current Australian Standards.
- P.74 AMEND** DTS / DPF 23.5 relating to driveway gradient and angle to improve clarity about appropriate alignment of vehicle crossovers / driveways.
- P.75 AMEND** DTS / DPF 23.6 relating to the retention of on-street parking to provide greater clarify the minimum on-street parking requirements.
- P.76 AMEND** DTS / DPF 24.1 to provide greater flexibility in relation to waste bin storage requirements for residential development.
- P.77 CREATE** a new DTS / DPF 25.1 relating to transportable buildings to require that the sub-floor space of transportable buildings are enclosed when assessed as DTS.
- P.78 AMEND** PO and DTS / DPF 33.3 relating to common driveways to provide greater alignment with relevant Australian Standards and improve clarity.
- P.79 AMEND** PO and DTS / DPF 33.4 relating to common driveways to provide greater alignment with relevant Australian Standards and improve clarity.
- P.80 AMEND** DTS / DPF 33.5 to clarify that separation of vehicle movement paths from dwellings should be from 'habitable rooms' of dwellings.
- P.81 CREATE** a new PO and DTS / DPF relating to dedicated effluent disposal areas where development requires on-site waste treatment systems.
- P.82 AMEND** the water sensitive design policies and refine to increase clarity, ease of use and ensure that they are contemporary, in particular move PO 22.2, DTS / DPF 22.2 and PO 22.3 and DTS / DPF 22.3 from Residential Development (3 building levels or less) to 'Group Dwellings, Residential Flat Buildings and Battle Axe Development'.



## Housing Renewal General Development Policies

- The site contamination policy in the Housing Renewal Module is inconsistent with the policy in the Site Contamination General Development Policies module and should be aligned.
- The water sensitive design policies should be reviewed and additional policy relating to environmental performance and waste and recycling should be considered.

### Commission's Recommendations:

**P.83 AMEND** the Housing Renewal General Development Policies to ensure policy consistency with the Design in Urban Areas General Development Policies.

**P.84 AMEND** PO and DTS 21.1 to achieve consistency with the Site Contamination General Development Policies.

*Note: This module primarily relates to the Phase Three (Urban Areas) Code, it is recommended no further amendments be made until broader feedback has been provided as part of the Phase Three (Urban Areas) Code Amendment consultation process.*

## Land Division in Rural Areas General Development Policies

- Some respondents identified that the Land Division in Rural Areas limited the Deemed-to-Satisfy pathways for land division (there is a DTS policy relating to land division but it is more onerous than the current Residential Code).
- The Design in Land Division in Urban Areas and Land Division in Rural Areas modules need to be varied to provide greater variation that reflects the rural and/or urban context.
- Specific policies relating to open space (such as % allowed for detention inundation) should provide more flexibility for local authorities given that this will be vested to the local authority at completion of the development.
- Additional policy is required for land divisions under 5 allotments in relation to water sensitive design / stormwater requirements.
- Policy on cycling infrastructure is too onerous and should not require cycle lanes on all roads.
- Where land division occurs, allotments should be able to be accessed from an all-weather road.

It should be noted that some respondents provided feedback in relation to Land Division in Urban Areas modules that may be considered relevant to this module given some of the consistency between them.

### Clarification:

Feedback was provided in relation to hazard risks and land division, including additional policy relating to avoiding land division in areas where there are significant natural hazards. This will be considered as part of feedback relating to the hazard overlays.

### Commission's Recommendations:

**P.85 AMEND** Deemed-to-Satisfy land division policy (DTS / DPF 1.1 and 1.2) to provide a DTS pathway for residential land divisions that relates to an approved dwelling development or a land division combined with an application for dwellings.

- P.86 REPLACE** DTS / DPF 8.2 which relates location, size and slope of open space with 'None are applicable' to provide more flexibility in relation to the design of open space noting that this will be vested in local councils and there may be a range of local factors that will influence how much land could be sloping or subject to inundation / watercourses / detention basins.
- P.87 AMEND** policy relating to roads and access to identify that allotments should have access from an all-weather public road and replace references relating to road reserves providing 'for footpaths, cycle lanes and shared use paths' with providing 'for pedestrian and cycling infrastructure' noting that other design solutions / infrastructure can create walking and cycle friendly environments.
- P.88 REPLACE** the Land Division in Urban Areas and Land Division in Rural Areas with a single Land Division module given the similarity between these two modules.
- P.89 AMEND** water sensitive design policy to refine and improve clarity and ease of use.

### Land Division in Urban Areas General Development Policies

- Some respondents identified that these policies facilitated limited Deemed-to-Satisfy pathways for land division. Currently there is a DTS policy relating to land division but it is more onerous than the current Residential Code.
- The Land Division in Urban Areas and Land Division in Rural Areas modules need to be varied to provide greater variation for each context.
- Specific policies relating to open space (such as % allowed for detention inundation) should provide more flexibility for local authorities given that this will be vested to the local authority at completion of the development.
- Additional policy is required for land divisions under 5 allotments in relation to water sensitive design / stormwater requirements.
- Policy on cycling infrastructure is too onerous and should not require cycle lanes on all roads.

#### Clarification:

Feedback was provided in relation to hazard risks and land division, including additional policy relating to avoiding land division in areas where there are significant natural hazards. This will be considered as part of feedback relating to the hazard overlays.

#### Commission's Recommendation:

Refer to recommendations for 'Land Division in Rural Areas'

## 6.2.2 Productive Economy (E)

The Productive Economy theme attracted some attention, particularly in relation to retail. The following sets out these key issues and the Commission's recommended response based on Phase Two feedback.

The following summarises the zones, subzones and overlays relevant to this section and proposed name changes. The rationale behind these changes is described in the sections below.

Intensity	Zones (and Subzones in <i>italics</i> )	Overlays
Activity Centres and Main Streets	<p><b>REMOVE</b> Urban Activity Centre</p> <p>Suburban Activity Centre</p> <p>Suburban Main Street</p> <p>Township Activity Centre</p> <p>Township Main Street</p>	<p>Dwelling Excision</p> <p>Limited Dwelling</p> <p>Limited Land Division</p> <p>Resource Extraction Protection Area</p> <p>Significant Industry Interface</p> <p><b>NEW</b> Gateway</p>
Employment Areas	<p>Employment</p> <p>Employment (Bulk Handling)</p> <p><b>RENAME</b> Suburban Employment to Commercial and Business</p> <p><b>RENAME</b> Business Neighbourhood to Suburban Business Neighbourhood</p> <p>Home Industry</p> <p>Resource Extraction</p> <p><b>NEW</b> Employment (Enterprise) Zone</p> <p><i>Light Industry Subzone</i></p> <p>Suburban Business and Innovation Zone</p> <p><i>Kangaroo Island Subzone (Rural Zone)</i></p>	<p><b>General Development Provisions</b></p> <p>Advertisements</p> <p>Animal Keeping and Horse Keeping</p> <p>Aquaculture</p> <p>Beverage Production in Rural Areas</p> <p>Bulk Handling and Storage Facilities</p> <p>Forestry</p> <p>Intensive Animal Husbandry and Dairies</p> <p>Interface Between Land Uses</p> <p>Resource Extraction</p> <p>Tourism Development</p>
Tourism Areas	<p><b>Caravan and Tourist Park</b></p> <p><b>Tourism Development</b></p> <p><b>Motorsport Park</b></p>	
Primary Industry Areas	<p><b>Rural</b></p> <p><b>Rural Aquaculture</b></p> <p><b>Rural Horticulture</b></p> <p><b>Rural Intensive Enterprise</b></p>	

## Urban Activity Centre Zone

This zone was included in the Phase Two (Rural Areas) Code Amendment, however this was solely due to its spatial application to the Wharf Zone in Kangaroo Island. It was identified that this area would be more suitably zoned Infrastructure (Ferry and Marina Facilities) Zone to reflect the current land use (ferry terminal).

As such, the Urban Activity Centre Zone does not form part of the Phase Two (Rural Areas) Code Amendment and will be reviewed as part of the Phase Three (Urban Areas) Code Amendment.

### Commission's Recommendations:

**E.1 REMOVE** the Urban Activity Centre Zone from the existing Wharf Zone in Penneshaw and **APPLY** the Infrastructure (Ferry and Marina Facilities) Zone.

## Suburban Activity Centre Zone

- Feedback on the Suburban Activity Centre Zone raised concern with the building height provisions in PO/DTS/DPF 3.1, including:
  - The term 'low to medium rise buildings' in the PO means up to 6 building levels would be appropriate
  - The PO suggests that increased building heights are appropriate in the centre of the zone and lower heights at the periphery, however this does not take into consideration instances where the periphery is an arterial road where increased building heights might also be appropriate.
- Terminology was queried regarding the terms 'neighbourhood scale' in DO1, and 'desired development' in PO 2.1.
- The limitation in DTS/DPF 5.1 on the height and advertising area of freestanding advertisements is not consistent with existing standards of signage in employment precincts, and should be higher with a substantially larger advertising area.
- Specific feedback around the Classification tables raised the following matters:
  - Land division should not be Deemed-to-Satisfy where it is located in a State Heritage Place or State Heritage Area Overlay (because it will require agency referral).
  - Reference to hours of operation (Interface Between Land Uses [Hours of Operation]: PO 2.1) is unnecessary given the standards specified in relation to noise or vibration, air quality, light spill and other amenity impacts elsewhere in the General Development Policies and the Code.

### Commission's Recommendations:

**E.2 AMEND** PO/DTS/DPF 3.1 to reference any relevant TNV in the PO, and specify a default building height of up to 3 building levels in the DTS/DPF where a TNV doesn't apply.

**E.3 REPLACE** 'desired development' with 'adjacent development' in PO 2.1.

## Suburban Main Street Zone

- As per comments on the Suburban Activity Centre Zone, respondents queried the function of PO 3.1 and DTS/DPF 3.1 regarding building heights, given the term 'low to medium density' used in the PO.

- A submission requested that dwellings be listed in the envisaged uses specified in DTS/DPF 1.1.
- Specific feedback around the Classification tables in the Suburban Main Street Zone raised the following matters:
  - Air handling units and internal building work should not be 'accepted' if within a State Heritage Area Overlay.
  - Retail fuel outlet should be listed in the Performance Assessed Classification Table 3.

#### Commission's Recommendations:

- E.4 AMEND** PO/DTS/DPF 3.1 to reference any relevant Technical and Numeric Variation in the PO, and specify a default building height of up to 3 building levels (or 4 building levels where site frontage is >25m and site depth is >50m) in the DTS/DPF where a TNV doesn't apply.
- E.5 AMEND** DTS/DPF 1.1 to include 'dwelling above ground level' to the list of envisaged uses.
- E.6 AMEND** to include 'State Heritage Area Overlay' in the exceptions to the accepted pathway for air handling units and internal building work.

#### Township Activity Centre Zone

- A change of use between a shop/office/consulting room should be accepted rather than Deemed-to-Satisfy, referencing that the PDI Act anticipates minor changes of land use will not require approval.
- Noting that the zone applies to both Local Centre ones and Town Centre zones with building heights up to 3 building level, a 2 building level maximum is more appropriate.
- The limitation in DTS/DPF 5.1 on the display face of freestanding advertisements is not consistent with existing standards of signage in activity centre precincts and a 12m<sup>2</sup> advertising area would be more appropriate.

Conflicting submissions were received in relation to the policy for dwellings in this zone. One submission requested that 'detached dwelling' be listed as a restricted form of development, while another requested that dwellings and residential flat buildings should be able to be developed in the zone and should be added to the list of envisaged land uses.

#### Clarification:

Categorisation as restricted development doesn't imply that a development is not envisaged/appropriate – this is most suitably determined through the zone policy rather than categorisation.

Specific feedback around the Classification tables raised the following matters:

- Land division should not be Deemed-to-Satisfy where it is located in a State Heritage Place or State Heritage Area Overlay (because it will require agency referral).
- Air handling units and internal building work should not be 'accepted' if within a State Heritage Area Overlay.
- Reference to hours of operation (Interface Between Land Uses [Hours of Operation]: PO 2.1) is unnecessary given the standards specified in relation to noise or vibration, air quality, light spill and other amenity impacts elsewhere in the General Development Policies and the Code.

- Prescriptive policy as it relates to car parking should be removed (i.e. application of Transport, Access and Parking PO/DTS 5.1) to allow for greater flexibility in assessment in rural areas.

Location-specific requests for Township Activity Centre Zones included:

- A request that flooding policy and the existing Concept Plan be applied to the existing Warrengie Town Centre.
- A request for TNVs limiting building height be applied to the Town Centre Zone in Robe.

**Commission’s Recommendations:**

**E.7 AMEND** to exclude Air handling units and internal building work from ‘accepted development’ if within a State Heritage Area Overlay.

**Amendments to spatial application**

**E.8** In relation to Warrengie Township Activity Centre Zone (in the Coorong LGA), apply the following TNV values:

- a) Finished floor level of 2.6 metres AHD or more.
- b) Concept Plans: Concept Plan Map CooD/8 from the Coorong District Council Development Plan.

**Township Main Street Zone**

- A change of use between a shop/office/consulting room should be accepted rather than Deemed-to-Satisfy, referencing that the PDI Act anticipates minor changes of land use will not require approval.
- Desired Outcome 1 should be reworded to replace the word ‘local’ with ‘township’ as development should be serving the entire town, not just a portion.
- Dwelling should be listed as a restricted form of development in the zone (unless in conjunction with non-residential uses) due to the potential impacts on retail precincts.

**Clarification:**

Categorisation as restricted development doesn’t imply that a development is not envisaged/appropriate – this is most suitably determined through the zone policy rather than categorisation.

- One submission requested that ‘retail fuel outlet’ be listed in the Performance Assessed Classification Table 3, but without reference to hours of operation, and added to the list of envisaged land uses.

Specific feedback around the Classification tables in the Township Main Street Zone raised the following matters:

- Land division should not be Deemed-to-Satisfy where it is located in a State Heritage Place or State Heritage Area Overlay (because it will require agency referral).
- Air handling units and internal building work should not be ‘accepted’ if within a State Heritage Area Overlay.

- The Deemed-to-Satisfy pathway for ‘The construction of a new building in the same, or substantially the same, position as a building which was demolished within the previous 3 years...’ should list the Hazards (Flooding) Overlay as an exception.
- General Development Policies should be included for ‘outbuilding/store’ to allow for consideration of flooding and clearance from overhead powerlines and wastewater systems.
- Prescriptive policy as it relates to car parking should be removed (i.e. application of Transport, Access and Parking PO/DTS 5.1) to allow for greater flexibility in assessment in rural areas.

#### Commission’s Recommendations:

**E.9 AMEND** to include General Development Policies for flooding, clearance from overhead powerlines and wastewater systems for ‘store’ to allow for consideration during assessment.

**E.10 REMOVE** the word ‘local’ from DO 1: ‘*A cohesive, active, accessible and welcoming main street environment for residents and visitors to shop, work, meet, entertain and relax.*’

### Employment Zone

- One submission suggested the zone name is not a clear indicator of what land uses are anticipated.

#### Clarification:

The name of the zone is neutral and can be applied in regional and urban settings, and given time, could be reasonably accepted and understood as a replacement for the Industry Zone and Urban Employment Zone.

#### Assessment Tables

- Additional common activities such as light industry, warehouse and store should be provided with a DTS pathway in the zone, subject to appropriate criteria.
- Not all relevant policies are called up for some DTS and Performance Assessed land uses.
- Land division should be listed in the Performance Assessed Development Table.
- Concern that ‘Industry’ has been listed as a restricted form of development, with an exception made for ‘special industry’.
- The proposed zone appears to be less restrictive in relation to shops than current industrial zones, with many existing zones accommodating relatively small shops (e.g. above 60m<sup>2</sup> or 80m<sup>2</sup>), with larger shops considered through a non-complying assessment process. Larger shops up to 1000m<sup>2</sup> considered through a performance assessment may result in adverse impacts on activity centres in townships and increase the risk that shops may relocate from town centres to industrial areas to access cheaper land.

#### Limit land use types to manage character in key locations

- Concern was raised about additional land use flexibility, which may make it more difficult to manage visual impacts in areas where high levels of amenity and improvements are desired.

#### Clarification:

Performance Outcomes should be drafted such that land uses that are not appropriate can be refused based on an assessment of their merit. In cases where character is considered important, a planning authority can apply more rigor to the assessment of proposals (e.g. provision of landscaping, setbacks) and improve compliance with approved plans. In places where visual appearance is important, then there are

other avenues that might be explored to deal with siting and design matters such as 'entranceway policy' (as mentioned above) or the application of the Character Area Overlay or similar (noting that in Clare the intention is to improve the setting rather than retain an existing character).

### Shop development limitations

- Many respondents expressed concern about the removal of non-complying triggers and the increase in shop sizes contemplated in the Employment Zone and the Suburban Employment Zone when compared to existing industry type zones.
- Feedback about these proposed zones suggested that the introduction of a one-size-fits-all approach to maximum shop floor area criteria does not take into account nuances and potential consequences between different places, particularly metropolitan / city versus regional / rural towns and settlements.

#### Clarification:

The new development system has no equivalent to the non-complying development process under the current system and therefore the floor area size of shops contemplated and the policy context to prevent development excesses could be viewed as more critical.

Arguably a greater level of flexibility around shop floor area limits can be tolerated in major urban centres more than rural towns or in significant industrial estates to support a local workforce, although further consideration around this topic is desirable

Submissions have highlighted options for the Code including:

- Reducing the shop floor areas limit in the zone, which means that larger and more intensively developed Employment Zones where larger service centres (and higher level of retail space) might be reasonably justified may be required to substantiate the provision of shop floor space at lower levels than under the draft Code. A maximum DTS floor area of 250m<sup>2</sup> has been suggested in a couple of submissions with a lower restricted development trigger of 500m<sup>2</sup>.
- Introducing a revised floor area limit outside metropolitan Adelaide that is lower than Adelaide's (e.g. retain a DTS size of 500m<sup>2</sup> for zones in Metropolitan Adelaide and apply a lower limit of say 100m<sup>2</sup> for the rest of the state) to allow regional planning authorities to consider whether proposals meet the intent of zone policy for shops (e.g. to provide services to workers in the zone) at reduced levels to better manage the distribution of shop development in smaller towns.

### Other Zone policies

Other comments about the zone policies included:

- Missing policy content on 'Concept Plans' appears to be an anomaly.
- Comments received in relation to the minimum allotment size note that some existing zones require 3000m<sup>2</sup> and that the proposed 2500m<sup>2</sup> may not be sufficient, particularly for accommodating on-site wastewater disposal.
- There is no recognition given to land contemplated to be used for power generation, including solar farms, and rail and intermodal facilities.
- The height and area of advertisements in DTS/DPF 7.1 should be increased to reflect industry standards in business precincts.



**Clarification:**

The draft zone contemplates signs of 6m high and 8m<sup>2</sup> per face in DTS/DPF 7.1, which is comparable with other business zones in the Code. No change is considered necessary in response to this issue.

- Concern that landscaping policy does not provide an appropriate streetscape outcome for major entrances to townships and should be amended.

The submission refers to existing requirements in the Development Plan for Copper Coast that are greater than the Code and include: a 5m strip adjacent to non-arterial roads; a 10m strip along an arterial roads and; a 10m strip along residential zone boundaries.

**Clarification:**

A review of existing of existing industrial areas located in the Copper Coast Council indicates that the provision of landscaping areas does not appear to accord with the current policy. This has also been observed in many other cases in other council areas.

Public Notification

Two comments were received in relation to public notification requirements in the zone:

- A request that notification not be required for a dwelling ancillary to an industrial use (e.g. caretaker's residence), consistent with the requirements in the Development Plan for Kangaroo Island.

**Clarification:**

An amendment of this nature is not considered desirable given the intent of the zone to accommodate impact-generating land uses and the potential that residents may complain about established operations.

- Note that notification is currently not required for development (e.g. Category 1) located more than 60m from an adjacent Rural Living Zone.

**Clarification:**

As with other Code zones, the approach to notification is subject to review to identify uses that do not require public notification in place of the current draft approach where all classes of development are exempt unless stated otherwise.

Spatial Application in Unique Cases

Submissions have been received about the complying development requirements that apply in zones within the Municipality of Roxby Downs as there is a desire to retain these through the introduction of Deemed-to-Satisfy criteria as part of the introduction of the Code so as not to introduce more onerous assessment requirement.

**Clarification:**

The application of the Employment Zone and Suburban Employment zones do not take into account the somewhat unusual circumstances at Roxby Downs. Amending the proposed Code zones to accommodate these circumstances could be difficult without creating unintended consequences for the zone applied in other parts of the state and therefore the introduction of a new zone(s) could be a more suitable option pending a more detailed review.

**Commission's Recommendations:**

**E.11** In relation to Table 2 – Deemed-to-Satisfy Development Classification:

- **AMEND** references to zone policies to clarify correct content is identified for each Class of Development listed in the table.
- **AMEND** the table to include relevant content from General Development Policies, including 'Clearance from Overhead Powerlines' for listed uses.

**E.12** In relation to Table 3 - Applicable Policies for Performance Assessed Development:

- **REMOVE** the row commencing with 'Tourist accommodation'.
- **AMEND** the table to require consideration of relevant zone policy content including requirements for built form and character, building height, setbacks, and landscaping where appropriate.
- **AMEND** the table by adding 'land division' and identifying relevant zone, overlay and general development policies to guide assessments.

**E.13** In relation to Table 4 – Restricted Development to:

- **AMEND** the table to identify 'special industry' as the only form of industry as restricted development in the zone.

**E.14** In relation to the zone's policies:

- **AMEND** DTS/DPF 1.1 list to include energy generation, rail and intermodal facilities.
- **AMEND** Review DTS/DPF floor area limits for shop with the view to introducing a reduced maximum for zones in regional areas (e.g. a gross leasable floor area up to 250m<sup>2</sup>).
- **AMEND** the land division policy to support a larger minimum allotment size when on-site disposal of wastewater and / or stormwater will be required.
- **AMEND** to include policy referencing Concept Plans, consistent with other Code zones.

**E.15** **APPLY** policy from the new Gateway Overlay to enhance the appearance of township entranceways.

**E.16** **AMEND** Table 5 – Procedural Matters to identify activities contemplated in the zone and other minor classes of development that should be exempt from public notification.

## Employment (Bulk Handling) Zone

A small number of issues were raised during consultation, as follows:

- Water sensitive design provisions should apply to development types that typically involve large impervious areas.

**Clarification:**

The Employment Zone calls up some Water Sensitive Design Policies for these sorts of activities so the same provisions apply in the Employment (Bulk Handling) Zone.

- Ancillary dwellings should not be allowed in the zone.

**Clarification:**

The zone currently lists dwelling as restricted, except where associated with the non-residential use. For comparison, the Employment Zone treats dwellings a performance assessed use, but one that is subordinate in the zone. As such the policy approach in both zones is similar in effect. The policy is considered suitable.

- Bulk handling facilities should not require public notification given it is an envisaged use in the zone.

#### **Commission's Recommendations:**

**E.17 AMEND** the zone to apply Water Sensitive Design Policies to relevant development types consistent with how they have been applied in the Employment Zone.

**E.18 AMEND** the zone to adjust notification requirements so that a Bulk Handling Facility is added to the list of performance assessed activities that do not require notification.

## **Suburban Employment Zone**

Key issues raised in relation to the zone are summarised below.

### Zone Name

- Some councils prefer to retain existing Development Plan names being replaced by the proposed zone (e.g. Commercial Zone and Light Industry Zone) or similar as the proposed name.

### Assessment Tables

- Not all relevant policies are called up for some DTS and Performance Assessed land uses.
- It is also queried why 'shop' has not been included as a DTS development type.

### Township 'entrance ways'

- A council submission was concerned about the loss of existing Development Plan policy that aims to improve / enhance the entranceways to the Clare township.

### Land use restrictions to manage character

- Concern was raised about the reduced capacity to limit land uses in some locations through existing non-complying development lists, in particular, in the Clare township.

### Clarification:

According to the PDI Act, unless the land use types of concern are identified as restricted forms of development in the Code, these uses will be subject to performance assessment whether listed in the zone or not. In cases where character is considered important, a planning authority can apply more rigour to the assessment of proposals (e.g. provision of landscaping, setbacks) and improve compliance with approved plans. If the appearance of particular places is important, there are other avenues that can be explored to deal with siting and design matters such as 'entranceway policy' (as mentioned above) or the application of the Character Area Overlay (or similar, noting that in Clare the intention is to improve the setting rather than retain an existing character).

### Land use conflict

- Concern was expressed regarding the inclusion of tourist accommodation as a desired use in the zone which may result in land use conflict with other contemplated uses.

### Clarification:

Tourist accommodation is not anticipated to be a frequent or prominent land use feature in the zone and references to it will be removed. Proposals for tourist accommodation would still be performance assessed but open to any and all policies in the Code considered relevant by the relevant authority.

#### Other Zone policies

Other comments about the zone included:

- Missing policy content on Concept Plans. This appears to be an anomaly in the consultation version of the draft Phase Two Code and an amendment along these line is appropriate.
- Comments received in relation to the minimum allotment size note that some existing zones require 1500m<sup>2</sup> and that the proposed 1250m<sup>2</sup> may be difficult to accommodate necessary features on site including on-site waste disposal, stormwater disposal, vehicle manoeuvring, parking, landscaping and land use. It is suggested that the minimum lot size be increased to 1500m<sup>2</sup> or a TNV applied to account for local variations.

#### Clarification:

The 1250m<sup>2</sup> minimum reflects a frequent figure used in Development Plans in preference to using a TNV given the extent of variation is limited and many commercial zones do not specify minimum allotment sizes currently.

- The height and area of advertisements in DTS/DPF 6.1 need to increase to reflect industry standards in business precincts.
- The draft zone contemplates signs of 4m high and 3m<sup>2</sup> per face in DTS/DPF 6.1, which seems small compared with other business and activity centre zones in the Code and could be increased accordingly.

#### Procedural Matters – Public Notification

- Submissions noted the notifications table is incomplete and should exclude low-impact generating land uses from public notification (e.g. consulting room, office, shop, store).

#### **Commission’s Recommendation:**

**E.19 RENAME** the ‘Suburban Employment Zone’ to ‘Commercial and Business Zone’.

**E.20 AMEND** Table 2 – Deemed-to-Satisfy Development Classifications:

- **AMEND** references to zone policies to reference relevant content for each Class of Development identified in the table.
- **AMEND** the table to include relevant content from General Development Policies, including ‘Clearance from Overhead Powerlines’.

**E.21 AMEND** Table 3 – Applicable Policies for Performance Assessed Development:

- **REMOVE** the row commencing with ‘Tourist accommodation’.
- **AMEND** the table to require consideration of relevant zone policy content, including requirements for built form and character, building height, setbacks, and landscaping.

**E.22 AMEND** the zone’s policies to:

- update the size of advertisement contemplated in DTS/DPF 6.1 to a level consistent with other business and commercial areas in the Code.
- update land division policy to support a larger minimum allotment size if on-site disposal of wastewater and / or stormwater will be required.

- include Concept Plans where relevant, consistent with other Code zones.

**E.23 APPLY** policy from the new Gateway Overlay to enhance the appearance of township entranceways.

## Business Neighbourhood Zone

### Zone Name

- Feedback suggested changes to the zone name should be considered to better reflect its status in the Code Framework.

### Assessment Tables

- Include all 'advertisements' not just wall-mounted signs to the list of DTS.
- Exclude minor land division from the DTS pathway when a State Heritage Place / State Heritage Area overlay apply – both overlays include policy to consider the implications of land division on heritage value and should be included for the purpose of excluding a land division proposal from the operation of Table 2.
- Add 'retail fuel outlet' to the Performance Assessed table.

### Clarification:

An amendment of this type is not considered to be necessary as the activity is subject to performance assessment anyway. In addition, the Code typically contemplates this activity in more intensive business zones where potential impacts from extended hours of operation are less likely to cause conflict.

- Include 'dwelling' to the Performance Assessed table to establish the provisions necessary to assess developments that include residential and non-residential elements – although not essential for Phase Two as mixed use developments are less likely to occur, an amendment at this time would future-proof the zone for assessment of mixed-use developments and establish greater consistency across Code zones contemplating mixed use developments generally (e.g. urban zones in Phase Three).
- Remove 'motor repair station' from restricted development.

### Clarification:

As this is a contemplated use in existing areas proposed to be included in the zone and the Mixed Use Zone in the State's Planning Policy Library, its deletion can be supported, noting there are policies in the Code that support performance assessment.

- Review the floor area trigger for 'shop', noting the Employment Zone allows performance assessment for shops with a gross leasable floor area less than 1000m<sup>2</sup>.

### Zone policies

- Replace the phrase 'low impact employment-generating land uses' in DO 1 with more objective phrasing to emphasise compatibility between non-residential and residential uses.

- include reference to 'Concept Plans' - this appears to be an anomaly in the consultation version of the draft Phase Two Code and an amendment along these line is appropriate.
- Increase the height and area of advertisements in DTS/DPF 5.1 to reflect industry standards in business precincts.

**Clarification:**

The draft zone contemplates signs being 6m height and 4m<sup>2</sup> per DTS/DPF 5.1 and there is no obvious reason to adjust these figures at this time considering:

This zone is not comparable to zones where business activities are contemplated as the primary land use and therefore appropriate that the size and height of signs in this zone be more compact than more intensive commercial / industrial / centre zones in the Code.

The draft zone provides a more accommodative position for advertisement found in many Development Plans (where signs in mixed use zones are generally considered on merit with no indication as to an appropriate scale).

Larger freestanding signs are reasonably determined by the relevant planning authority on performance against the corresponding PO.

Upon reviewing the zone, two additional matters were identified for review:

- There is degree of tension between the zone's DO and policy detail on expectations for building height. More specifically, the DO contemplates low-rise buildings (1 and 2 building levels), PO 3.1 contemplates low to medium rise development (e.g. up to 6 building levels) and DTS/DPF 3.1 allows up to 3 building levels. Amendments on this issue is needed to clarify intentions for development in the zone.
- Table 4 currently lists 'general industry' as a restricted form of development, meaning special and light industries can be determined via a performance assessment. It is expected that 'light industry' is the only form of industry contemplated in the zone as other types would be incompatible with housing. As a result, it seems prudent to list 'industry' as restricted development and exclude 'light industry'.

**Commission's Recommendations:**

**E.24 RENAME** the 'Business Neighbourhood Zone' 'Suburban Business Neighbourhood Zone'.

**E.25 AMEND** Table 2 – Deemed-to-Satisfy Development Classification to:

- reference all 'advertisements', not just wall-mounted ones
- exempt land division from the operation of Table 2 when a State Heritage Place / State Heritage Area overlay applies.

**E.26 AMEND** Table 3 – Applicable Policies for Performance Assessed Development by inserting 'Dwelling' to allow policies to be identified for dwellings that form part of a proposal involving non-residential elements.

**E.27 AMEND** Table 4 – Restricted Development by:

- deleting 'motor repair station' to support performance assessments
- increase the size of a shop able to be determined as a performance assessed development from 500m<sup>2</sup> to 1000m<sup>2</sup>

- identify 'light industry' as the only type of industry being determined through a performance assessment.

**E.28 AMEND** the zone's DO and policies to:

- emphasise compatibility between non-residential and residential uses in place of 'low impact employment generating uses'
- clarify expectations for building height.

**E.29 AMEND** to include policy on Concept Plans (as per other zones on the Code) to correspond with references to this in Table 3 – Applicable Policies for Performance Assessed Development.

## Suburban Business and Innovation Zone

- Include 'retail fuel outlet' in Table 3 - Applicable Policies for Performance Assessed Development.
- There is no allowance in Table 3 for 'dwelling' when undertaken in conjunction with another use, as these may not constitute a 'residential flat building' as defined.
- Clarification is needed around expectations for building height as there is no TNV proposed for the zone and policy PO 3.1 contemplates low to medium rise development (e.g. up to 6 building levels) and the corresponding DTS/DPF 3.1 allows up to 3 building levels.
- The list of development types contemplated in the zone should be expanded to include 'residential flat building' and 'retail fuel outlet'. These uses are generally consistent with the intent of the zone.
- Increase the height and area of advertisements in DTS/DPF 5.1 to reflect industry standards in business precincts. The draft zone contemplates signs being 6m height and 4m<sup>2</sup> per side as per DTS/DPF 5.1.

### Clarification:

The DTS policies for advertisements are more accommodating than many development plans.

### Commission's Recommendations:

**E.30 AMEND** Table 2 – Deemed-to-Satisfy Development Classification to exempt land division from the operation of Table 2 when a State Heritage Place / State Heritage Area overlay applies.

**E.31 AMEND** DTS/DPF 1.1 to include 'residential flat building' and 'retail fuel outlet' in the list of uses.

**E.32 AMEND** zone policies to ensure expectations in relation to building height are clear.

*Note: The Commission will review Table 3 – Applicable Policies for Performance Assessed Development to ensure State Heritage Place / State Heritage Area overlay policies are called up for development assessment where they should apply.*

## Home Industry Zone

- One submission recommended the rewording of Assessment Provision DTS/DPF 1.5 within the zone with a view to assisting clarity.
- Other submissions recommended that the application of Hours of Operation policy be reviewed, given the operational requirements of contemplated uses within the zone.

#### Clarification:

It is noted that Infrastructure requirements for land division (including requirements for wastewater) are considered and included within the proposed General Development Policies of the Code (Land Division in Rural Areas, Land Division in Urban Areas).

#### Commission's Recommendations:

- E.33 AMEND** the Classification Tables to remove the Hours of Operation Assessment Provisions from uses where considered appropriate.
- E.34 AMEND** the Classification Tables to include additional land uses that are contemplated within the zone.

### Resource Extraction Zone

One submission from Lower Eyre Peninsula Council was received, expressing concerns that a number of envisaged uses have not been listed in Table 3 – Applicable Policies for Performance Assessed Development, and will thus require public notification as 'All other Code Assessed Development'.

#### Clarification:

- All envisaged land uses (DTS 1.2 and 1.2) have been listed in Table 3 – Applicable Policies for Performance Assessed Development, except 'resource extraction operation' and 'resource processing facility'. It is considered that due to the potential for these land uses to emit significant noise, dust and / or vibration, the requirement for public notification is appropriate.
- Notification tables in each zone are proposed to be adjusted to specify land uses that do not require public notification – see section 4.2.1 Public Notification of this report.

#### Commission's Recommendation:

- E.35 AMEND** the Procedural Matters table of the Resource Extraction Zone in accordance with the principles recommended in the Public Notification section of this report.

### Caravan and Tourist Park Zone

- Additional classes of development should be included within classification tables, such as alterations or additions to existing tourist accommodation developments and caravan and tourist parks, as well as uses such as retail fuel outlets.
- The application of Hours of Operation policy needs to be reviewed, given the operational requirements of contemplated uses within the zone.
- Further policy guidance is needed for common ancillary type uses such as light industrial activities.
- There is a need to address wastewater considerations for land division, including requirements for ablutions, cabins and business to be connected to a Community Waste Management System or onsite wastewater system, and for capacity to be sufficient in accommodating additional loading.
- Guidance is needed regarding building height within the zone.
- Boundary realignments should be excluded from restricted classification.



- Policy pertaining to buildings being designed and constructed so they can be removed in the event of a hazard should be considered for inclusion.

Respondents also raised concerns regarding the absence of flood policy and building level requirements in certain zone locations such as land adjacent to Lake Albert and settlements such as Coobowie on Yorke Peninsula.

**Clarification:**

It is noted that infrastructure requirements for land division (including requirements for wastewater) are considered and included within the proposed General Development Policies of the Code (Land Division in Rural Areas, Land Division in Urban Areas).

**Commission’s Recommendations:**

- E.36 AMEND** Classification Tables to remove inclusion of Hours of Operation Assessment Provisions from uses where considered appropriate.
- E.37 AMEND** to include additional land uses within classification tables that can be reasonably envisaged within the zone
- E.38 AMEND** zone policies to include building height provisions to better manage assessment of built form.
- E.39 REMOVE** boundary realignments as a restricted class of development within the zone.
- E.40 AMEND** zone policies to provide additional policy for assessment of flooding issues, and **APPLY** Flood Building Level TNVs in areas not currently included within the relevant overlay.

**Tourism Development Zone**

- A minor amendment that promotes environmental sustainability and innovation is needed.
- The brevity of policy within the zone is a concern.
- ‘retail fuel outlet’ should be added to the list of desired uses in relation to PO 1.1.

**Commission’s Recommendations:**

- E.41 AMEND** DTS/DPF 1.1 to include ‘retail fuel outlet’ in the list of uses to provide for services in less populated areas.
- E.42 RETAIN** all other policies as drafted in the Zone with no further amendments. The Zone contemplates performance assessed development based on a range of provisions (general and overlay policies) that can respond effectively to a range of locations, including sensitive ones.

**Motorsport Park Zone**

- Better supporting land use changes are needed as the facility evolves through a broader range of envisaged uses, including sports and other events, tourism, recreation, other business activities and general industry.
- More Accepted or Deemed-to-Satisfy development types should be identified.

- An additional Deemed-to-Satisfy allowance for a dwelling is needed where it located in an identified subzone and is in association with vehicle garaging, storage or workshops and is not the owner's principal place of residence.
- A Deemed-to-Satisfy allowance is needed for some forms of advertising signs.
- Public notification requirements for proposed developments that are more than 50m from the boundary of the Motorsport Park Zone should be removed unless the use is of a nature or scale that it is likely to have material off-site impacts, which will require further consideration.
- Clarity around the nature and scale of retail development that can occur in the Motorsport Park Zone is needed, taking into account potential impacts on the viability of retail development in Taillem Bend township.

**Clarification:**

Under the current planning system, the area within the Motorsport Park Zone is subject to a regulatory environment in which any form of development (apart from land division) does not require a planning consent (nor public notification) if the development has been approved by the State Coordinator-General. This regulatory environment will cease to operate once the Code becomes operational.

**Commission's Recommendations:**

**E.43** In relation to Table 1 – Accepted Development Classification

- **AMEND** the table to increase the accepted height for Advertisement from 10 to 15 metres, where the advertisement is located at least 30m from any boundary of the zone (or 10m from an arterial road).
- **AMEND** the table to provide clear accepted criteria for Outbuildings in the form of a garage to ensure suitable vehicle access is provided.
- **REMOVE** the reference to 'recreation area' in the 'outbuilding' criteria.

**E.44** In relation to Table 2 – Deemed-to-Satisfy Development Classification:

- **REPLACE** Light Industry with Industry (except Special Industry)' and apply the same criteria
- **AMEND** to include 'Restaurant'

**E.45** In relation to the zone's policies:

- **AMEND** DO 1 to include 'tourism, recreation, leisure, sports and cultural events and activities' as envisaged uses
- **AMEND** PO 1.1 to include "recreation, leisure, sports, cultural facilities"
- **AMEND** DTS/DPF 1.1 to:
  - **REMOVE** reference to specific commercial activities
  - **INCLUDE** in recreation and amusement areas, activities and facilities'
  - **REPLACE** reference of 'petrol filling station' with 'retail fuel outlet'
  - **REMOVE** exclusion of 'bulky goods' to reference of 'shop'
  - **INCLUDE** in 'special events, sporting events and festivals'
  - **INCLUDE** in 'tourist activities'

- **AMEND** PO 1.2 to 'Shops which enhance services and amenities at a scale that complements the role of shopping and business services in the nearby town of Tailern Bend'.
- **AMEND** DTS/DPF 1.2 to increase the floor area allowance for a shop from 250m<sup>2</sup> to 500m<sup>2</sup> and **REMOVE** criteria requiring such shops to be ancillary motorsport related activities and to not involve bulky goods.
- **AMEND** PO 1.3 to remove reference to shops being clustered near the main western entrance from Dukes Highway and instead being clustered in appropriate locations.
- **AMEND** DTS/DPF 1.4 to 'Motorsport circuit or strip (including alterations and extensions) does not encroach closer to a relevant boundary of the zone or an existing dwelling in an adjacent zone than a 30-metre buffer surrounding any existing relevant circuit or strip'.
- **REMOVE** PO 1.5 and DTS/DPF 1.5 in its entirety.
- **AMEND** DTS/DPF 1.6 (b) to include 'tourist to accommodation'.
- **AMEND** DTS/DPF 1.7 to include the following criteria –  
'Dwelling:
  - a) in association to and within the same building as a vehicle garage or workshop
  - b) for the accommodation of persons as a non-principal place of residence.'
- **AMEND** DTS/DPF 2.2 (b) to increase the setback distance to '30m'.
- **AMEND** DTS/DPF 5.1 to include the words '(except overflow parking areas for events)'.
- **AMEND** PO 5.2 to 'Vehicle parking for events caters for the expected maximum number of users and spectators, is provided to support convenient parking for event goers and does not cause undue disruption for other land users in the locality'.

**E.46 AMEND** the public notification table to the following:

'All classes of performance assessed development are excluded from notification except where they involve any of the following:

- a) the development is proposed to be established within 30m of the boundaries of the Zone
- b) Shop greater than 500m<sup>2</sup>
- c) Airstrip
- d) Helicopter landing facility
- e) Windfarm.'

## Rural Zone

### Additional Land Division provisions

- Additional land division provisions, including boundary realignment, are needed.

### Additions to DTS/DPF 1.1

- Additional land uses that are supported within the Rural Zone need to be included in DTS/DPF 1.1. This includes renewable energy facilities, stock slaughter works and diaries.

- A number of minor land uses, such as fences, cut and fill, demolition, should be removed.

#### Minimum Allotment Sizes for the construction of a Dwelling

- There is concern that current Development Plan policies that prescribe a minimum allotment size for the construction of a dwelling are not proposed to be transitioned into the Rural Zone. Submissions requested that the existing policy be amended to reference the Minimum Dwelling Allotment Size TNV not the Minimum Allotment Size TNV.

#### Clarification:

There are 25 variations of this policy across Development Plans which seek to ensure that dwellings are not constructed on small existing allotments (for rural living purposes). The consultation version of the Code pursues this outcome through use of the Minimum Allotment Size TNV. This, however, is inconsistent with existing Development Plan provisions primarily as there are different sizes for minimum allotment sizes to create an additional allotment for any use (be it a productive land use or a dwelling) and minimum allotment sizes for the construction of a dwelling alone. The Code seeks to resolve some of these differences.

#### Placement of Notices with Rural areas

- Applications for a dwelling require a notice being placed on the subject land as part of public notification requirements is an issue where the subject land may be in a remote area and the placement of a notice would not practically assist inform affected and interested parties of the proposal, and where this would have significant resource implications on the relevant authority.

#### **Commission's Recommendations:**

##### **E.47** In relation to the zone's policies:

- **AMEND** zone policies to include an additional Performance Outcome to provide greater assessment criteria regarding land division and boundary realignments.
- **AMEND** DTS/DPF 1.1 to include dairy, renewable energy facility and stock slaughter works as envisaged uses within the Zone.
- **AMEND** existing dwelling provisions to reference the Minimum Dwelling Allotment Size Technical and Numerical Variation.

##### **E.48** In relation to Table 5 – Procedural Matters (Placement Notices – Exemptions for Performance Assessed Development):

- **AMEND** to include 'dwelling' to exempt it from the need to place a notice on the subject land.

#### **Rural Aquaculture Zone**

- A small retail outlet should be supported to enable the opportunity for an aquaculture business to sell seafood where it is sited on the same allotment as the aquaculture activity.

#### **Commission's Recommendation:**

- E.49** **AMEND** zone policies to include 'shop' in PO 4.2 to support a shop where directly related to an existing aquaculture use and located on the same allotment.

## Rural Horticulture Zone

- Policy to encourage but also address interface, visual and noise aspects of frost fans are needed.

### Clarification:

Frost fans have been addressed through definitions.

## New Zone and Subzones

### Employment (Enterprise) Zone

- Existing complying development requirements that apply in zones within the Municipality of Roxby Downs should be retained through the introduction of Deemed to Satisfy criteria as so as not to introduce more onerous assessment requirements than at present.
- The Employment Zone and Suburban Employment zones need to take into account the unique circumstances at Roxby Downs.

### Clarification:

Amending the proposed Code zones to accommodate these unusual circumstances could be difficult without creating unintended consequences for the zone when applied to other parts of the state and therefore the introduction of a new zone(s) is a more suitable and direct option.

### Commission's Recommendations:

**E.50 CREATE** a new 'Employment (Enterprise) Zone' for Phase Two that responds to the opportunities for employment generating activities currently available to areas supporting the Olympic Dam mine and:

- a) Include a Deemed-to-Satisfy assessment pathway for a range of uses listed as complying in the Industry and Light Industry zones in the Roxby Down (Municipality) Development Plan, plus other similar and complementary uses (e.g. telecommunications facility, advertisement), taking into account referral requirements that may apply under Part 9 of the Code
- b) Include criteria for the assessment of deemed-to-satisfy developments that reflect the Development Plan requirements for complying development as follows:
  - i. a limit on the floor area of a shop to 450m<sup>2</sup>
  - ii. office ancillary to other contemplated uses
  - iii. provision of access
  - iv. provision being made to accommodate parking, vehicle loading / unloading and landscaping on-site
  - v. the use of external building materials (for appearance, but also reduce glare).
- c) Include a new 'Light Industry Subzone' which provides additional policy to:
  - i. Moderate the range of uses classified as Deemed-to-Satisfy (e.g. exclude General Industry) and support activities that do not produce objectionable emissions.
  - ii. Limit shops and offices to a floor area up to 100m<sup>2</sup>.

**E.51 CREATE and APPLY** a new Light Industry Subzone within the new Employment (Enterprise) Zone to the area identified as Light Industry Zone in the current Roxby Down (Municipality) Development Plan

***Amendment to spatial application***

**E.52** Spatially **APPLY** the subzone to the area identified as Light Industry Zone in the current Roxby Down (Municipality) Development Plan.

Dwelling Excision Overlay

- A 'date criteria' needs to be included in the Overlay to ensure that the ongoing fragmentation of rural land is minimised.
- The allotment size created for the excision of an existing dwelling includes both a minimum and maximum size. This ensures that the proposed allotment size is big enough to manage interface issues with adjoining rural activities but also ensure that it is not so big that it removes excess land from rural production.

**Commission's Recommendations:**

**E.53 AMEND** to include a 'date' in the Dwelling Excision Overlay to ensure that multiple excisions and ongoing fragmentation of land is minimised.

**E.54 AMEND** land division allotments sizes to no less than 1 hectare and no more than 4 hectares.

Limited Land Division Overlay

This Overlay needs to be amended to include an additional Performance Outcome to assist in the assessment of boundary realignments to ensure that the number of existing allotments with a site area less than that specified in the relevant zone is not greater than the number that existed prior to the boundary realignment.

**Commission's Recommendation:**

**E.55 AMEND** to include an additional Performance Outcome to assist in the assessment of boundary realignments.

Resource Extraction Protection Area Overlay

No submissions were received in relation to the Resource Extraction Protection Area Overlay.

However, following DPTI's review of the overlay there is concern that the referral trigger for development located within a Resource Extraction Zone could result in minor classes of development being referred to the relevant body. The referral as currently drafted only excludes a limited range of developments and there is no discretion available to the relevant planning authority.

**Commission's Recommendation:**

**E.56 AMEND** the referral requirements associated with the Overlay by exempting the need for a referral where the development is, in the opinion of the relevant authority, minor in nature and would not warrant a referral when considering the purpose of the referral.

## Significant Industry Interface Overlay

The Northern Areas Council requested the reinstatement of buffer areas around two sites:

- a sawmill to the west of Jamestown
- explosives manufacturing and testing grounds about 10km west of Gladstone.

### Clarification:

Both these uses are currently the subject of Concept Plans in the Development Plan that establish separation areas of 500m and 800m respectively. Both locations are of a rural character where there is not a significant risk of development occurring within the existing buffer area.

The Significant Industry Interface Overlay provides an appropriate tool to establish requirements to protect established activities from encroachment and its application to both of the above sites is considered reasonable and the Overlay policies are drafted with environmental and amenity issues in mind. This should be expanded to include 'hazards' to reflect the application of the Overlay to explosives manufacturing and testing grounds.

### Commission's Recommendations:

**E.57 AMEND** the Overlay policies to allow consideration of hazardous industries.

#### ***Amendment to spatial application***

**E.58 AMEND** to extend the spatial application of the Significant Industry Interface Overlay to include two sites within the Northern Areas Council area as follows:

- (a) a sawmill on Wilkins Highway, west of Jamestown, and surrounding land to establish a separation area of 500m as per existing Development Plan Concept Plan Map NtA/3
- (b) the explosives manufacturing and testing grounds at Beetaloo Valley and surrounding land to establish a separation area of 800m as per existing Development Plan Concept Plan Map NtA/4.

## **New Overlay**

### Gateway Overlay

Clare and Gilbert Valleys Council raised concerns about the loss of existing policy that aims to enhance the entranceways to Clare.

### Commission's Recommendations:

**E.59 CREATE** a new Gateway Overlay which provides additional policy addressing:

- (a) the provision of large building setbacks to accommodate extensive landscaping between the road frontage and the front of any buildings
- (b) parking areas not dominating the locality through siting behind buildings and screening and breaking up of expansive parking areas with landscaping strips
- (c) placing new buildings behind established buildings
- (d) incorporating space between buildings and side boundaries
- (e) mitigating the appearance of buildings through high quality design and use of materials.

### **Amendment to spatial application**

- E.60 APPLY** the Gateway Overlay to land contained in the Southern Township Gateway Policy Area of the Commercial Zone in the Clare and Gilbert Valleys Development Plan.

### **Advertisements General Development Policies**

- PO and DTS/DPF 2.2 should allow for more than one advertisement on larger sites with long road frontages where additional signs are unlikely to result in a proliferation.

#### **Clarification:**

There are potential implications associated with such a policy change that requires some level of investigation to inform policy development and avoid an unintended level of clutter / untidiness across different zones (e.g. allowances for multiple signs might impact rural amenity where an allotment contains multiple businesses).

- Provision for illuminated signs in DTS/DPF 4.1 should be made when the signs are separated from a sensitive receiver (e.g. 25m).

#### **Clarification:**

PO 4.1 aims to address the effects of light spill from advertisements on sensitive receivers. Such effects depend on the size of the advertisement and / or level (brightness) of the illumination, as well as existing background lighting levels. Further work will inform a policy approach to this issue.

- In reference to DTS/DPF criteria, referencing to 'road widening' are difficult to determine objectively and part (b) of DTS/DPF 1.3 should be removed.
- The content of Table 1 is incomplete.

#### **Clarification:**

Table 1 was intended to consolidate requirements around the scale of advertisements, however, such requirements have been included within relevant zones. As such, the table does not serve its purpose and can be removed.

### **Commission's Recommendations:**

- E.61 AMEND** PO 3.1 to clarify the outcome being sought in relation to 'Advertising Content' to better inform performance assessments when advertisements are proposed that are not related to a use on the same site (e.g. assist to mitigate the overall extent and proliferation of advertising material).
- E.62 AMEND** DTS/DPF 5.3 to remove reference to '1.2' and insert '1.4' to read 'DTS/DPF 1.1, 1.4, 5.1, 5.2 and 5.5 are met'.
- E.63 REMOVE** Table 1 – Maximum Size and Height Requirements, including references to this table (DTS/DPF 1.5) from the Code.
- E.64 AMEND** PO 2.2 to include an allowance for multiple advertisements to be accommodated on larger sites taking into account different settings (e.g. urban, township, rural).



## Aquaculture General Development Policies

- Policy on separation distances for land-based aquaculture from DTS/DPF 1.1 should be removed as such developments are required to be referred to the EPA under Part 9 of the Code (unless 'wastewater is discharged to an approved wastewater management system').

### Clarification:

The referral trigger in Part 9 of the Code relates to all land-based aquaculture when it involves the discharge of wastewater to marine or inland waters or onto land. A referral is not required if the disposal of wastewater is to an approved wastewater management facility.

The separation distances in DTS/DPF 1.1 are a combination of the following:

- the EPA's ***Evaluation distances for effective air quality and noise management document***, which establishes evaluation distances for various components of an aquaculture activity, including a 'pump-ashore' (coastal flow through) which attracts the greatest separation distance of 200m – the draft Code applies this to any sensitive receiver
- established land use policy in Development Plans, which requires land based aquaculture to be located 500m from a township, settlement or urban area.

The separation distances proposed in the draft Code appear to be aimed at mitigating potential noise generated by pumps and the like, which does not appear to be the primary reason behind the referral trigger. That is, if wastewater from land based aquaculture were to be deposited to an approved wastewater management facility the referral is not required irrespective of whether a pump-ashore forms part of the proposal.

DTS/DPF 1.1 (a) is the only new requirement and provides additional guidance that is reflective of evaluation distances recognised by the EPA. On this basis it is proposed to be retained pending any clarification from the EPA about how the separation requirement might affect a referral to it for land based aquaculture.

- Policies that are subject to requirements under the *Aquaculture Regulations 2016* should be removed

### Clarification:

At this stage aquaculture development outside of an Aquaculture Zone under the Aquaculture Act is not an exempt form of development under the PDI Act. As such, the Code needs to contain enough policy for proper consideration of aquaculture proposals by a relevant planning authority and to defend determinations in the court if needed. This means there may be overlay between planning requirements and licencing requirements from a proponent's perspective. Although this is less than ideal, information provided to PIRSA to inform a licence application might also be used in the planning assessment process and vice versa.

In terms of the administrative arrangement related to this, the Code includes a referral to the Minister for the time being administering the *Aquaculture Act 2001* for any aquaculture development.

- One submission noted that existing Development Plan policy content which deals with the siting of aquaculture sites taking into account 'traditional indigenous and commercial fishing grounds' has not transitioned to the Code.

### Clarification:

The impact of 'commercial fishing grounds' should be considered by PIRSA when issuing licences under the *Aquaculture Act 2001*. Indigenous fishing grounds' are better considered under other legislation that addresses Aboriginal heritage sites or processes for Native Title determinations.

### Commission's Recommendations:

**E.65 REMOVE** policies that unnecessarily duplicate licencing requirements under the *Aquaculture Regulations 2016* (PO 2.8 and 3.3).

*Note: Other changes to aquaculture provisions in the Code will be a matter of ongoing dialogue between DPTI and PIRSA to determine Code content based on responsibilities or changes to responsibilities under the respective legislative instruments.*

**E.66 AMEND** PO 2.2 to clarify the intended outcome (e.g. mitigate environmental harm from the build-up of waste in marine aquaculture sites).

### Bulk Handling and Storage Facilities General Development Policies

- The requirements in DTS/DPF 1.1 should either define 'bulk petroleum storage' or provide detail as to capacity limits within the DTS criteria (similar to coal handling in part (c) of the same policy).
- The DTS/DPF 1.1 criteria in Bulk Handling and Storage Facilities are consistent with the EPA but do not take into account the nature and extent of requirements that trigger a referral to the EPA for advice.
- The DTS/DPF potentially misrepresents the intent behind the use of evaluation distances and the relationship with the referral triggers where separation distances applied to impact generating uses may vary according to factors like scale, method of storage, facility management, environmental conditions.
- PO 1.1 needs to be redrafted to apply to facilities up to the point before a referral is triggered.

### Commission's Recommendation:

**E.67 AMEND** DTS/DPF 1.1 to apply to development types in a manner that mitigate the potential for inadequate separation requirements being applied under the Code to developments that are subject to referral to the EPA under the Code for advice.

**E.68 REPLACE** DTS/DPF 1.1 with the following:

Facilities for the handling, storage and dispatch of commodities in bulk (excluding processing), meet the following minimum separation distances from sensitive receivers:

- a) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals), where the handling of these materials into or from vessels does not exceed 100 tonnes per day: 300m or more from residential premises not associated with the facility
- b) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility: 300m or more from residential premises not associated with the facility
- c) bulk petroleum storage involving individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1,000 cubic metres: 500m or more
- d) coal handling with:
  - i. capacity up to 1 tonne per day or a storage capacity up to 50 tonnes: 500m or more

- ii. capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes: 1,000m or more.

## Forestry General Development Policies

- The setback requirement in PO 1.4 relating to reserves constituted under the *National Parks and Wildlife Act 1972* or wilderness areas constituted under the *Wilderness Protection Act 1992* is queried as it could be taken to apply to fire breaks and access tracks and therefore reduce the amount of land available for forestry activities.

### Clarification:

The setback requirements in the Code establish a setback expectation for DTS/DPF purposes. Plantation trees, access tracks etc. that do not meet the setback will be determined on a case by case basis against the corresponding PO. Land within the 50m reserve buffer area may be used if the application can demonstrate a lesser distance satisfies the outcome.

- Policies used for the assessment of commercial forest operations (e.g. PO 1.2, 1.3 and 1.4) may unduly limit areas that are suitable for carbon planting.

### Clarification:

Existing Development Plan policies on carbon plantings were not core state-based requirements and only appear in a limited number of Development Plans. The requirements have not transitioned into the Code as they seek to encourage environmental plantings rather than provide for the assessment of commercial forestry generally, which is the main purpose of the module.

## Commission's Recommendation:

No changes recommended.

## Interface Between Land Uses General Development Policies

- The application of overshadowing requirements could be too onerous in some cases.

### Clarification:

Submissions relevant to the Phase Two Code were largely interested in the application of the policy to dwellings and dwelling additions, primarily relating to how the overshadowing requirements might apply to simple forms of development, including dwellings and additions.

In many cases the overshadowing provisions will not apply as they are not called up for Deemed-to-Satisfy development and may only become relevant when DTS/DPF criteria are not met. This generally means that low-rise residential buildings will avoid more technically challenging and costly efforts to prepare shadow diagrams.

- The use of separation distances as DTS/DPF criteria for any development involving 'activities of environmental significance' and subject to a referral to the EPA is of concern.

### Clarification:

DTS/DPF 9.4 and 9.5 concern the siting of sensitive receivers in proximity to other impacting uses and therefore the policy does not relate to a use referred to the EPA under Part 9 of the Code. That is, a proposal for a house might be considered with reference to these DTS/DPF by a planning authority, but is not required to be referred to the EPA.

If the separation distances are seen to be less onerous than requirements that may have been applied to the impacting use when it was established it could be viewed as inequitable by the business.

In respect to these provisions:

- DTS/DPF 9.4 - the 500m setback applied to a dairy seems appropriate given this reflects the accepted 'evaluation distance' used for a dairy involving 100 or more cows (being the volume that triggers a referral to the EPA in a 'water protection area' under the Code, but also consistent with the EPA's publication 'Evaluation distances for effective air quality and noise management')
- DTS/DPF 9.5 – which concerns storage / warehousing involving the handling of chemicals or chemical products within prescribed limits (volume), consider adopting various measures for bulk commodity facilities taking into account the proposed separation distances identified in the Bulk Handling and Storage Facilities GDP module."

The inclusion of DTS/DPF criteria in this general module helps guide the siting of a sensitive receiver and supports a more equitable framework for consideration of development siting based on existing land use conditions.

- Several comments requested DTS/DPF 2.1 criteria for hours of operation be updated to anticipate Sunday trading in regional and rural areas.

**Clarification:**

The Parliament of South Australia governs the opening / closing hours of shops through the *Shop Trading Act 1977* and associated regulations. This legislation takes precedence over land use requirements in the Code.

It is noted that the criteria specify hours of operation for any 'shop', which includes a 'restaurant'. The shop trading hours contained in the Code do not accommodate a 'restaurant' and should be reviewed accordingly.

**Commission's Recommendations:**

- E.69 AMEND** DTS/DPF 9.5 to establish separation requirements for sensitive receivers that are equitable with requirements for the siting and referral requirements applied to bulk storage facilities.
- E.70 AMEND** DTS/DPF criteria relating to hours of operation to include allowances for Sunday trading; and differentiate 'restaurant' from the umbrella term 'shop' to recognise different operating requirements.

**Resource Extraction General Development Policies**

- The Lower Eyre Peninsula Council recommended additional policies be included within the Resource Extraction module to address site rehabilitation.

**Clarification:**

Site rehabilitation is largely addressed as a condition of planning consent therefore additional general development policies are not considered necessary.

- The Resource Extraction General Development Policies Module do not seem to have been applied to any of the zones within the Code.

**Clarification:**

Resource extraction activities are mostly regulated under the *Mining Act 1971* and as such, planning applications are generally limited to borrow pits or activities where the mined resource will not be sold. These applications are therefore quite rare and unpredictable in nature. As a result, it was considered best to allow resource extraction activities to be assessed under the entire Code as 'All other Code Assessed Development'.

- The UDIA believes it is unreasonable for PO 1.1 to expect minimal damage to the landscape as most mining operations create material impact and consider that this portion of the policy should be removed.

**Commission's Recommendation:**

**E.71 AMEND** PO 1.1 to minimise landscape damage outside of areas necessarily disturbed to access and extract the resource.

## Tourism Development General Development Policies

- Environmentally sustainable tourism needs reinforcing.
- Key tourism segments that are reflected in other strategic tourism documents, particularly in relation to SA's natural landscapes, food and wine produce and events / functions need to be captured.
- the lack of policy guidance for tourism development in rural areas relating to value-adding activities, processing of farm produce and reuse of existing buildings needs to be addressed.

**Clarification:**

Various environmental, landscape, heritage and resource issues are addressed by other components of the Code. In addition, effort has been made to support tourism and value-adding opportunities within rural locations through zone policies, which are under review separately.

**Commission's Recommendation:**

**E.72 AMEND** DO 1 to read "tourism development in suitable locations that caters to the needs of visitors *and positively contributes the South Australia's visitor economy.*

**E.73 AMEND** PO 1.1 to read "tourism development complements and contributes to local, natural, cultural or historical context *where:*

- visitor accommodation supports immersive natural experiences;*
- development showcases South Australia's landscapes and produce;*
- events and functions are connected to local food, wine and nature.*

## 6.2.3 Natural Resources and Environment (N)

A high proportion of submissions received related to our Natural Resources and Environment, with a particular interest in climate change, zoning of National Parks and Wilderness Protection areas, coastal protection, native vegetation and flood mapping.

The following summarises the zones, subzones and overlays relevant to this section and proposed name changes. The rationale behind these changes is described in the sections below.

Intensity	Zones (and Subzones in <i>italics</i> )	Overlays (cont.)
Suburban Areas and Townships	Open Space Recreation	Hazards (Flooding) Historic Shipwrecks Marine Parks (Managed Use) Marine Parks (Restricted Use) Murray Darling Basin Native Vegetation Prescribed Surface Water Area Prescribed Watercourses Prescribed Water Resources Area Prescribed Wells Area Ramsar Wetlands
Natural Areas	Coastal Waters and Offshore Islands Conservation <i>Dwelling Subzone</i> <i>Small Scale Settlement Subzone</i> <i>Visitor Experience Subzone</i> <i>Aquaculture and Recreation Subzone</i> <b>NEW</b> <i>Shack Relocation Subzone</i> Remote Areas	<b>RENAME</b> River Murray Flood Plain to River Murray Flood Plain Protection Area <b>RENAME</b> River Murray Tributaries to River Murray Tributaries Protection Area Significant Landscape Protection <b>REMOVE</b> Sloping Land State Significant Native Vegetation Water Protection Area Water Resources
Overlays		<b>General Development Policies</b> Site Contamination
	Coastal Areas Hazards (Acid Sulfate Soils) Hazards (Bushfire – Outback) Hazards (Bushfire – General Risk) Hazards (Bushfire – Medium Risk) Hazards (Bushfire – High Risk) Hazards (Bushfire – Regional) Hazards (Bushfire – Urban Interface)	

## Coastal Waters and Off Shore Islands Zone

- Prioritising the preservation of unique coastal and offshore environments is vitally important.
- Attention should be given to:
  - Marine pest biosecurity
  - Carbon storage associated with mangroves and saltmarshes
  - Sensitive location of small scale tourism.
- Recreational pontoons should be classified as DTS.

### Commission's Recommendations:

- N.1** **AMEND** PO 3.1 to address marine pests and biosecurity risks.
- N.2** **AMEND** DO 2 to read: "Small-scale, low impact development for the purpose of conservation, navigation, science, recreation, tourism, or aquaculture and carbon storage."
- N.3** **AMEND** PO 2.3 to read: "...small scale tourist accommodation such as camping grounds, huts and cabins that avoids delicate or environmentally sensitive areas".
- N.4** **CREATE** 'Recreational Pontoons' as a Deemed-to-Satisfy class of development and include a new DTS / DPF with relevant minimum criteria.

## Conservation Zone

- The spatial application of this zone to protected areas under the *National Parks and Wildlife Act 1972* or the *Wilderness Protection Act 1992* is inconsistent in the draft Code online mapping viewer.
- The spatial application of the Zone should be expanded to all Historic Mining Zones as the Resource Extraction Zone policy intent doesn't match the intent of these areas and the Conservation Zone is a better policy fit.
- Retain the Restricted pathway for tourist accommodation in areas protected under the *Wilderness Protection Act 1992*.
- The word 'contemplated' is too vague in regard to tourism accommodation being 'performance assessed' rather than 'restricted if it is contemplated in a relevant Park Management Plan' which may lead to tourist accommodation being considered without public scrutiny.
- The DO should be broadened to recognise the (green and blue) carbon storage values of conserving the natural environment and natural ecological processes, consistent with State Planning Policy 5.7.
- A subzone is needed to apply to land where existing shacks are the subject of relocation strategies due to serious hazard risk and all development except for demolition should be restricted in the subzone.
- All tourism proposals on reserves should be classified as the highest category of assessment (i.e. 'restricted') and that assessment should include consideration of 'public good'.
- Additional policy is needed to address tourist accommodation.

- The Code does not allow the replacement of a detached dwelling where Development Plans currently allow it e.g. in some parts of the River Murray Flood Zone and certain Policy Areas within the River Murray Zone.
- The treatment of all forms of renewable energy facilities as performance assessed, rather than restricted, is of concern as it relates to wind farms and large scale solar farms as most of the zone applies to sensitive areas along the River Murray and designated Conservation Parks. It is noted that the Significant Landscape Protection Overlay has not been applied to the Conservation Zone in the Riverland, meaning that Overlay PO 1.2 that restricts wind farms and large scale solar farms would not apply.

#### Commission's Recommendations:

##### N.4 In relation to the Zone's policies:

- **AMEND** the DO to read: *"The conservation and enhancement of the natural environment and natural ecological processes for their historic, scientific, landscape, faunal habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development."*

##### N.5 In relation to Table 4 – Restricted Development:

- **AMEND** to refine the wording for the exception to 'restricted development' in relation to tourist accommodation where 'contemplated' in certain locations (refer to the note below in relation to further investigations regarding Park Management Plans).
- **AMEND** to make the replacement of an existing dwelling 'performance assessed'.
- **AMEND** to include 'renewable energy facilities' as restricted in the Conservation Zone.

##### N.6 **CREATE** new policies in the Tourism Development General Development Policies for the assessment of tourist accommodation in those parts of the Conservation Zone that are within a reserve constituted under the *National Parks and Wildlife Act 1972* or the *Wilderness Protection Act 1992*.

##### N.7 **CREATE** a new 'Shack Relocation Subzone' to apply to areas where shack relocation due to serious hazard risk is required.

#### **Amendments to spatial application**

##### N.8 **APPLY** the Conservation Zone to all reserves constituted under the *National Parks and Wildlife Act 1972* and all areas constituted as wilderness protection areas or zones under the *Wilderness Protection Act 1992*.

*Note: The Commission will consider feedback received about the suitability of existing Park Management Plans with the Department of Environment and Water (as these plans sit outside the planning system). Further work will be undertaken to determine what a park management plan would need to include to satisfy what is meant by 'contemplate' or other appropriate terminology.*

##### N.9 **APPLY** the Conservation Zone instead of the Resource Extraction Zone to Historic Mining sites at Burra and Moonta.

## Recreation Zone

- 'Recreation type' development classes should be included in the classification tables
- The level of public notification has increased
- Building height provisions are needed



- The proposed building setback provisions should be reviewed in line with existing policy conditions.
- The zone includes several golf courses and racecourses (such as Berri, Loxton and Robe), which contemplate ancillary residential uses. These places should be reviewed and amended accordingly.

#### Clarification

No changes to building height is recommended as this is considered generally consistent with existing policy conditions. Golf courses and racecourses have been addressed separately in this report.

#### Commission's Recommendation:

**N.10 AMEND** DTS/DPF 1.1 and Table 3 – Applicable Policies for Performance Assessed Development to include additional land uses contemplated within the zone.

#### Visitor Experience Subzone

- Additional policy is needed to provide clarity that environmental and amenity impacts are expected to be minimised – including through separation from mean high water mark.
- Respondents queried whether PO 2.4, which seeks that tourist accommodation design is such as to prevent easy conversion to permanent occupation, might hinder the development of small-scale exclusive and luxury accommodation and discourage designs that minimise the overall footprint of accommodation.

#### Commission's Recommendations:

**N.12 AMEND** PO 2.1 to read: "*Tourist accommodation avoids delicate or environmentally sensitive coastal areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation*".

**N.13 CREATE** a new DTS/DTF that reads: "*Tourist accommodation set back a minimum 100m landward of Mean High Water Mark*"

#### New Zones and Subzones

##### Shack Relocation Subzone

Agency and council submissions, together with further research, highlighted the need to create a new subzone to facilitate shack relocation strategies such as those at Kellidie Bay on Lower Eyre Peninsula and Black Point on Yorke Peninsula. Both these localities are subject to high hazard risk through coastal inundation and flooding and strategies are in place, including 'donor sites' where they are able to be relocated.

This subzone will not enable any further development and this will be reflected in the restricted table within the Conservation Zone.

#### Commission's Recommendations:

**N.14 CREATE** and spatially **APPLY** a new 'Shack Relocation Subzone' within the Conservation Zone to Kellidie Bay and Black Point to facilitate shack relocation strategies in areas of coastal inundation.

## Coastal Areas Overlay

- The spatial application of this Overlay has, in some cases, meant that coastal hazard risk minimisation policy no longer applies to some towns and settlements (or portion of) that are exposed to coastal flooding hazard risks. This is due to the loss of the hazard risk minimisation policies that were in the general section of existing Development Plans.
- The DO needs to be refined to better reflect State Planning Policy 5.7 which requires the 'protection of areas that provide biodiversity and ecological services and maximise opportunities for carbon storage'.
- A minor amendment is needed to provide greater clarity on the state's sea level rise allowance (1 metre).
- Policies are needed to support the enhancement of the coastal environment.
- PO 4.1 and PO 4.5 - contain mandatory provisions relating to the discharge of certain pollutants into any waters or onto land in a place from which it is reasonably likely to enter any waters. Such provisions could form the basis of a Deemed-to-Satisfy criterion for development that is not referred to the EPA. SA Health's '*On-site wastewater systems code*' (2013) provides for a setback of 100m between land application for an on-site wastewater system and the mean high water spring tide along coastal foreshore areas. Such a distance could form the basis of a Deemed-to-Satisfy criterion.
- DTS / DPF 2.1 - the "standard sea flood risk level" as defined is the 1% AFE (Annual Exceedance Probability) sea flood level plus an allowance to accommodate 100 years of land subsidence.
- The sea level rise policy needs to be expanded and strengthened in response to Climate Change mapping.
- The Coastal Areas Overlay Referrals Table requires minor amendment.

### Clarification:

A query was received about whether there should be an additional performance outcome relating to the size of allotments and their ability to have on-site wastewater disposal without causing adverse off-site impacts on the marine environment, including cumulative impacts. The size of allotments and their ability to accommodate on-site wastewater disposal without negative impacts is an issue considered at the Zone level. Therefore no change is recommended for this Overlay on this issue.

### Commission's Recommendations:

- N.15** **AMEND** the Index of TNVs to contain site and building floor level requirements for each of the above settlements to allow development that meet these levels to retain their assessment pathways and to ensure that necessary referrals to the Coast Protection Board occur (Phase Three timing).
- N.16** **AMEND** the DO after 'the natural coastal environment' to read: '...including environmentally important features of coastal areas such as mangroves, wetlands, salt marsh, sand dunes, cliff tops, native vegetation, wildlife habitat shore and estuarine areas'.
- N.17** **AMEND** PO 2.1 to read: 'Buildings sited over tidal water, or that are not capable of being raised or protected by flood protection measures in future, are protected against the standard sea flood risk level and 1m of sea level rise'.
- N.18** **AMEND** PO 2.2 to read: 'Development, including associated roads and parking areas, but not minor structures unlikely to be adversely affected by flooding, protected from the standard sea flood risk level and 1m of sea level rise'.

**N.19 AMEND** DTS/DPF 2.2 to read:

‘Development demonstrates that:

- a) Site levels allow for sea level rise by being raised 0.3m or more above the standard sea flood risk level;
- b) Building floor levels are 0.55m or more above the standard sea flood risk level; and
- c) Practical measures can be implemented to provide future protection against an additional sea level rise of 0.7m plus an allowance to accommodate 100 years of land subsidence.’

and **AMEND** the Referral table to reference DTS/DPF 2.2.

**N.20 CREATE** a new “standard sea flood risk level” definition to read: ‘Means the 1% AEP sea flood level (tide, stormwater and associated wave effects combined), plus an allowance to accommodate 100 years of land subsidence’.

*Note: The Commission will further consider the suitability of provisions within the Environment Protection (Water Quality) Policy 2015 to provide criteria for a new Deemed-to-Satisfy requirement in regards to the discharge of certain pollutants as part of the Phase 3 Code.*

**Amendments to spatial application**

**N.21 APPLY** the Coastal Areas Overlay further landward to capture the following settlements (or portion of) that are subject to coastal hazard risks:

- The Pines (entire settlement)
- Pine Point (entire settlement)
- Fisherman Bay (entire settlement)
- Rogues Point (foreshore shacks)
- Port Broughton (foreshore dwellings)
- Black Point (seaward of Black Point drive – foreshore shacks and adjacent freehold allotments)
- North Shields (entire settlement)
- Smoky Bay (foreshore dwellings)
- Port Germein (entire settlement)
- Kingston SE
- Other towns and settlements as required.

**Hazard (Acid Sulfate Soils) Overlay**

- Respondents queried why this overlay is different to existing Development Plan mapping in some areas e.g. in and around Port Germein where significant areas have been removed.
- Feedback was received recommending that further guidance is needed to assist applicants and accredited professionals address acid sulfate soils. For example, to determine if a development involves changes to a water table or when minor excavation requires performance assessment.

**Commission’s Recommendation:**

**N.22 AMEND** PO 1.1. to read: ‘Development that involves excavation or a change to a water table where potential or actual acid sulfate soils are present is undertaken to minimise soil disturbance or

drainage, prevent or minimise oxidation, and contain and treat any acid drainage to prevent harm or damage to the environment, primary production, buildings, structures and infrastructure or public health’.

## Hazards (Bushfire) Overlays

- Changes to bushfire policy were generally supported but it was suggested that the Desired Outcomes (where relevant) need to include greater clarity around land division and its role in bushfire protection.
- Greater acknowledgement in the Desired Outcomes on how bushfire hazards will change as the climate changes.
- Clarity was also sought around what is meant by ‘unacceptable bushfire risk’.
- Many councils considered that the Hazards (Bushfire – Regional) Overlay shouldn’t be applied to established settlements.

### Clarification:

When developing this overlay and to ensure a level of consistency with current Development Plan policy, it was proposed that townships be excluded from the overlay similar to those areas of the state that are currently mapped in terms of bushfire risk. Using the existing urban areas/township boundary data set was considered the most logical option for defining the excluded areas. As identified, this data layer hasn’t necessarily kept pace with on ground development, meaning that some areas of the state that have experienced township growth haven’t yet been captured in the data layer.

The Hazards (Bushfire – Regional) Overlay is a transitional policy measure that will eventually be replaced with formal bushfire risk mapping and urban interface areas as part of subsequent generational change to the Code. It is therefore recommended that the mapping for the Hazards (Bushfire – Regional) Overlay remain as is for Phase Two other than those smaller settlements mentioned above which should be captured by the overlay.

- There were suggestions around policy expression including those which speak of facilitating access for emergency service vehicles to protect assets and lives from bushfire danger. This was considered to be aspirational / unachievable in that fire crews can only ‘assist’, not ‘protect’.
- There was also discussion in the submissions around native vegetation conservation and the conflict this has with protecting life and property when creating asset protection zones. It was suggested that the policy encouraging developing on clear land. There were queries raised as to why asset protection zone standards had increased from 20m to 50m (100m in the case of high risk areas).

### Clarification:

Utilising existing cleared areas of land upon which to build is encouraged by the bushfire overlays. Specifically, they seek to minimise the clearance of native vegetation when establishing asset protection zones and the accompanying deemed-to-satisfy criteria requires the use of cleared areas that already exist.

Further, the new native vegetation overlays and the suite of bushfire overlays are provided to ensure matters relating to both the clearance of native vegetation and bushfire protection are considered at the time that a development proposal is assessed by the relevant authority. It is recognised that a future, practice guideline may assist with the interpretation of policies and assessment processes, sought through the application of these overlays

The application of a minimum asset protection zone width of 50m in bushfire overlay policy (100m in High Bushfire risk areas) has been applied based on advice of the CFS to include a minimum clearance level as a

base measure. It is anticipated, the minimum width requirements for asset protection zones be considered as part of future policy considerations once the Code is operational and that further guidance be provided in a practice guideline.

- General commentary around high, medium and general categorisation of bushfire hazard risk was also received, with cropping fire risk raised as a key gap in the current mapping methodology.

#### Deemed-to-Satisfy pathways for minor development

Inconsistencies have been identified in the Code regarding the application of bushfire overlays and their impact on accepted and Deemed-to-Satisfy pathways for minor forms of development such as carports, verandahs and outbuildings

#### Clarification:

Under the *Development Regulations* such activities (subject to meeting size and some locational requirements) are either exempt from development or do not require planning approval. Neither are affected by bushfire mapping or referral requirements. These arrangements have been 'grandfathered' over to the code for rural zones but not for neighbourhood / urban zones.

#### **Commission's Recommendations:**

- N.23 AMEND** Desired Outcomes to clarify the role land division plays in bushfire protection, and to take into account climate change and its potential to increase the frequency and intensity of bushfires.
- N.24** In relation to the areas of the Hazards (Bushfire – Regional) Overlay, capture in the mapping smaller settlements that don't have sufficient urban buffer within the overlay. Larger settlements will remain as currently mapped.
- N.25 AMEND** relevant zones to ensure minor forms of development such as carports, outbuildings and verandahs remain accepted and Deemed-to-Satisfy regardless of the application of bushfire overlays.

*Note: this amendment maintains consistency with current provisions of the Development Regulations 2008.*

#### **Hazards (Flooding) Overlay**

- The Desired Outcome appears to focus mainly on urban infill development, rather than development in peri-urban or greenfield sites.
- Respondents expressed a desire for clarity surrounding 'unacceptable' risk, as well as a greater emphasis on access and safety requirements.
- Respondents also suggested that the scope of Overlay policy be more clearly defined to relate only to terrestrial flooding (i.e. removing reference to setbacks, etc. which relate more to coastal/riverine environments and are dealt with via other Overlays).
- Respondents expressed a desire for clarity surrounding thresholds for development that is appropriate within the Overlay. Similarly, some respondents suggested inclusion of specific reference to flood areas other than 1% AEP, such as 5% AEP (1 in 20) or 0.1% AEP (1 in 1000) to reflect policy approaches currently contained in some Development Plans.
- Respondents expressed concerns about the loss the general provisions that would otherwise act as a safe-guard for flood affected areas which are not mapped and suggested that additional general policy be included.

Note: For further discussion of this matter, refer to Design in Urban Areas Section 4.3 of this report.

- Respondents questioned the rationale for the change in terminology referring to flood events with a 1% AEP (Annual Exceedance Probability) instead of 1 in 100 ARI (Average Return Interval).

**Clarification:**

The change from ARI to AEP was incorporated into Phase 1 as a result of Agency feedback.

- Respondents expressed concern that the Draft Code for Phase Two only refers to flood mapping currently contained within Development Plans, as this mapping is often outdated or incomplete. It was suggested that Overlay mapping be expanded to incorporate flood mapping currently held by Councils outside of Development Plans.

**Clarification:**

The Hazards (Flooding) Overlay may be updated in the future as investigation into flooding are undertaken and data regarding flooding becomes available.

**Commission's Recommendations:**

**N.26 AMEND** Overlay policy to allow for minor, low-risk developments as Deemed-to-Satisfy, such as open-sided verandahs, porches, and pole-mounted shade sails.

*Note: The Commission will continue to collaborate with DEW and councils to refine the Overlay content (including investigating the inclusion of referenced to flood events other than 1% AEP (i.e. 5% AEP flood events).and determine approaches to include additional Flood mapping for Phase Two and Three areas.*

### Historic Shipwrecks Overlay

- Submissions raised that the required referral trigger to the Australian Government Heritage Minister under the new *Underwater Cultural Heritage Act 2018* was not included in the consultation version of the Code.

**Commission's Recommendation:**

**N.27 AMEND** to include the referral trigger to the Australian Government Heritage Minister under the *Underwater Cultural Heritage Act 2018*.

### Marine Parks (Managed Use) Overlay

- A submission was received recommending that the wording of the performance outcomes in the overlay be reviewed as they are currently open to interpretation.

**Commission's Recommendation:**

No changes recommended.

## Native Vegetation Overlay

- While this Overlay is supported by many respondents, some consider that there are still policy gaps related to the impact of new development on other areas of biodiversity e.g. other types of valued vegetation (such as grassland and samphire) and threatened species.
- Respondents queried whether the Overlay should spatially apply to residential zoned land in townships (that is currently developed and cleared).
- There was a query about whether it was possible to have an additional PO to support the part of the DO which refers to 'restoring areas of native vegetation'.
- Several respondents advised that the draft Overlay was incorrectly listed in the 'Except where any of the following apply' section within the DTS classification tables and some Accepted Development tables within many zones.
- It was also suggested that further supporting information is needed to explain the greater integration between the planning system and the Native Vegetation Act.

### Clarification:

Future iterations of the Code will investigate way it could better support other types of valued vegetation.

No spatial application amendments are recommended as the Overlay applies to all areas of the state that the *Native Vegetation Act* applies (apart from where the State Significant Vegetation Overlay applies). This is because it is a process overlay (e.g. if no native vegetation is proposed for clearance then a Statutory Declaration Form is needed to confirm this and to maintain the DTS pathway).

### Commission's Recommendations:

**N.28 AMEND** to include an additional PO: *Development enhances biodiversity and habitat values through revegetation (PO 1.4).*

**N.29 AMEND** the assessment tables to add DTS 1.1 of the Overlay to ensure that Accepted development and Deemed-to-Satisfy development can continue on these pathways when accompanied by a declaration that development will not involve clearance of native vegetation.

*Note: The Commission recommend a practice guideline be prepared to support the implementation of this Overlay.*

## Prescribed Surface Water Area Overlay

- The draft Desired Outcome does not align with the purpose of the referral and needs to include the natural flow paths of watercourses in moving water across landscapes and meeting ecological needs. Suggest amending the desired outcome to broaden the context and include the context of the watercourses and their function.
- The retention of the requirement for all dams to be assessed under the NRM Act through a mandatory referral is supported.
- Existing SAPPL policy protecting watercourses has not transitioned to the relevant overlay – Water Resources Overlay.
- There was some feedback about procedural matters that need amendment.

#### Commission's Recommendations:

- N.30 AMEND** the DO to elaborate on the purpose of the Overlay – specifically, maintenance of the health and natural flow paths of watercourses.
- N.31 AMEND** to include a DTS (1.2) to provide an easier pathway for those proposals not requiring a new or amended licence:
- 'Any development that satisfies either of the following:
- The applicant has a current water licence in which sufficient spare capacity exists to accommodate the water needs of the proposed use
  - The proposal does not involve the taking of water for which a licence would be required under the Landscape South Australia Act 2019.'
- N.32 AMEND** the purpose of the referral to provide additional detail about its focus.

#### Prescribed Watercourses Overlay

- The Desired Outcome should include reference to protecting the natural flow paths of watercourses in moving water across landscapes and meeting ecological needs.

#### Commission's Recommendation:

- N.33 AMEND** the DO to elaborate on the purpose of the Overlay – specifically, maintenance of the health and natural flow paths of watercourses.

#### Prescribed Water Resources Area Overlay

- The Desired Outcome statement related to the take or use of water does not align with the purpose of the referral. Suggest amending the desired outcome to broaden the context and include the context of the watercourses and their function.
- The Performance Outcome related to dams – as per PO 1.1 in the Prescribed Surface Water Overlay should be included.
- Existing SAPPL policy protecting watercourses has not transitioned to this Overlay. The guidance requires a minimum 20m strip of land from the top of existing banks on either side of a watercourse as a buffer, to exclude livestock, development or modification and to allow room for revegetation to reduce runoff and improve the aquatic environment. This can help protect watercourses from impacts of many land uses on surface water runoff.

#### Commission's Recommendations:

- N.34 AMEND** the DO to elaborate on the purpose of the Overlay – specifically, maintenance of the health and natural flow paths of watercourses.
- N.35 AMEND** the referral triggers to include a referral for the 'erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert, or collects or diverts surface water flowing over land' to the relevant authority under the *Landscape South Australia Act 2019*.

*Note: policy protecting the banks of watercourses is included in the Water Resources Overlay which applies more broadly across the state.*



## RAMSAR Wetlands Overlay

- Mapping identifying areas designated as RAMSAR Reserves within the RAMSAR wetland has not been undertaken for other RAMSAR sites in South Australia and therefore:
  - PO 1.3 (which references reserves) is redundant and should be removed
  - PO 1.4 should be removed on the basis that, in the Alexandrina Development Plan, policy to not locate buildings or structures related specifically to mapped key habitat areas, rather than the entire RAMSAR wetland.

### Commission's Recommendations:

**N.36 REMOVE** Performance Outcome 1.3.

**N.37 REMOVE** Performance Outcome 1.4.

## River Murray Flood Plain Overlay

- The name of the Overlay is confusing to users as the area to which it is proposed to be spatially applied does not completely correspond with the 1956 flood plain
- The DO should acknowledge that the river is an ecologically important resource in addition to its tourism and recreation uses
- Policies in the Overlay should support the enhancement of water quality and the riverine environment, as expressed in Desired Outcome 1
- Policy criteria for outbuildings and agricultural buildings should be made consistent with Accepted Development requirements and River Murray Act 'Exemption from Requirement to Refer' Notice (i.e. sheet-metal cladding to be pre-colour treated or painted in non-reflective colour)
- PO 4.1 should promote consideration of flood hazard risk
- DTS/DPF 5.6 should seek that fuel storage facilities be located outside of the 1956 flood plain area
- Additional POs may be required to guide levee bank construction requirements and fill required to access track repairs
- DTS/DPF 7.5 should be amended to ensure that jetties or pontoons are only constructed in association with an existing dwelling.
- DTS/DPF 5.4 referencing chemical storage within an outbuilding may not be necessary, as this activity is not development.
- DTS/DPF 5.6 referencing sewage pump-out areas being located outside of the 1956 flood plain area is difficult to meet and unnecessary.
- DTS/DPF 7.9 should be amended to seek that moorings for vessels are located a safe distance away from a pumping station or public water intake.
- The 1956 flood plain extent should be reinstated within the River Murray Flood Plain Overlay as an additional element to improve clarity and remove reliance on mapping held by councils.

- Areas (such as Renmark) should be excluded from the Overlay to ensure that all development applications in these areas are not unnecessarily caught up in a referral process and to carryover the intent of the exclusions prescribed in Sch8 (4) of the *Development Regulations 2008*.

#### Commission's Recommendations:

**N.38 AMEND** the name of the Overlay to 'River Murray Flood Plain Protection Area Overlay'.

**N.39** In relation to the Overlay Policies:

- **AMEND** DO 1 to acknowledge the ecological importance of the River Murray.
- **AMEND** DTS/DPF 3.1 to ensure consistency with Accepted Development outbuilding policy on cladding.
- **AMEND** the PO 4.1 as follows: "...*Development does not cause, impede, or be subject to damage by floodwaters and fluctuating pool levels over the expected life of the development. This includes considering the increased risk of flooding as a result of climate change*".
- **REMOVE** DTS/DPF 5.4 as storage of chemicals within an outbuilding not a form of development, and given the impracticability of wholly locating an outbuilding within a bund.
- **REMOVE** part (a) of DTS/DPF 5.5 to exclude the establishment of fuel storage facilities within the 1956 flood plain area.
- **REMOVE** DTS/DPF 5.6, as a 'vessel sewage pump-out facility' would require an EPA referral (where located within the River Murray Floodplain Overlay).
- **AMEND** DTS 6.3 to include additional POs that include levee bank construction requirements, similar to coast protection measures (refer Coastal Areas Overlay POs 3.1 to 3.4) to help reduce impacts of inundation below lock one.
- **AMEND** DTS/DPF 7.5 to read "Jetty or floating pontoons are limited to one jetty or floating pontoon constructed per dwelling and: (a) the river structure is on the same allotment as the dwelling; or (b) the allotment (or lease site) containing the dwelling is separated from the river front by a public reserve or a public road (but not both);..." to ensure jetties or pontoons are only constructed in association with a dwelling.
- **AMEND** DTS/DPF 7.6 to remove the reference to missing Figures 5 and 6 and examine whether additional figures from the Mid Murray Council Development Plan should be added.
- **AMEND** DTS/DPF 7.9 to reflect separation distances for off-channel marinas as referenced in the SA Government's *Guide to Marina and Mooring Structure Development Along the River Murray in South Australia*.

#### River Murray Tributaries Overlay

- PO 1.1 should be refined to require developments to consider adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures due to climate change.

#### Commission's Recommendations:

**N.40 AMEND** the name of the Overlay to 'River Murray Tributaries Protection Area Overlay'.

**N.41 AMEND** PO 1.1 to read 'Development comprising the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert surface water flowing over land is undertaken in a manner that maintains the quality and quantity of flows required to meet the needs of the environment and downstream users. This includes considering adverse

water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.'

### Significant Landscape Protection Overlay

- This Overlay should apply to the current Coastal Conservation Zone – Landscape Protection Policy Area 1 in the Kangaroo Island Council area.
- The Overlay should better emphasise the importance of protecting 'natural character'.

#### Commission's Recommendation:

**N.42 AMEND** polices in the Overlay to include references to 'natural character' (not just rural character) and built form criteria to include 'low-scale'.

### Sloping Land Overlay

- The sloping land overlay does not apply to some sloping land in locations where there is policy in Development Plans relating to design of development to respond to slope.
- The Overlay should be expanded to capture land that has a slope of 1:8 or greater rather than 1:4.
- Limiting the height of retaining walls to 1.5m is too restrictive
- The Overlay does not adequately cover areas susceptible to very high or extreme soil water erosion or land slip.

#### Commission's Recommendations:

**N.43 REMOVE** the Sloping Land Overlay from the Planning and Design Code due to the current data limitation which will result in an inaccurate application of the overlay.

**N.44 AMEND** the Design General Development Policies modules to include policy content regarding cut and fill, retaining walls, driveway gradients and the like that will replace the content of the Sloping Land Overlay.

### State Significant Native Vegetation Overlay

A 'Public Good' provision should be incorporated into the assessment provisions and should be applied across all categories of developments, but particularly on 'impact assessed developments' to ensure:

- Public access is not restricted by 'for profit' developments
- Developments that reduce the conservation value of a park should be denied.

#### Clarification:

This is a broad issue and will be considered in future iterations of the Code.

#### Commission's Recommendation:

No changes recommended.

## Water Protection Area Overlay

- There was a query about the boundaries of the Overlay, as Water Protection Zones in some councils are not accurately mapped as a Water Protection Area Overlay.
- Proposed inclusion of additional policy to address wastewater in the Overlay.
- Surface waters should be mentioned under the relevant Assessment Provisions in this Overlay section or reference should be made to the provisions provided within the other classes of Overlay, for example the Mount Lofty Ranges Catchment (Area 1) Overlay.
- The DO should promote consideration of the cumulative effect of development and climate changes on water quality.

### Clarification:

The spatial data for this Overlay has been applied in consultation with relevant government agencies and is not being reviewed at this point in time. The Overlay boundaries will be retained as application of it is based on areas constituted as water protection areas under the *Environment Protection Act 1993*.

### Commission's Recommendations:

- N.45 AMEND** the overlay to include a PO that lists fuel depot and special industry as undesirable land uses within this overlay.
- N.46 AMEND** the overlay to include wastewater management policies.
- N.47 AMEND** PO 3.1: *"Irrigated areas sites to ensure that they ....do not increase the salinity levels of groundwater"*.

## Water Resources Overlay

- Advice is needed on how policy to protect water resources would be called up in areas outside the Overlay.
- The Desired Outcome should promote consideration of the cumulative effect of development and climate changes on water quality.
- The desired outcome of this Overlay needs to include maintaining the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

The term 'floodplain' needs to be clearly defined. In flood management terms this should be at least the 1:100 AEP extent.

### Commission's Recommendations:

- N.48 AMEND** to include the following Desired Outcome: *"Maintain the conveyance function and natural flow paths in watercourses to assist in the management of flood waters and stormwater runoff."*
- N.49 AMEND** to include the definition of 'floodplain' to PO1 to ensure clarity, such as:  
*Watercourses and their beds, banks, wetlands and floodplains (1:100 AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.*

## Site Contamination General Development Policies

### Clarification:

Responses to this module should be considered alongside submissions received on the *Draft Site Contamination Practice Direction*, which contains proposed procedural guidance for practitioners on how to apply a risk-based assessment framework for consideration of site contamination. The Draft Code and practice direction were placed on concurrent consultation, with the practice direction remaining on consultation until 28 February 2020. Given that the policy relies on content in the practice direction to operate effectively, both the policy and practice direction regarding site contamination will be implemented through the Phase Three (Urban Areas) Code Amendment.

- PO 1.1 and DTS/DPF 1.1 contain inconsistencies with the wording and terminology used in the Draft Practice Direction and the risk-based framework agreed to by DPTI, the EPA and the joint industry/practitioner reference group.
- Submissions raised some confusion around the use of a Site Contamination Audit Report (SCAR) to fulfil DTS/DPF 1.1.
- Further clarity was requested on how the EPA's online register of contaminated sites in SA can work with the State Atlas to assist assessments against the policy criteria in this module.
- Further engagement and capacity building was requested to help upskill practitioners on the correct application of Site Contamination aspects of the Code, the practice direction and the regulation changes which taken together, will give effect to the new Site Contamination procedures.

The commencement of the full package of site contamination process reforms (consisting of a finalised Practice Direction, regulation changes and Code policy/referrals) for all council areas will occur at the same time as the implementation of Phase Three of the Planning and Design Code (1 July 2020) and will be used to give effect to the site contamination process reforms in metropolitan, regional and outback council areas.

### Commission's Recommendations:

- N.50 AMEND** PO 1.1 and DTS/DPF 1.1 in the Site Contamination General Policies to maintain the Phase One wording for the time being (noting any site contamination reform, including practice direction and associated policy, will be considered through the Phase Three (Urban Areas) Code Amendment).
- N.51 AMEND** the relevant definitions in Part 8 of the Code to improve clarity of process and interpretation for all users.
- N.52 REMOVE** the EPA referral trigger for site contamination in Part 9 of the Code.

## Climate Change

- Overall there was support for the provisions of the draft Code aimed at addressing climate change through good design, for example Water Sensitive Urban Design and urban greening principles.
- The Code needs to better address climate change risks now and into the future.
- There are insufficient environment-focused General Development Policy modules.
- Accurate and relevant risk mapping is needed.

### Clarification:

No structural changes in the form of new Overlays or General Development Policy modules are proposed in response to the feedback about climate change. This is on the basis that the framework of Overlays and General Development Policy modules contained within the Phase Two (Rural Areas) Code Amendment provides a comprehensive suite of spatial and non-spatial policy modules to house policy aimed at addressing the impacts of climate change. Discussion of the adequacy of the policy contained within these modules follows. Further updates to this policy will be considered following the closure of consultation on the draft Phase Three (Urban Areas) Code.

## 6.2.4 Integrated Movement Systems and Infrastructure (M)

The following summarises the zones, subzones and overlays relevant to this section and proposed name changes. The rationale behind these changes is described in the sections below.

Zones	Overlays (continued)
Community Facilities	Key Outback and Rural Routes
Deferred Urban	Key Railway Crossings
Infrastructure	Major Urban Transport Routes
Infrastructure (Airfield)	Non-stop Corridors
Infrastructure (Ferry and Marina Facilities)	Strategic Infrastructure (Gas Pipelines)
New Subzone	Traffic Generating Development
<i>Wallaroo Marina Subzone (Infrastructure (Ferry and Marina Facilities) Zone)</i>	Urban Transport Routes
Overlays	General Development Provisions
Advertising Near Signalised Intersections	Clearance from Overhead Powerlines
Aircraft Noise Exposure	Infrastructure and Renewable Energy Facilities
Airport Building Heights (Aircraft Landing Area)	Marinas and On Water Structures
Airport Building Heights (Regulated)	Transport, Access and Parking
Building Near Airfields	Waste Treatment and Management Facilities
Defence Aviation Area	
Future Road Widening	

### Community Facilities Zone

- A broader range of community based land uses should be included within DTS/DPF 1.1, such as community facility, emergency services facility, health care facility, hospital, hall, cemetery, museum, aged care accommodation and caravan park.
- Additional development classes should be included within the Performance Assessed Development classification table to better reflect land uses contemplated within the zone such as aged care accommodation, nursing homes, retirement villages and other forms of community 'group' housing within the zone, which could assist in satisfying the needs of the local community.

#### Clarification:

Classes of development which can vary in scale or intensity have not been identified in the Performance Assessed Development classification tables given the complexity of capturing all relevant assessment criteria in a variety of different circumstances.

- Restrictions should be placed on tourist accommodation development and dwellings within the zone unless undertaken in conjunction with a commercial use and an alternative may be the creation of a subzone to cater for nuanced areas such as those within Kangaroo Island.

- Consideration should be given to wastewater for land division (the requirement for the connection of ablutions, cabins and businesses to a CWMS or onsite wastewater system), and the capacity must be sufficient to accommodate additional loading.
- The zone currently contemplates medium-rise buildings. This should be reviewed to better reflect existing policy conditions.

**Clarification:**

It is noted that Infrastructure requirements for land division (including requirements for wastewater) are considered and included within the proposed General Development Policies of the Code (Land Division).

**Commission’s Recommendations:**

- M.1** **AMEND** DTS/DPF 1.1 to include additional land uses within Zone that may be contemplated within the zone (e.g. community facility, emergency services facility, cemetery, indoor recreation facility).
- M.2** **AMEND** to include additional classes of development within Deemed-to-Satisfy and Performance Assessed development classification tables where appropriate.
- M.3** **AMEND** to include additional Assessment Provisions within the zone relating to floor area of shops and offices.
- M.4** **AMEND** building height Assessment Provisions to reference any relevant TNV and acknowledge prevailing character.

**Infrastructure Zone**

- In its submission, SA Water requested that a number of sites across the Phase 2 area which contain existing infrastructure (such as small sewer or water pumping stations) be rezoned to Infrastructure Zone to reflect the existing predominant use of land.

**Commission’s Recommendation:**

***Amendments to spatial application***

- M.5** **APPLY** the Infrastructure Zone to sites at Spalding, Tod River, Beetaloo Valley, Quorn and Paskeville which accommodate established reservoirs of key importance in regional areas (refer to part 6.3 for further detail on spatial application).

**Infrastructure (Airfield) Zone**

- The name of the zone could be misleading given that an airfield is not infrastructure in its own right, but rather a land use based on aircraft movement, servicing and allied industries, and public utilisation.
- The list of envisaged land uses could be amended to include a range of supporting land uses such as visitor/tourist accommodation, solar renewable energy facilities and retail fuel outlets.

**Commission’s Recommendations:**

No changes recommended.



## Infrastructure (Ferry and Marina Facilities) Zone

- Increased clarity surrounding envisaged off-water land uses is needed.
- The zone should be amended to specifically reference off-water land uses including port and harbour facilities and residential development.

### Commission's Recommendation:

**M.6 AMEND** Performance Outcomes to provide greater clarity surrounding envisaged land uses, including port and harbour facilities and residential development.

## New Subzone

### Wallaroo Marina Subzone

There are insufficient policies to facilitate multi-level mixed use development as envisaged in the Copper Coast Council - Coastal Marina Zone.

### Commission's Recommendation:

**M.7 CREATE** a new 'Wallaroo Marina Subzone' of the Infrastructure (Ferry and Marina Facilities) Zone and spatially **APPLY** to the area where the Coastal Marina Zone applies in the Copper Coast Council (at the entrance to the Copper Cove Marina).

## Aircraft Noise Exposure Overlay

- Policy relating to aircraft noise should be strengthened given that the Code does not refer to Australian Standard, AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction, and its associated ANEF Australian Noise Exposure Forecast (ANEF) system.
- The Draft Code for Phase Two only refers to aircraft noise mapping currently contained within Development Plans, however, this mapping is often outdated or incomplete. Overlay mapping should be expanded to incorporate appropriate aircraft noise mapping currently held by other agencies.

### Clarification:

An approach to update the Overlay to incorporate aircraft noise mapping outside of Development Plans, but which is currently used in the assessment of development applications, is currently being investigated. DPTI will continue to work with agencies and the aviation industry to refine Code content to ensure the policy is fit for purpose.

### Commission's Recommendations:

**M.8 AMEND** Desired Outcome to reflect the appropriate location of development in noise affected areas, rather than just design.

*Note: The Commission is continuing to collaborate with relevant agencies and the aviation industry to develop mapping and Code policy content that better addresses the impacts of aircraft noise while not unreasonably compromising Accepted and Deemed to Satisfy pathways for development contemplated in a zone e.g. dwellings in a neighbourhood type zone.*

## Airport Building Heights (Aircraft Landing Area) Overlay

- The Overlay should consider the impacts of building heights on Strategic Helicopter Landing Sites to more closely align with the National Airport Safeguarding Framework.
- The Overlay could be spatially applied to additional Aircraft Landing Areas within Phase Two.

### Clarification

The Commission will continue to investigate spatial application of the Overlay to additional Aircraft Landing Areas where appropriate, as well as the incorporation of Strategic Helicopter Landing Sites within the Overlay during refinement of Code content for Phase Three.

### Commission's Recommendation:

No changes recommended.

## Airport Building Heights (Regulated) Overlay

- The referral for over-height development should be amended to include the airport operator as a referral authority for matters covered by this overlay to ensure consistency with Commonwealth legislation.

### Clarification:

Although ultimately the referral body for development which intrudes on an airport's Obstacle Limitation Surface (OLS) is the Commonwealth Secretary for the Department of Infrastructure, Transport, Cities and Regional Development (DITCRD), it is intended that referrals for OLS intrusions are sent to the relevant airport operator.

### Commission's Recommendation:

**M.9 AMEND** to ensure that appropriate procedures are in place to ensure that referrals are directed to the relevant airport operator.

## Building Near Airfields Overlay

This overlay could be amended to further align with the NASF, e.g by including light mapping, Strategic Helicopter Landing Sites (SHLS) and public safety zones, as well as broadening the reference to bird strike to all wildlife.

### Clarification:

Approaches towards further incorporation of the NASF into the Planning and Design Code will be considered throughout the refinement of Code content for Phase Three.

- Respondents raised concern that this Overlay has been unnecessarily applied to a number of development types within various Assessment Tables, i.e. for minor development such as carports for which the policy content is not relevant.
- Respondents also suggested a strengthening of policy related to aircraft noise given that the Code does not refer to Australian Standard, AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction, and its associated ANEF Australian Noise Exposure Forecast (ANEF) system.

#### Clarification:

DPTI will continue to collaborate with relevant agencies and the Aviation Industry to refine the approach to addressing development near airports, including the impacts of aircraft noise, throughout refinement of Code content for Phase Three.

#### Commission's Recommendations:

**M.10 AMEND** the application of the Overlay in various zone assessment tables where appropriate to ensure that it is not applied unnecessarily to development types that will not impact airport operations.

**M.11** In relation to the Overlay policies:

- **AMEND** policy content relating to lighting to ensure greater clarity about the types of development to which it applies.
- **AMEND** policy relating to minimisation of bird strike to broaden to wildlife strike.
- **REMOVE** PO 1.3 relating to airport noise from the Overlay and instead apply the Airport Noise Exposure Overlay to known noise affected areas where appropriate.

*Note: Refer to discussion for the Aircraft Noise Exposure Overlay. Continue collaboration with the Aviation sector and Councils to refine Code content and mapping in addition to consideration of further incorporation of the NASF.*

#### Key Outback and Rural Routes Overlay

- DTS policy would be more appropriate to align to the existing Australian Standards / AustRoads Guidelines, rather than codifying the requirements such as access spacing and sightlines.
- Additional DTS policy could be developed to support the satisfaction of DTS criteria, e.g. where a qualified and experienced traffic engineer has designed / investigated whether the proposed access, sightlines, or vehicle queueing are appropriate, and the AustRoads Guidelines / Australian Standards are satisfied, then the DTS is met.
- Minor wording changes are needed to avoid ambiguity in Performance Outcomes.
- The numerical value placed on DTS provisions is too conservative.
- An access point servicing more than 60 vehicle movements per day should not preclude the development from being classified as a DTS provided it has been designed to allow for access in accordance with applicable Australian Standards/ Guidelines.
- Development should not be precluded from DTS if left-turn-only entry and exit movements are not able to be satisfied. As long as the right turn movements are safe, they should be considered to be provided for.

#### Clarification:

The applicability of requirements allowing for qualified and experienced traffic engineers to provide designs / investigations to show that AustRoads / Australian Standards are satisfied will be investigated during development of Phase Three.

Reference to Australian Standards was not included in the Code as some aspects require subjective consideration and therefore are not suitable as measurable criteria for Deemed-to-Satisfy requirements.

The Commission will consider the use of Practice Guidelines or similar technical guidelines to assist in place of Australian Standards.

#### **Commission's Recommendations:**

**M.12** In relation to the Overlay policies:

- **AMEND** DTS/DPF1.1 to contemplate right-turn-only access to the site in a limited capacity.
- **AMEND** PO 2.1 to include the phrase "when entering the site".
- **AMEND** DTS/DPF2.1 to be amended to provide clarity around on-site queueing and access point width requirements.
- **AMEND** DTS/DPF3.1 to provide clarity around traffic volume numbers, vehicles per day entering the site and class of vehicles using existing access points.
- **AMEND** PO4.1 to change "widely spaced" to "appropriately spaced".

### **Strategic Infrastructure Gas Pipelines Overlay**

- The mapping should be updated to reflect where current pipeline safety management studies are in place, as well as the location of sites where noise may impact on adjacent sensitive development.
- A referral trigger to the Department of Energy and Mining (DEM) should be included for rezoning and specific land uses within the Overlay area.

#### **Clarification:**

The Commission will continue collaboration with the Department of Energy and Mining and the pipeline industry to develop an approach to addressing matters relating to gas pipeline infrastructure via Overlay policy and mapping that is fit for purpose as Code content is refined in preparation for Phase Three.

#### **Commission's Recommendation:**

No changes recommended.

### **Urban Transport Routes Overlay**

- DTS policy would be more appropriate to align to the existing Australian Standards / AustRoads Guidelines, rather than codifying the requirements such as access spacing and sightlines.
- Additional DTS policy could be developed to support the satisfaction of DTS criteria, e.g. where a qualified and experienced traffic engineer has designed / investigated whether the proposed access, sightlines, or vehicle queueing are appropriate, and the AustRoads Guidelines / Australian Standards are satisfied, then the DTS is met.
- Minor wording changes are needed to avoid ambiguity in Performance Outcomes.
- The numerical value placed on DTS provisions is too conservative.
- An access point servicing more than 60 vehicle movements per day should not preclude the development from being classified as a DTS provided it has been designed to allow for access in accordance with applicable Australian Standards/ Guidelines.

- Development should not be precluded from DTS if left-turn-only entry and exit movements are not able to be satisfied. As long as the right turn movements are safe, they should be considered to be provided for.

**Clarification:**

The applicability of requirements allowing for qualified and experienced traffic engineers to provide designs / investigations to show that AustRoads / Australian Standards are satisfied is something that will be investigated further during development of Phase Three.

Reference to Australian Standards was not included in the Code as some aspects require subjective consideration and therefore aren't suitable as measurable criteria for Deemed-to-Satisfy requirements.

The Commission will consider the use of Practice Guidelines or similar technical guidelines to assist in place of Australian Standards.

**Commission's Recommendations:**

**M.13** In relation to the Overlay policies:

- **AMEND** PO 4.1 to change "widely spaced" to "appropriately spaced".
- **AMEND** PO 2.1 clarified to include the phrase "when entering the site".
- **AMEND** DTS/DPF 2.1 to include the word 'enter' for clarity.
- **AMEND** DTS/DPF 3.1 to support a marginally higher rate of vehicle movements through an existing access.
- **AMEND** DTS/DPF 7.1 to provide more clarity regarding encroachment into road reserve.

**Infrastructure and Renewable Energy Facilities General Development Policies**

- Increased policy emphasis on the management of environmental, health and amenity impacts of large renewable energy facilities, particularly wind and solar farms should be provided by e.g.:
  - increasing setback distances from wind farms to townships, dwellings and other sensitive receptors
  - re-examining setback distances for solar farms to implement a scaled-approach, whereby the size and scale of a proposed solar farm determines its setbacks
  - adding a policy to discourage the establishment of solar farms on intact native vegetation and areas of high environmental value
  - incorporating specific noise policy for wind farms
  - reducing environmental impacts such as dust and vegetation clearance through landscaping, underplanting and wildlife corridor policy, without compromising the security of a facility
  - providing greater policy detail to guide the decommissioning and remediation of sites.
- Respondents have also advocated for the following:
  - revisiting the land use definition for 'Renewable Energy Facility' to better define and categorise differences between large and small-scale solar power facilities
  - listing renewable energy facilities as envisaged land uses in PO 1.1 and DTS/DPF 1.1 of the Rural Zone to support the Desired Outcomes of the zone.
  - categorising all wind farm and pumped hydro applications as Impact Assessed Developments due to their state interest and significant size, scale and potential environmental impacts.

Opponents of wind farms argue that this form of electricity generation should fall within the ambit of the land use definition for industry.

- Policy for buffers surrounding infrastructure facilities should be amended and there should be more requirements for transmission lines to ensure visual impacts are reduced to adjacent sensitive land uses, while managing bushfire risk to key services.
- Provisions for the augmentation of council services within land divisions, particularly to assist with connections to council-operated (non SA Water) CWMS systems, should be allowed.
- There is a need to reference the requirements of the Wastewater Regulations and Wastewater Code in PO 12.1 and DTS/DPF 12.1.

**Clarification:**

The Commission does not propose to include numerical limits on the size, scale and distribution of wind turbines and wind farms in the Code. This is considered to be inappropriate due to the potential impact on investment, rapidly changing technology, extended project timeframes and inconsistency with projects with current approvals under the *Development Act 1993*.

Nor does the Commission propose to include specific noise policy for wind farms in the Code as this is considered to represent an unnecessary duplication of processes conducted by the EPA under the normal agency referral process for such facilities.

The Commission will consider an Impact Assessed pathway for large scale wind farm and pumped hydro applications due to their state interest, significant size, scale and potential environmental impacts, although this will not be proposed or implemented until Phases 2 and 3 of the Code are operational.

**Commission’s Recommendations:**

**M.14 AMEND** polices to incorporate increased minimum setback distances to townships, settlements and non-associated dwellings for Wind Farms and Solar Power Facilities by:

- **AMENDING** DTS/DPF 8.1 (Wind Farms) to increase minimum setbacks to non-associated dwellings and tourist accommodation from 1.2km to 1.5km.
- **RETAINING** minimum 2km setback and additional 10m setback per additional metre over 150m turbine height.
- **AMENDING** DTS/DPF 9.3 (a) to ensure National Parks and Conservation Parks are captured within the meaning of ‘conservation areas’

**M.15 AMEND** DTS/DPF 9.3 to include different adjoining land setback distances for larger and smaller scale solar farms. This could be achieved through use of a scaled-setbacks approach based on the approximate size of the ground mounted solar field, for example by:

- amending setback distances in DTS/DPF 9.3 (Solar Power) from 100m from townships and settlements to the following:

Generation Capacity	Setback from boundary	Approx. size of array	Sensitive zone Setback*
50MW>	30m	80ha+	2km
10MW<50MW	25m	16ha-<80ha	1.5km
5MW<10MW	20m	8ha to <16ha	1km
1MW<5MW	15m	1.6ha to <8ha	500m
100kW<1MW	10m	0.5ha<1.6ha	100m
<100kW	5m	<0.5ha	25m

*\*Policy intent is to ensure largest solar farms are not established next to townships for future land availability, landscape character and rural amenity reasons (or having such facilities being 'gateway' developments).*

- M.16 AMEND** the land use definition for 'Renewable Energy Facility' in the Code, through:
- a) Lowering the 5MW exclusion threshold from this definition for smaller-scale solar PV facilities.
  - b) Separately defining 'Small-scale ground mounted Solar Power facility' which is mentioned elsewhere in the Code, but not defined as a land use.
- M.17 AMEND** the wording of PO 9.4 to encourage better management of the environmental impacts of Solar Farms, balanced with the need to maintain access to infrastructure, ensure bushfire safety and operational efficiency.
- M.18 RETAIN** PO 3.1 to guide the progressive rehabilitation of disturbed areas upon the decommissioning of sites used for Renewable Energy generation and transmission. As a performance outcome, PO 3.1 is considered suitable to guide conditions of approval and does not require change.
- M.19 AMEND** the Rural Zone to add renewable energy facilities as envisaged land uses in PO1.1 and DTS / DPF 1.1 and thereby align these with the reference to renewable energy generation in DO 1. Given the restrictions placed on the development of such facilities in Significant Landscapes, coastal areas, conservation areas and Character Preservation Areas, it is considered appropriate for Rural Zone policy to reference and align with the uses sought for the zone in the Desired Outcomes.
- M.20 AMEND** the definition of Industry to explicitly exclude Renewable Energy Generation facilities such as Wind and Solar Farms.
- M.21 AMEND** DTS / DPF 12.1 to remove specific requirements relating to the location of waste disposal systems and instead reference the requirements of the *South Australian Public Health Act 2011*. The previous technical requirements would be difficult for a planning authority to determine and these matters are assessed separately as part of a wastewater works approval under the *South Australia Public Health Act 2011*.

## Marinas and On-Water Structures General Development Policies

A DTS/DPF provision should be added for PO 1.3 which requires all vessels moored to on-water structures to be located within property or licence boundaries.

### Clarification:

As the suggested DTS/DPF provision relates to the ongoing management of activities, rather than a point-in-time assessment of a proposed on-water structure, no such change is recommended for this Overlay.

### Commission's Recommendation:

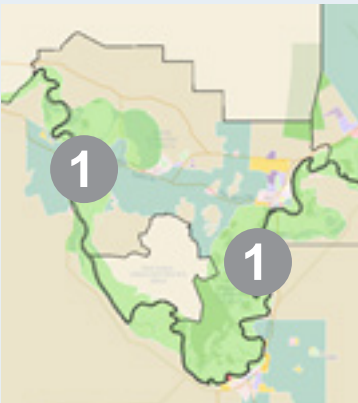
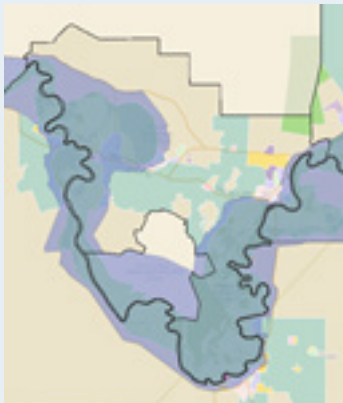
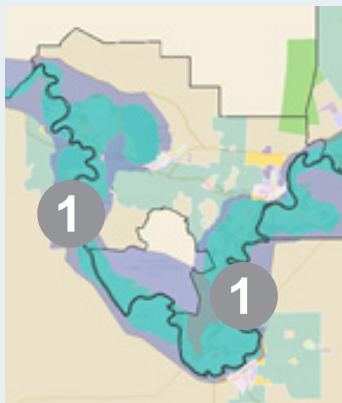
No changes recommended.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Berri Barmera council:

- Review the existing Berri District Centre should be review for the Code to better reflect current policy
- Request the Visitor Experience Subzone be applied to the Conservation zone, to promote Tourist Accommodation and investment into key areas.
- Amend the River Murray Flood Plain Overlay to include the 1956 Flood Line and have current designated area excluded
- Review the spatial application and policy within General Neighbourhood and Housing Diversity Neighbourhood zones and appropriateness within a regional context
- Amend the Recreation Zone to better support residential, tourist accommodation and land division per current policy position within existing golf courses.
- Consider further application or policy for the current Rural Landscape Protection Zone
- Request for existing Concept Plans (BeBa/1 and BeBa/3) in Development Plan to be transitioned into the Code.

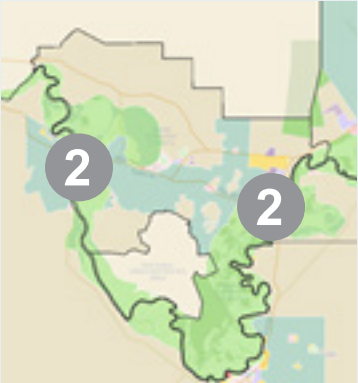
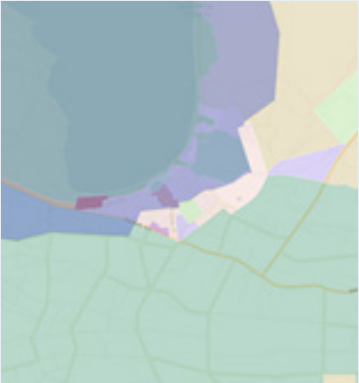
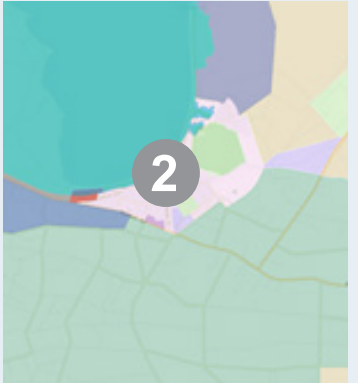
## Commission's Recommendations:

- 1 Spatially apply the River Murray Flood Plain mapping (1956 Flood Line) to the River Murray Overlay.

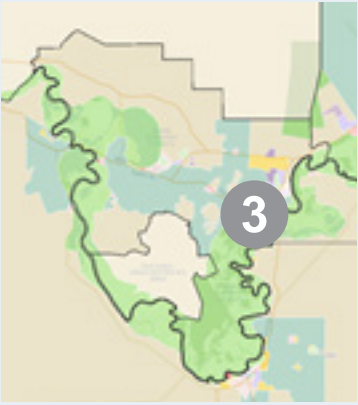

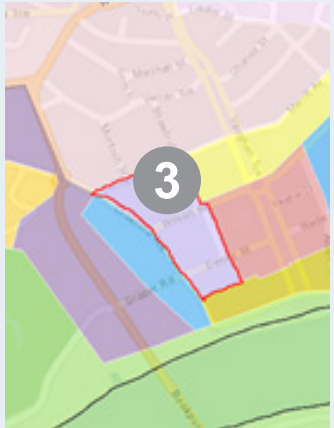
Location within Council Area	Draft application	Amended application
		



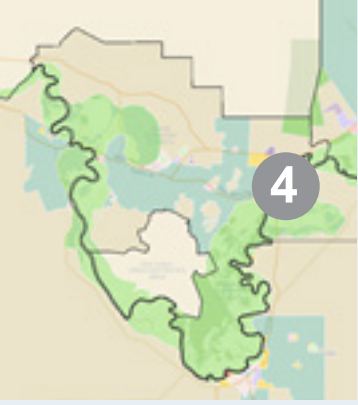
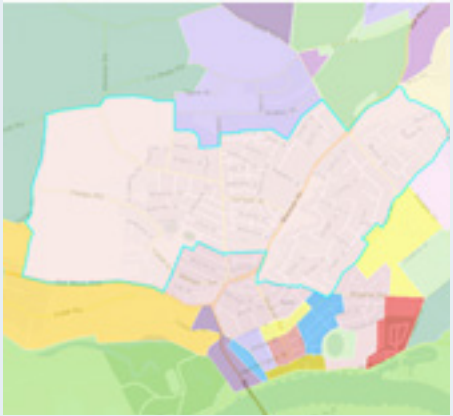
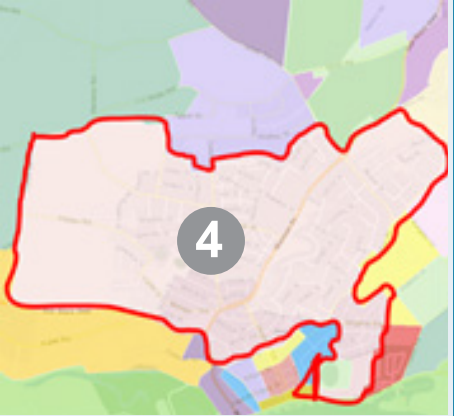
**2** Spatially apply the current exclusion areas outlined in Schedule 8 of the existing Development Regulations 2008, by excluding these areas from the extent of the River Murray Floodplain Overlay.

Location within Council Area	Draft application	Amended application
		

**3** Spatially apply the Suburban Employment Zone to a portion of land instead of the Employment Zone, in the Township of Berri.

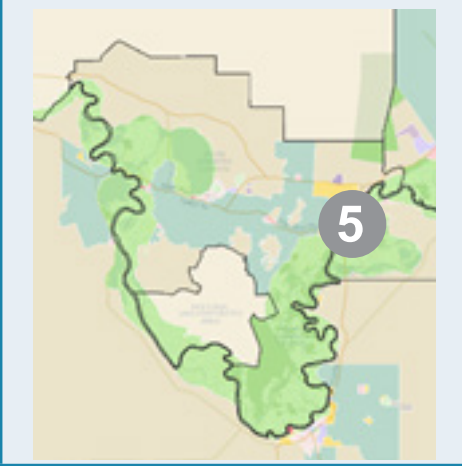

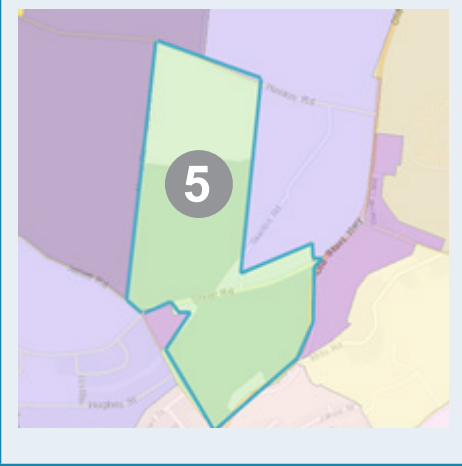
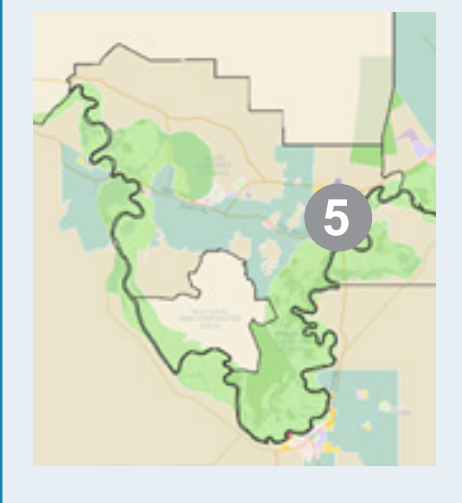
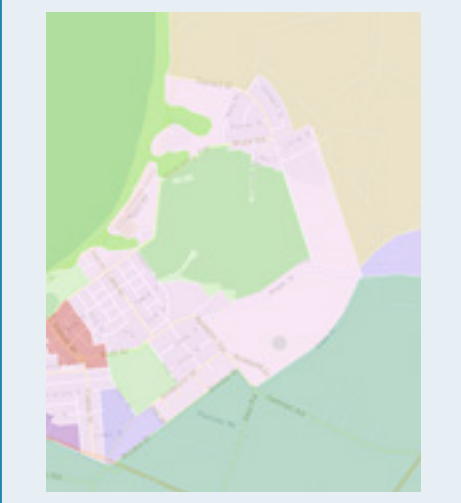

Location within Council Area	Draft application	Amended application
		

**4** Spatially apply the new Neighbourhood Zone instead of the Suburban Neighbourhood Zone and Housing Diversity Neighbourhood Zone.

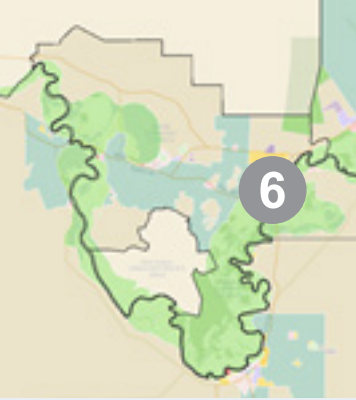
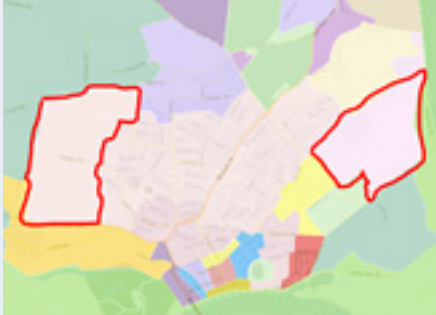


Location within Council Area	Draft application	Amended application
		

5

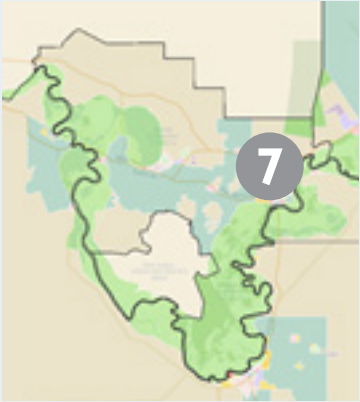
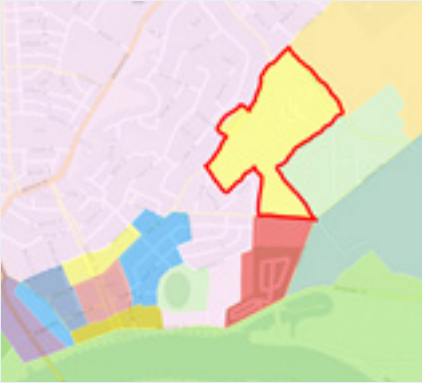
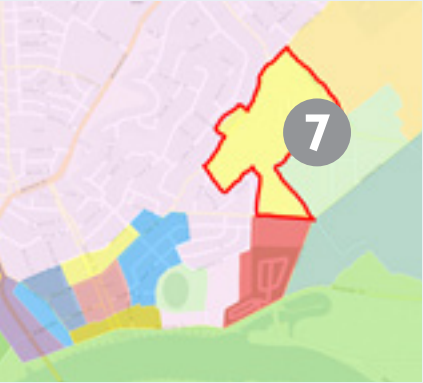
Spatially apply the Golf Course Estate Zone to the Berri and Barmera Golf Course areas instead of the Recreation Zone.

Location within Council Area	Draft application	Amended application
		
		

6 Spatially apply the Berri West Infrastructure and Staging Concept Plan Be/Ba/1 and Berri East Infrastructure and Staging Concept Plan Be/Ba/3 to the same areas as per Council's existing Development Plan.

Location within Council Area	Draft application (no Concept Plans applied to subject areas)	Amended application
		 <p><b>Concept Plan Map BeBa/1 RESIDENTIAL ZONE INFRASTRUCTURE AND STAGING</b></p>
		 <p><b>Concept Plan Map BeBa/3 RURAL LIVING ZONE INFRASTRUCTURE AND STAGING</b></p>

- 7 Spatially apply the Township Activity Centre Zone to the identified portion of land instead of the Community Facilities Zone in the Township of Berri.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
<p>Apply a Visitor Experience Sub-zone within the Conservation Zone to promote tourist accommodation. Additionally, Conservation Zone to review current list of restricted development.</p>	<p>Proposal outside of scope of Code transition. Would require future Code amendment.</p>
<p>Rural Landscape Protection Zone being merged into a Rural Zone or Rural Living Zone with a Native Vegetation Overlay. We require that these unique areas be better recognised via a Sub-Zone.</p>	<p>Proposal outside of scope of Code transition. Would require future Code amendment.</p>

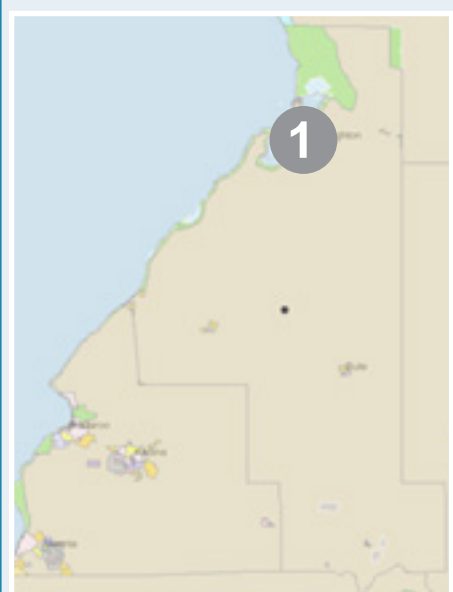




Feedback received by the the State Planning Commission sought the following alterations to the spatial application of the Code in the District Council of Barunga West area:

- Residential zoned land along the western side of Port Broughton fronts onto the Coastal reserve and a public road. The standardised General Neighbourhood Zone doesn't reflect the ability for allotments to front the coast and contain primarily garaging on the street frontage.
- Additional coastal protection measures needed for Fisherman Bay, in relation to coastal erosion, sea and stormwater flooding, and management of coastal processes.

## Commission's Recommendations:

- 1 Spatially apply the newly developed Residential Waterfront Sub-zone to the areas within the Neighbourhood Zone outlined below.

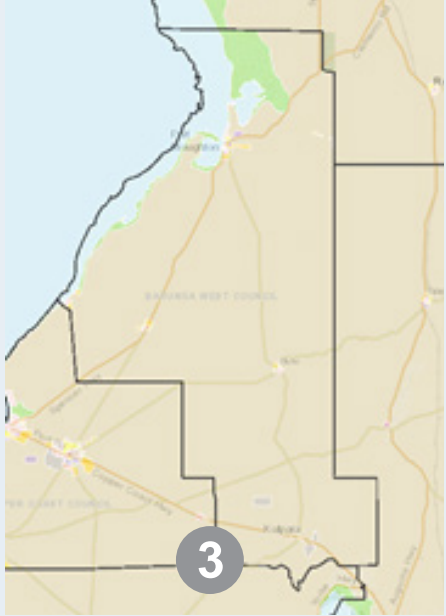
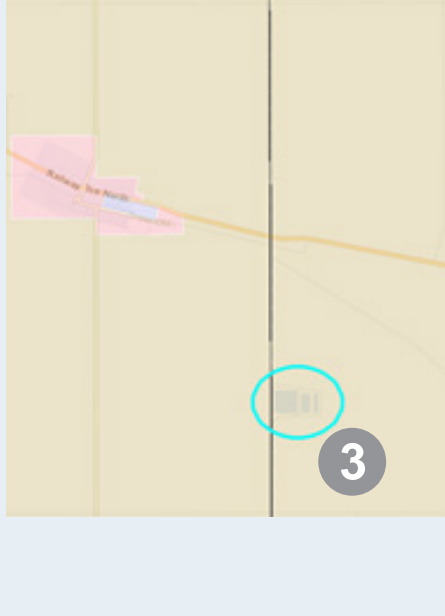
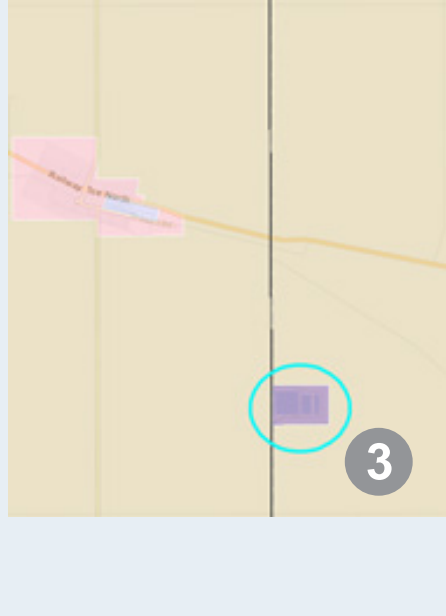
Location within Council Area	Draft application	Amended application
		

- 2 Spatially apply the Rural Settlement Zone instead of the Township Zone at Fishermen Bay. Also spatially apply a new Fisherman Bay Subzone to the entirety of the newly selected Rural Settlement Zone.

Location within Council Area	Draft application	Amended application
		

3

Spatially apply the Infrastructure Zone instead of the Rural Zone at the SA Water reservoir site located at Paskeville.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission

Rationale

None

N/A




Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Ceduna area:

- A number of re-zoning requests submitted by Council:
  - Replace Employment Zone at Thevenard with Rural Aquaculture Zone
  - Replace Rural Zone on Decres Bay Road with Rural Living
  - Replace Rural Zone north-east of Ceduna with Infrastructure Zone
  - Replace Recreation Zone at Ceduna Area School with Suburban Neighbourhood Zone
  - Replace Conservation Zone at Shelly Beach Caravan Park with Caravan and Tourist Park Zone
  - Replace Suburban Employment Zone adjacent to Ceduna Airport with Employment Zone
- Review boundaries of Coastal Areas Overlay.
- Apply the Dwelling Excision Overlay to the Rural Zone for the Council area to maintain current policy.
- Request to rezone land at Laura Bay to facilitate rural living, an industrial precinct and a commercial wharf in an area currently zoned Coastal Conservation and Primary Production.

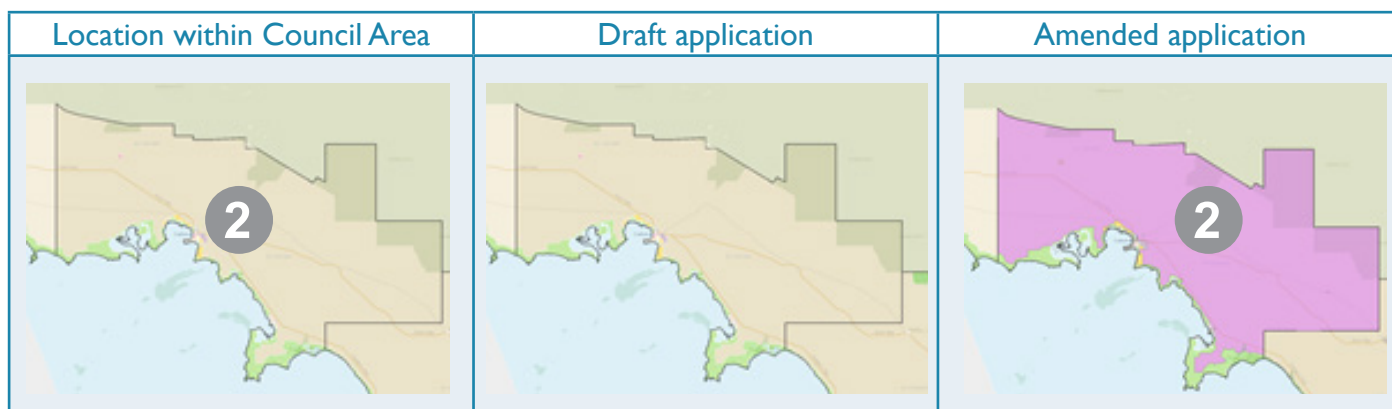
## Commission's Recommendations:

1

Spatially apply the Employment Zone to replace part of the Suburban Employment Zone adjacent Ceduna Airport (to Collins Street)

Location within Council Area	Draft application	Amended application
		

## 2 Spatially apply the Dwelling Excision Overlay to the Rural Zone



Spatial alterations NOT recommended by the Commission	Rationale
Replace Employment Zone at Thevenard with Rural Aquaculture Zone	Proposal outside of scope of Code transition. Would require future Code amendment.
Replace Rural Zone on Decres Bay Road with Rural Living	Proposal outside of scope of Code transition. Would require future Code amendment.
Replace Rural Zone north-east of Ceduna with Infrastructure Zone	Proposal outside of scope of Code transition. Would require future Code amendment.
Replace Recreation Zone at Ceduna Area School with Suburban Neighbourhood Zone	Proposal outside of scope of Code transition. Would require future Code amendment.
Replace Conservation Zone at Shelly Beach Caravan Park with Caravan and Tourist Park Zone	Proposal outside of scope of Code transition. Would require future Code amendment.
Replace Conservation Zone and Rural Zone at Laura Bay with zoning for rural living, an industrial precinct and a commercial wharf	Proposal outside of scope of Code transition. Would require future Code amendment.




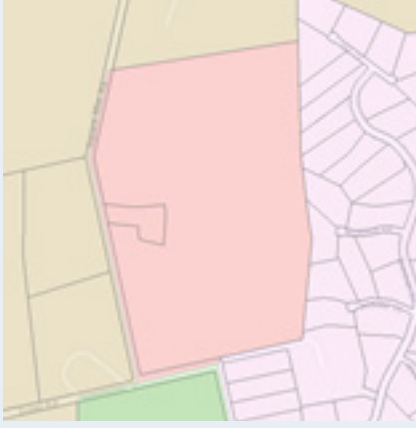
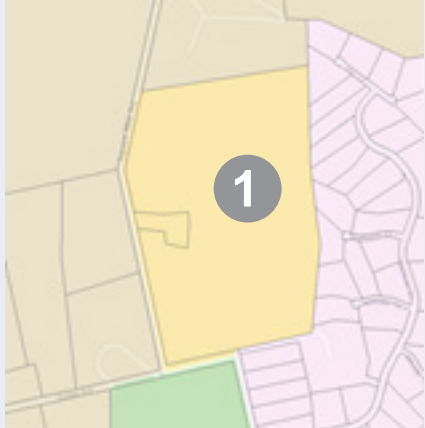
Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Clare and Gilbert Valleys Council area:

- Remove the Limited Dwelling Overlay in township of Leasingham as it is not viable for primary production.
- Extend the boundary of the Rural Living Zone over the parcels in East Auburn currently being used as Rural Living to better reflect existing uses.
- The Suburban Greenfield Neighbourhood Zone is a better fit zone to replace the current Development Plan Square Mile Road Policy Area in Clare.
- Amend TNVs to reflect existing numbers in Development Plan.
- Apply the Limited Land Division Overlay to the areas identified in the current Development Plan as Eastern Residential Precinct and Town Centre (Mintaro) in the State Heritage Area (Mintaro) Zone to better reflect current Development Plan policy.
- Requests to rezone Lot 8, Stanley Place, Clare from Rural to Rural Living.
- Request to rezone Lots 5 and 530 Horrocks Highway, Stanley Flat from Rural to Employment.


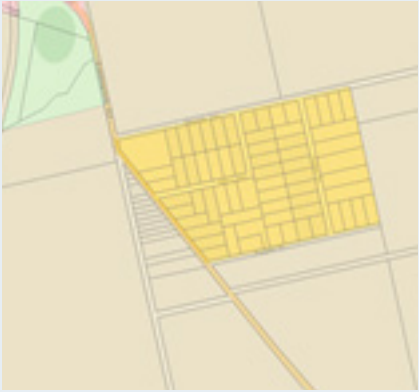

## Commission's Recommendations:

1




Spatially apply the Suburban Greenfield Neighbourhood Zone instead of the Suburban Neighbourhood Zone to the area within the existing Development Plan Square Mile Road Policy Area

Location within Council Area	Draft application	Amended application
		


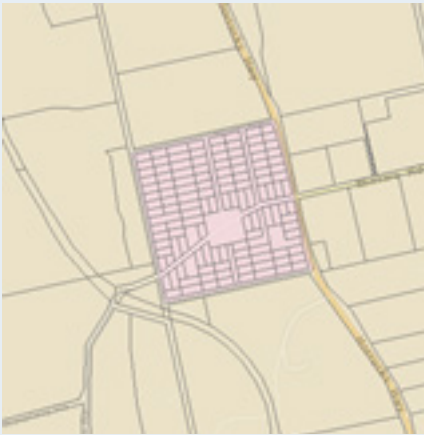
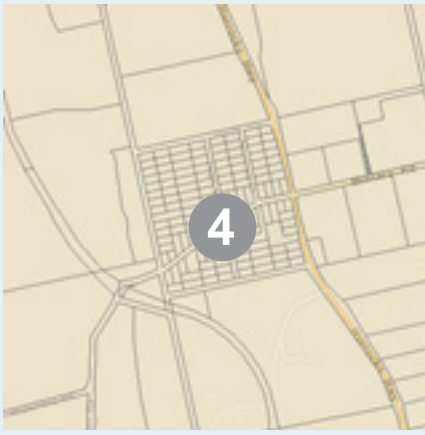
**2** Spatially apply the Rural Living Zone in East Auburn instead of the Rural Zone

Location within Council Area	Draft application	Amended application
		

**3** Spatially apply the Limited Land Division Overlay to the areas identified in the current Development Plan as Eastern Residential Precinct and Town Centre (Mintaro) in the State Heritage Area (Mintaro) Zone.

Location within Council Area	Draft application	Amended application
		

- 4 Remove the Limited Dwelling Overlay from the area identified in the Development Plan as the *Leasingham* precinct.



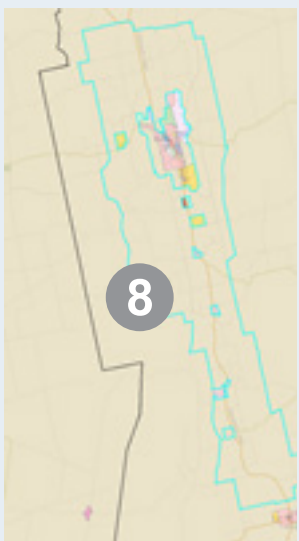
Location within Council Area	Draft application	Amended application
		

- 5 Spatially apply the new Neighbourhood Zone instead of the Suburban Neighbourhood Zone.  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

- 6 Remove the frontage TNV from the Residential Neighbourhood Zone  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*



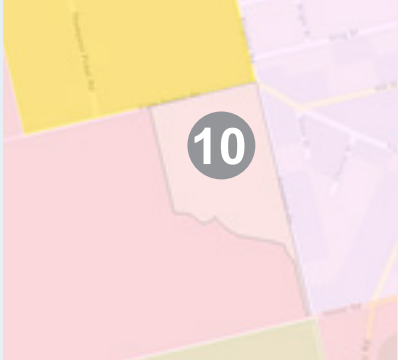
- 7 Spatially apply a 1500m<sup>2</sup> minimum lot size TNV to the Township Zone  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

- 8 Spatially apply a minimum dwelling lot size TNV of 40ha to the Code Rural Zone over the area in current Development Plan *Primary Production Zone* and 16ha to *Horticulture Policy Area*

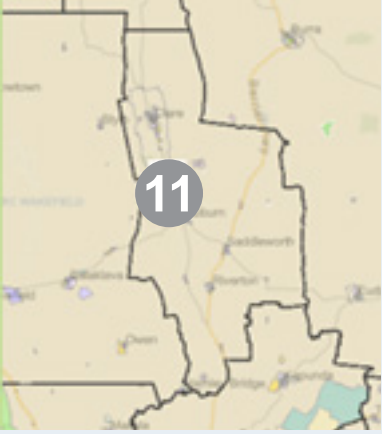
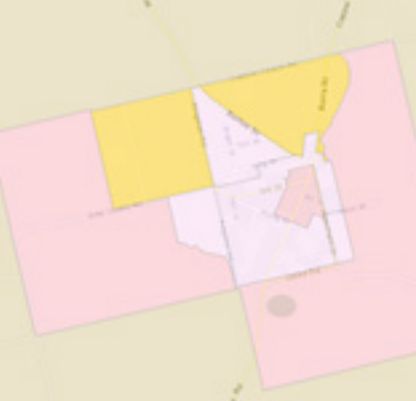
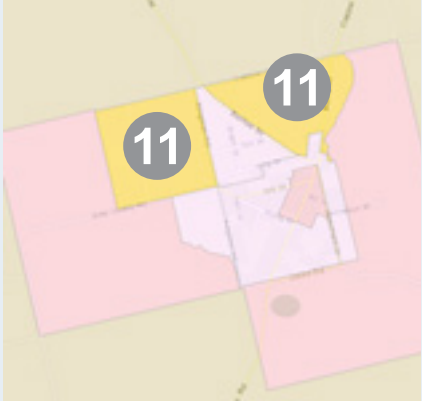
Location within Council Area	Draft application	Amended application
		

**9** Spatially apply a minimum lot size, frontage and building height TNVs to new Neighbourhood Zone that is consistent with the current Development Plan numeric policies.  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*


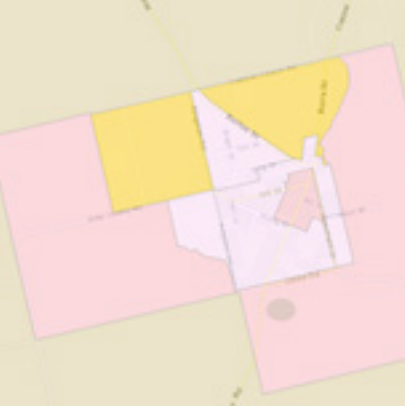
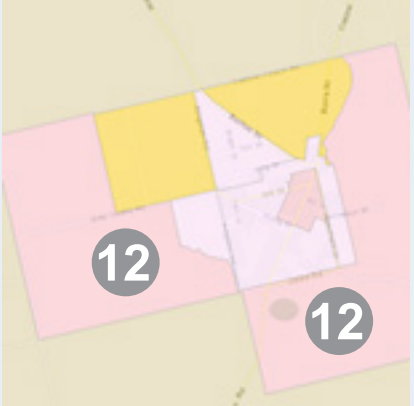
**10** Replace the minimum lot size TNV from 4000m<sup>2</sup> to 2000m<sup>2</sup> for the area identified in the current Development Plan as *Residential (Mintaro) Policy Area 7, Precinct 2*.

Location within Council Area	Draft application	Amended application
		

**11** Spatially apply a 1.7ha minimum lot size to the area identified in the Development Plan as the *State Heritage Area (Mintaro), Rural Living Policy Area*

Location within Council Area	Draft application	Amended application
		

- 12** Spatially apply a minimum dwelling lot size of 10ha to the area identified in the Development Plan as the *State Heritage Area (Mintaro) Zone, Town Fringe (Mintaro) Policy Area*

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Requests to rezone Lot 8, Stanley Place, Clare from Rural to Rural Living.	Proposal outside of scope of Code transition. Would require future Code amendment.
Request to rezone Lots 5 and 530 Horrocks Highway, Stanley Flat from Rural to Employment.	Proposal outside of scope of Code transition. Would require future Code amendment.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Cleve area:

- Council supports inclusion of the Dwelling Excision Overlay to the Rural Zone in the Council area (as proposed in consultation version of the Code).

## Commission's Recommendations:

1 Nil

Spatial alterations NOT recommended by the Commission	Rationale
Nil	Nil

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Coober Pedy area:

- None applicable

## Commission's Recommendations:

1 Nil

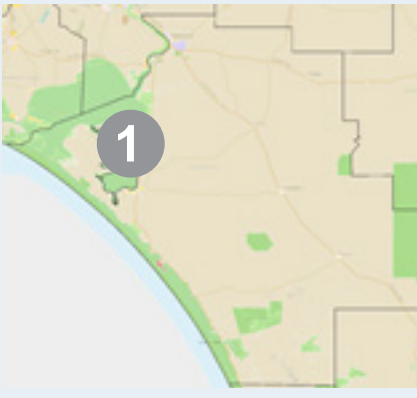


Spatial alterations NOT recommended by the Commission	Rationale
Nil	Nil

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Coorong District Council area:

- Request Visitor Experience Subzone be applied to the Conservation zone, to promote Tourist Accommodation and investment into key areas.
- Amend the River Murray Flood Plain Overlay to include the 1956 Flood Line and have current designated area excluded
- Request for existing AHD levels within zoning policy to be applied
- Request for the TNV to be applied for all Rural Living Zoned areas within the council
- Amend the zoning for the existing Old Tailem Town site to better reflect existing policy
- Review and develop more appropriate zoning for the Warrengie Marina Development Area
- Review zoning of certain allotments within the Rural Zone to change to the Rural Living Zone
- Request allotments within the Employment Zone (outside the Tailem Bend Township – recently changed to Urban Employment Zone in the Development Plan) to Rural Zone


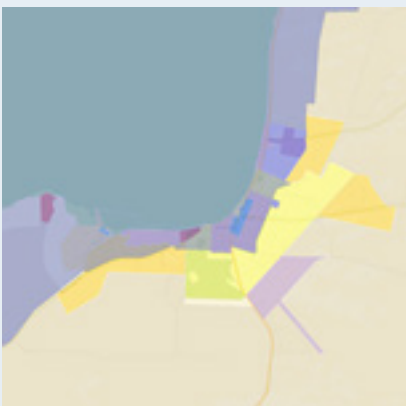
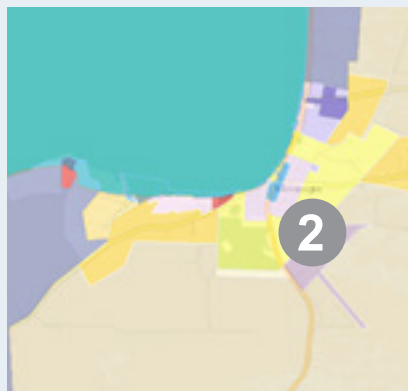
## Commission's Recommendations:

- 1 Spatially apply the River Murray Flood Plain mapping (1956 Flood Line) to the River Murray Overlay


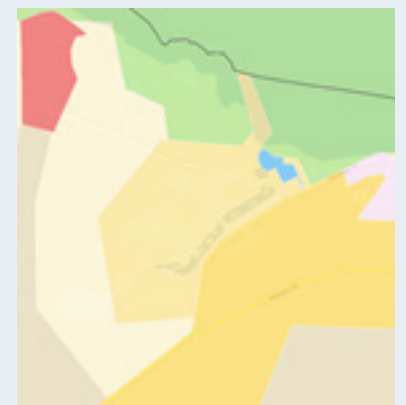
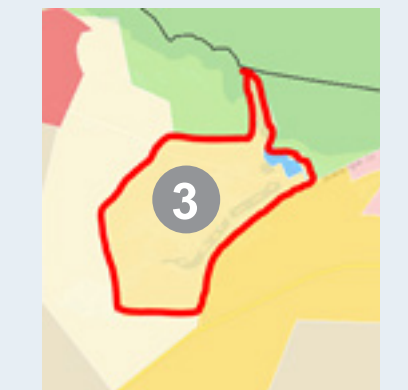
Location within Council Area	Draft application	Amended application
		



- 2 Spatially apply the current exclusion areas outlined in Schedule 8 of the existing Development Regulations 2008, by excluding these areas from the extent of the River Murray Floodplain Overlay




Location within Council Area	Draft application	Amended application
		

- 3 Spatially apply the Neighbourhood Zone and Waterfront Subzone to the subject site (being the Warrengie Marina Development Area) inclusion of the Concept Plan Map CooD/3.

Location within Council Area	Draft application	Amended application
		

- 4 Spatially apply the minimum allotment size TNV for all areas within the Rural Living Zones reflecting current minimum allotment sizes in the existing Development Plan.  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

**5** Spatially apply Tourism Development Zone to the subject site (Old Taillem Town) instead of the Rural Zone

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Apply a Visitor Experience Sub-zone within the Conservation Zone to promote tourist accommodation. Additionally, Conservation Zone to review current list of restricted development	Proposal outside of scope of Code transition. Would require future Code amendment.
Specific rezoning request – from Primary Production Zone to Rural Living Zone (Section 51, Hundred of Coombe) in conjunction with Section 51, Hundred of Coombe which is Rural Living Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Allotments within recently changed to Urban Employment Zone from Primary Production, and now becoming Employment Zone. Seek reinstatement to Primary Production (or equivalent) to reflect current and likely ongoing land use.	Proposal outside of scope of Code transition. Would require future Code amendment.

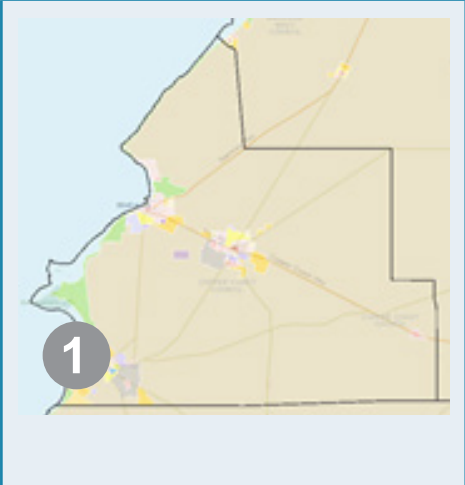


Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Copper Coast Council area:

- Request new Marina Zone for the current Residential Zone, Wallaroo Marina Policy Area.
- Request new Subzone and Concept Plan for the Inverness Way residential area.
- Suburban Greenfield Neighbourhood Zone is inappropriate for land currently used as a Golf Course. Seek new Golf Course Zone.
- Inappropriate zoning over Council's CWMS treatment plants. Amend Employment Zone to Infrastructure Zone over Council waste treatment facilities at Wallaroo, Moonta and Kadina.
- Consider implementation of a Historic Mining Zone to recognise historic mining areas proposed to be zoned Resource Extraction Zone, otherwise consider a Historic Area Overlay.
- Change current Special Use Zone at Wallaroo and Kadina from Deferred Urban to Infrastructure Zone.
- Change current Mixed Use Zone at Kadina from Suburban Business and Innovation Zone to Neighbourhood Zone
- Rural Zone – amend minimum allotment size from 100ha to 40ha to be consistent with surrounding Council areas.

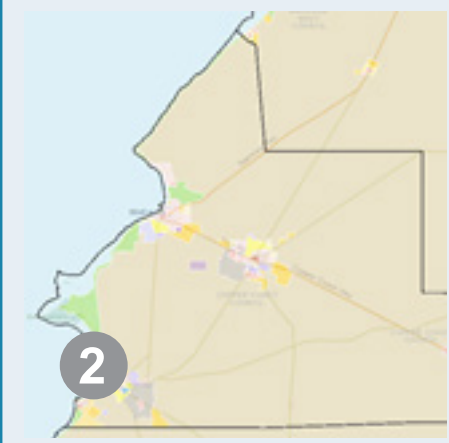


## Commission's Recommendations:

1

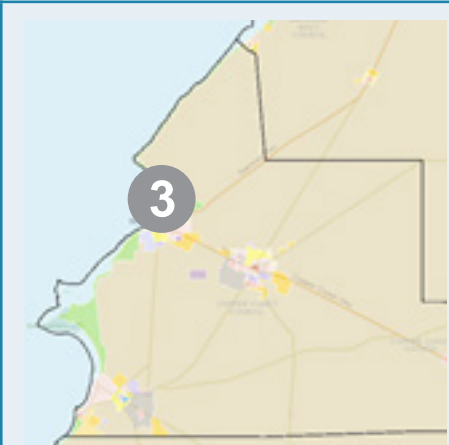


Spatially apply the Visitor Experience Subzone to area of land at Moonta Bay.

Location within Council Area	Draft application	Amended application
		


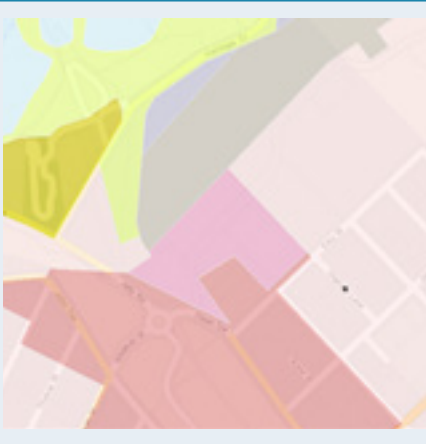
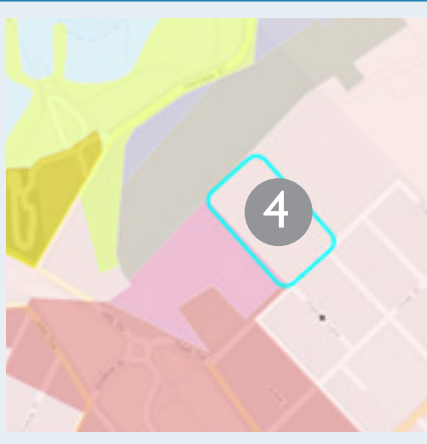
2 Spatially apply a new Golf Course Estate Zone instead of Suburban Greenfield Neighbourhood Zone at Moonta.

Location within Council Area	Draft application	Amended application
		

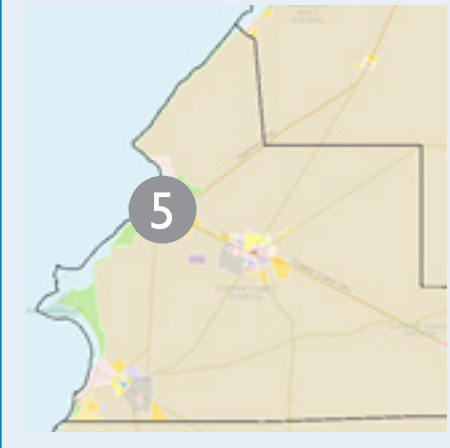
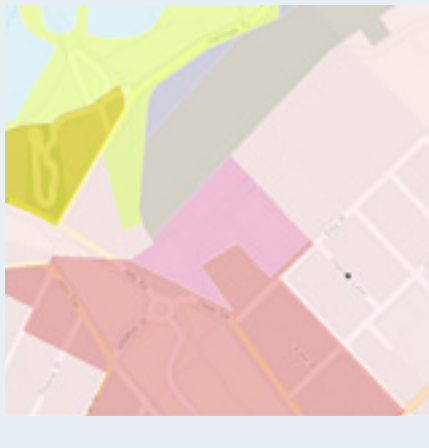
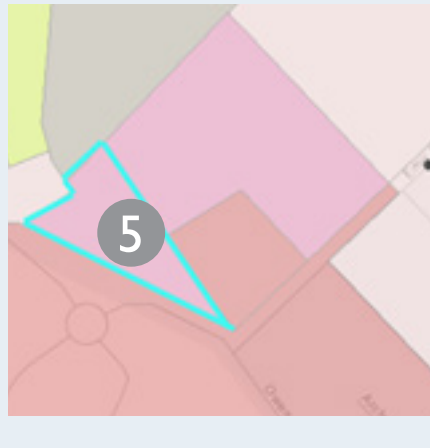
3 Spatially apply the new Wallaroo Marina Subzone of the Infrastructure (Ferry & Marina Facilities) Zone to the land located at 7 Heritage Drive (Allotment 1005).

Location within Council Area	Draft application	Amended application
		

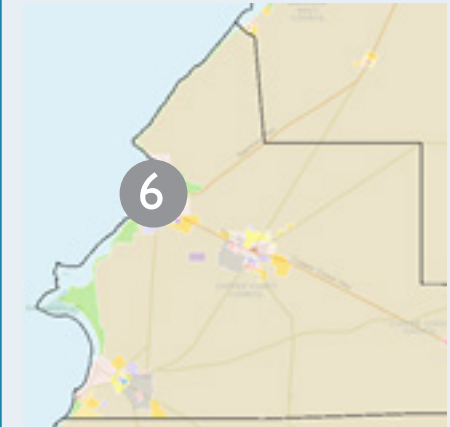
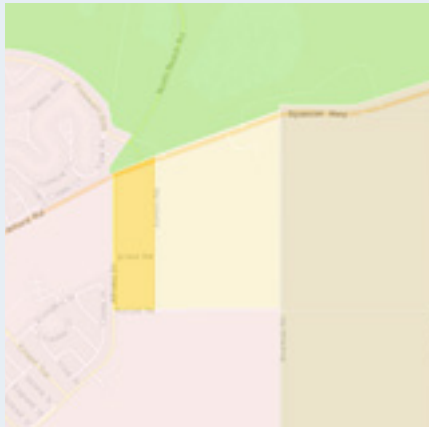
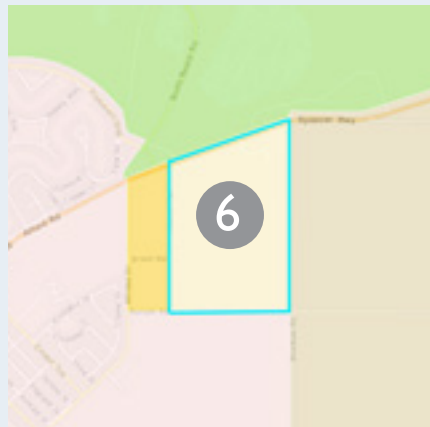
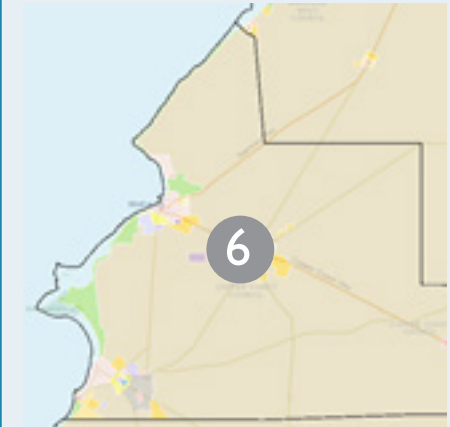
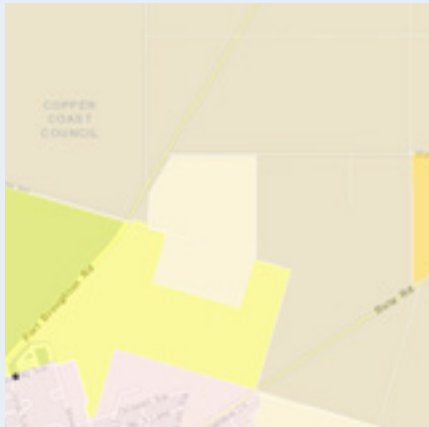
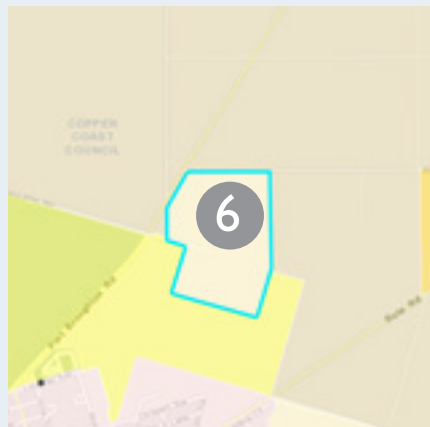
4 Spatially apply the proposed Urban Renewal Neighbourhood Zone boundary to align with Bagot Street instead of Oliphant Lane. Also change the Code Zone selection to Township Main Street Zone instead of Urban Renewal Neighbourhood Zone.

Location within Council Area	Draft application	Amended application
		

- 5 Spatially apply Open Space Zone to area defined as 'Coastal Vista Area' on Concept Plan CoCo/14 and as described in Wallaroo Policy Area 11, instead of Urban Renewal Neighbourhood Zone.


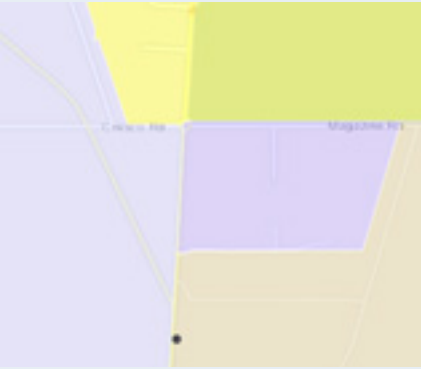
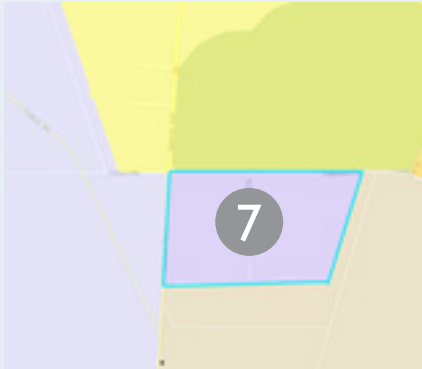

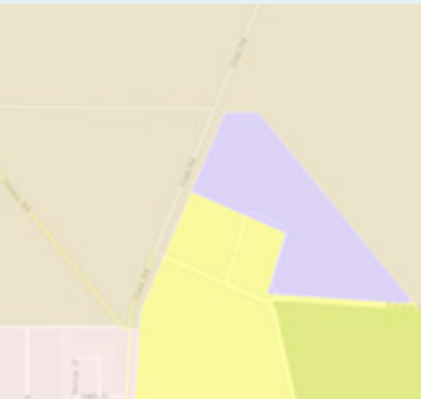
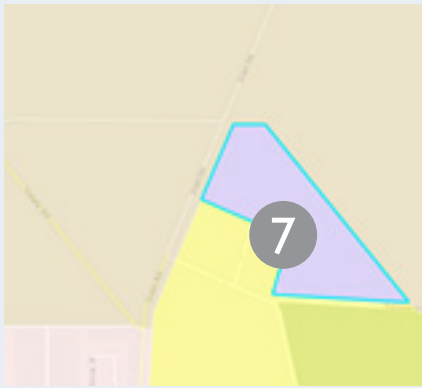

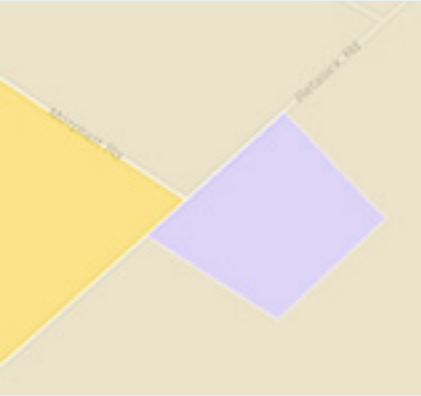
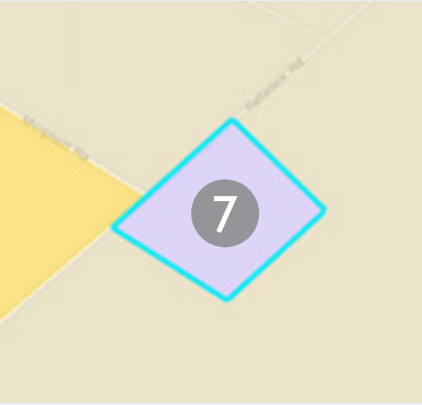
Location within Council Area	Draft application	Amended application
		

- 6 Spatially apply Infrastructure Zone to two waste dump sites at Wallaroo and Kadina instead of Deferred Urban Zone).

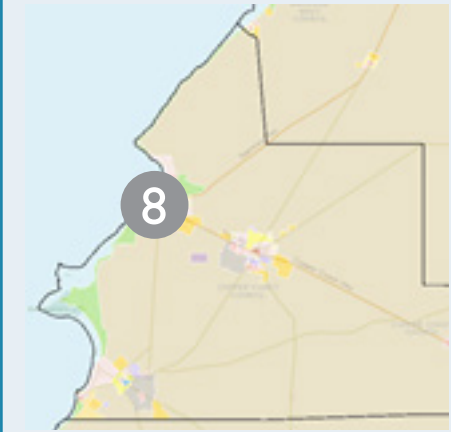
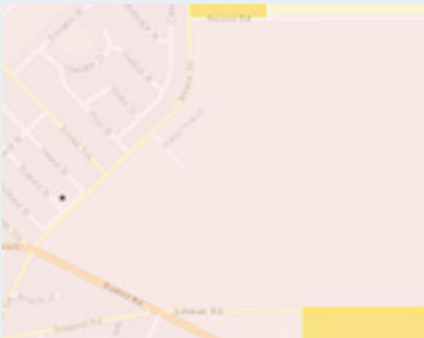

Location within Council Area	Draft application	Amended application
<p>Wallaroo</p> 	<p>Wallaroo</p> 	<p>Wallaroo</p> 
<p>Kadina</p> 	<p>Kadina</p> 	<p>Kadina</p> 



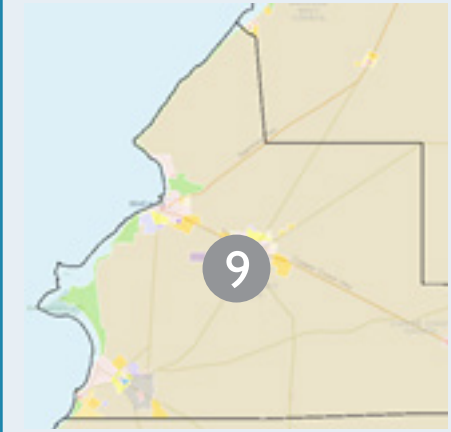

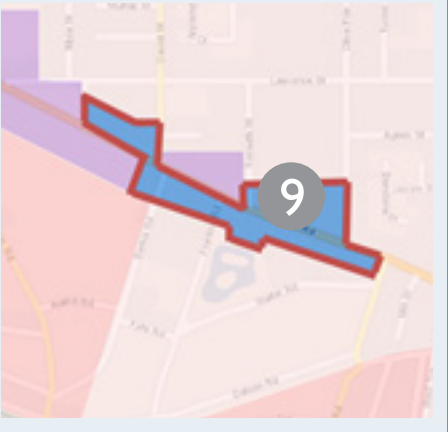
7 Spatially apply the Infrastructure Zone instead of Employment Zone to three sites at Wallaroo, Kadina and Moonta.

Location within Council Area	Draft application	Amended application
<p>Wallaroo</p> 	<p>Wallaroo</p> 	<p>Wallaroo</p> 
<p>Kadina</p> 	<p>Kadina</p> 	<p>Kadina</p> 
<p>Moonta</p> 	<p>Moonta</p> 	<p>Moonta</p> 

- 8 Spatially apply Concept Plan Map CoCo/5 – Residential Athena Drive from existing Development Plan, to the same area of land within the Code.

Location within Council Area	Draft application	Amended application
		

- 9 Spatially apply the Neighbourhood Zone instead of the Suburban Business and Innovation Zone at Kadina.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
<p>Create new zone for the residential areas of the Copper Coast Marina.</p>	<p>New Neighbourhood Zone will replace all Phase 2 General Neighbourhood and Suburban Neighbourhood Zones, and a new Waterfront Subzone.</p>
<p>Create subzone for Inverness Way at Wallaroo Marina, as specific policy has been developed to maintain marina views as depicted on the Concept Plan Map CoCo/9.</p>	<p>Request considered to be out of scope for inclusion. Area will be converted to new Neighbourhood Zone (that includes sloping land provisions) and Waterfront subzone. The landmark site will also be located in a new Wallaroo Landmark Subzone.</p>

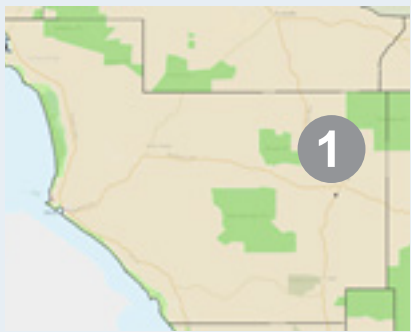
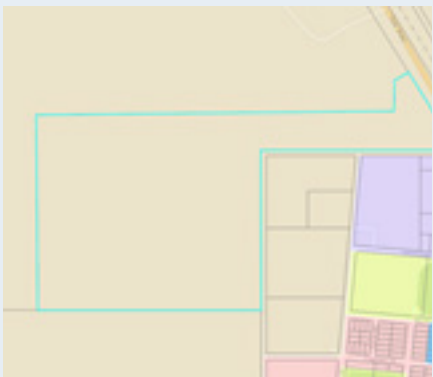
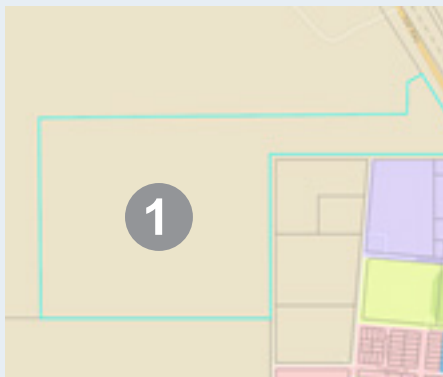


Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Elliston area:

- The bunker site at Lock is currently within the Primary Production Zone, and proposed to become Rural Zone, recommend re-zoning to Employment (Bulk Handling) to reflect recent development.
- Request to include the Talia Caves Camping Ground Precinct in the Visitor Experience Subzone of the Conservation Zone.

## Commission's Recommendations:

- 1 Spatially apply the Employment (Bulk Handling) Zone instead of the Rural at the bunker site at Lock owned by T-Ports

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Including the Talia Caves Camping Ground Precinct in the Visitor Experience Subzone of the Conservation Zone	Proposal outside of scope of Code transition. Would require future Code amendment.

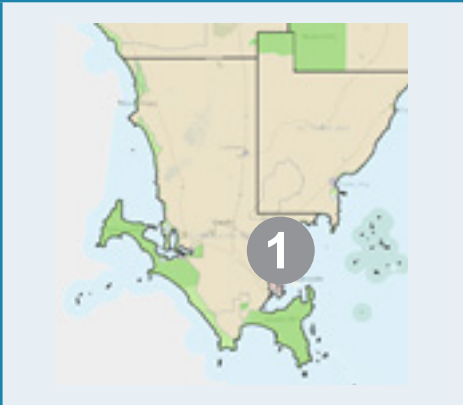
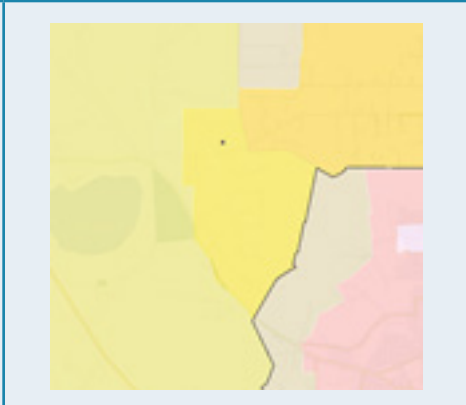
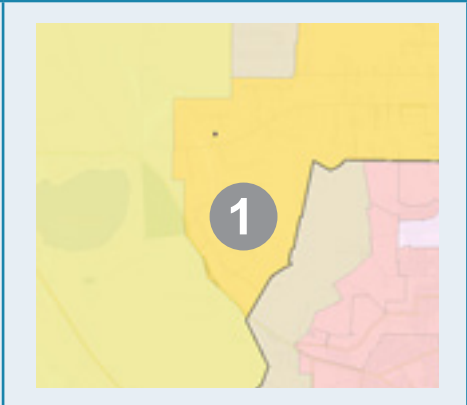
Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Lower Eyre Peninsula area:

- Request Coastal Areas Overlay is applied to Rural Aquaculture Zones at Kellidie Bay, Little Douglas, Louth Bay North, Louth Bay South, Point Boston
- Hazards (Flooding) Overlay should apply to Sleaford Bay.
- Minimum allotment sizes should be included in the Employment Zone through a TNV for Stamford, Coffin Bay and Cummins.
- Apply Aircraft Noise Exposure Overlay to area covered by existing Airport Noise Sensitive Locations Concept Plan at Port Lincoln Airport.
- Need to include existing policy and Concept Plan to support shack relocation at Shelley Beach.
- Request to apply a minimum allotment size of 1200 square metres to the Rural Shack Settlement Zone at Farm Beach, Little Douglas, Mount Dutton Bay West, Mount Dutton Bay East as this is current policy.
- Aircraft Noise Exposure Overlay needs to apply to additional areas such as North Shields and Poonindie.
- Rural Living Zoning at Boston, Wangary, Coffin Bay and Tiatukia should include appropriate TNVs for minimum lot size, minimum road frontage, building setbacks to reflect current policy.
- TNVs for dwellings at Point Boston should be consistent with the current Scheme Description.
- Recommend Township Main Street Zone for land not fronting Bruce Terrace and Railway Terrace at Cummins be replaced with the Township Activity Centre Zone.
- Question use of Limited Land Division Overlay over the current Water Protection Zone.
- Request correction to application of Water Protection Overlay to exclude land zoned Rural Living in 2010 along Richardson Road.
- Request Resource Extraction Zone at Western Approach Road, Duck Ponds is expanded to include the quarry's surrounding operations.
- Apply the Infrastructure Zone to SA Water reservoir sites.




## Commission's Recommendations:

1




Remove Water Protection Overlay from land zoned Rural Living along Richardson Road

Location within Council Area	Draft application	Amended application
		

- 2** Spatially apply Conservation Zone to Crown land with existing shacks (adjacent to the Coast) and apply new Shack Relocation Subzone. Include Concept Plan LEP/8 in the Code to support shack relocation at Shelley Beach,

Location within Council Area	Draft application	Amended application
		

- 3** Spatially apply Aircraft Noise Exposure Overlay to area covered by existing Airport Noise Sensitive Locations at Port Lincoln Airport as per existing Concept Plan LEP/2 in the Development Plan.

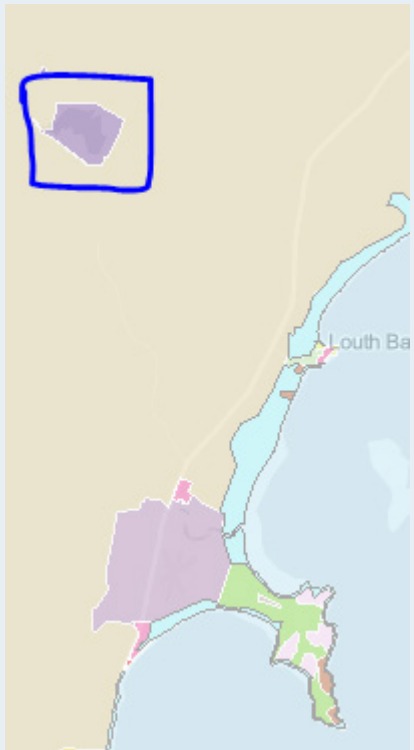
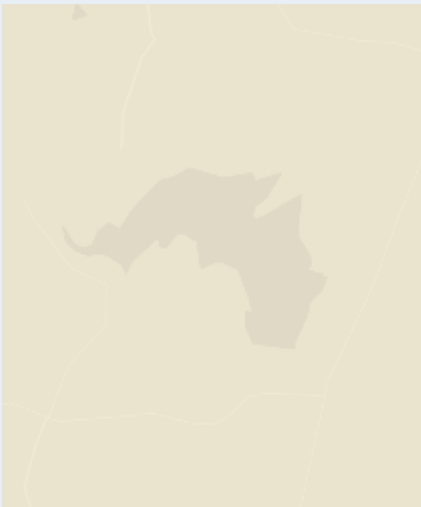
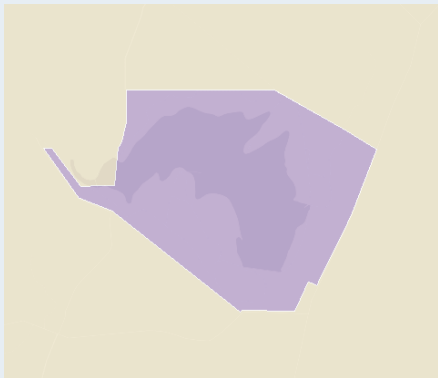
Location within Council Area	Draft application	Amended application
		

- 4** Spatially apply a minimum allotment size of 1200 square metres TNV to the Rural Shack Settlement Zone at Farm Beach, Little Douglas, Mount Dutton Bay West, Mount Dutton Bay East  
*Spatial application is to the four locations as described above*

- 5** Spatially apply TNVs for minimum lot size to the Rural Living Zones at Boston, Wangary, Coffin Bay and Tiatukia  
*Spatial application is to the three locations as described above*

- 6** Spatially apply minimum site levels and floor levels through a TNV for coastal areas at Sleaford Bay, North Shields, Shelley Beach, Kellidie Bay and Tulka  
*Spatial application is to the five locations as described above*

- 7 Spatially apply the Infrastructure Zone instead of the Rural Zone, at the SA Water reservoir site located at Tod River.

Location within Council Area	Draft application	Amended application
		

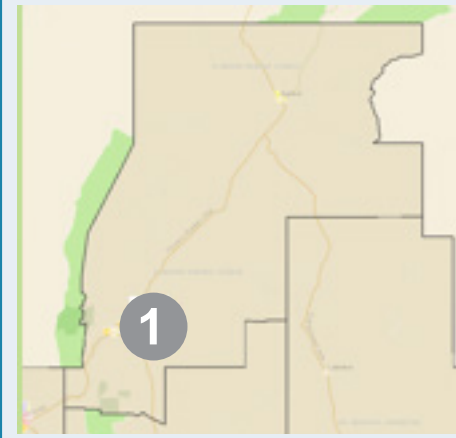
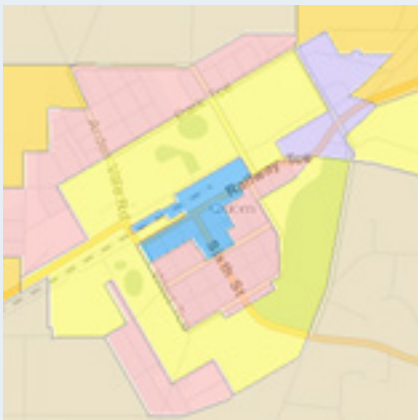
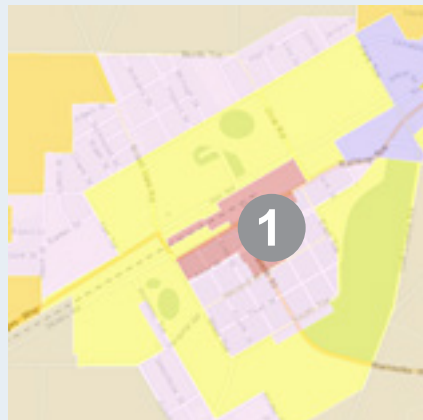
Spatial alterations NOT recommended by the Commission	Rationale
Request Coastal Areas Overlay is applied to Rural Aquaculture Zones at Kellidie Bay, Little Douglas, Louth Bay North, Louth Bay South, Point Boston	The Overlay is only being applied to areas that already have a referral to Coast Protection Board.
Hazards (Flooding) Overlay should apply to Sleaford Bay.	Flood mapping is not currently included in Council's Development Plan. Would require future Code amendment.
Question application of Limited Land Division Overlay to area currently zoned Water Protection Zone	Overlay supports protection of water resource of regional significance
Replace Township Main Street Zone for land not fronting Bruce Terrace and Railway Terrace at Cummins	Proposed Zone is the most appropriate for the locality
Expand extent of proposed Resource Extraction Zone at Western Approach Road, Duck Ponds	Spatial data was provided by DEM, if the extent needs to be adjusted, this should be explored at a future point with DEM.
Application of TNVs for minimum lot size for Employment Zones at Stamford, Coffin Bay and Cummins	This zone does not have provision for connection to TNVs

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Flinders Ranges Council area:

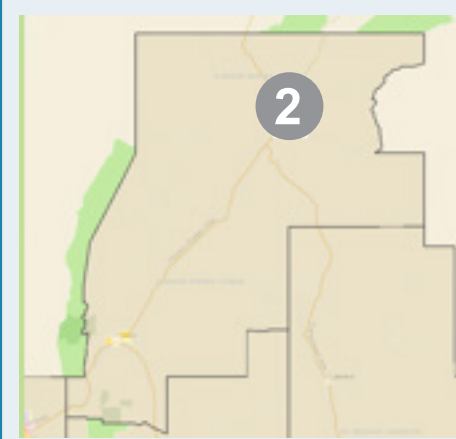

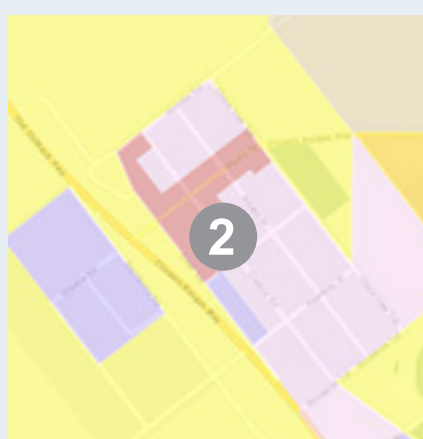
- Request current Development Plan Township Fringe Policy Area be rezoned to Rural Living, rather than being absorbed into Rural Zone.
- Request infrastructure and community facilities be moved out of the Rural Zone and into more appropriate zone to reflect land uses.
- Request the Township Activity Centre be changed to Township Main Street Zone.
- Request to rezone SA Water owned sites to Infrastructure Zone.

## Commission's Recommendations:

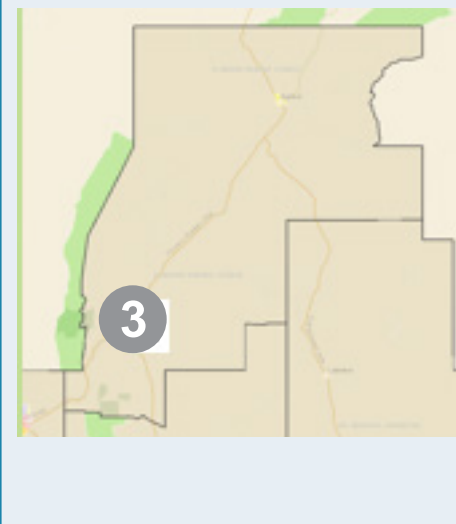
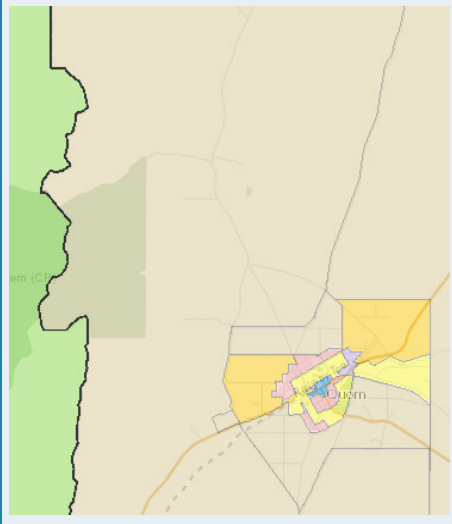
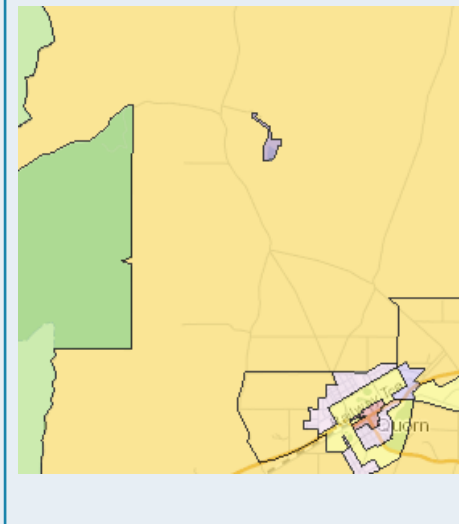
**1** Spatially apply Township Activity Centre Zone instead of Township Main Street Zone - Quorn

Location within Council Area	Draft application	Amended application
 A map of the Flinders Ranges Council area with a grey circle containing the number '1' indicating the location of Quorn.	 A map showing the draft application for Quorn, with various colored zones (yellow, pink, blue, purple) overlaid on the area.	 A map showing the amended application for Quorn, with a grey circle containing the number '1' indicating the location of Quorn. The zones are different from the draft application.

**2** Spatially apply Township Activity Centre Zone instead of Township Main Street Zone - Hawker

Location within Council Area	Draft application	Amended application
 A map of the Flinders Ranges Council area with a grey circle containing the number '2' indicating the location of Hawker.	 A map showing the draft application for Hawker, with various colored zones (yellow, pink, blue, purple) overlaid on the area. Labels include 'Wiperna Rd' and 'Hawker'.	 A map showing the amended application for Hawker, with a grey circle containing the number '2' indicating the location of Hawker. The zones are different from the draft application.

- 3 Spatially apply the Infrastructure Zone instead of the Rural Zone, at the SA Water reservoir sites located at Quorn

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Zone swap request - the Community Wastewater Management System facility in Quorn be changed from Rural Zone to Infrastructure Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Zone swap request - cemetery in Quorn be changed from Rural Zone to Community Facilities Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Zone swap request – airfields in Quorn and Hawker to be changed from Rural to Infrastructure (Airfield) Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Zone swap request – Caravan park in Hawker to be changed from Community Facilities to Caravan and Tourist Park Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Request to rezone Township Fringe Policy Area from Rural to Rural Living.	Proposal outside of scope of Code transition. Would require future Code amendment. There will be no dwelling minimum lot size TNV for this area.






Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Franklin Harbour area:




- Request that the Hazards (Bushfire – Regional) Overlay is applied to the entirety of Port Gibbon.
- PIRSA request to rezone the waters within Franklin Harbour to Coastal Waters and Offshore Islands Zone, and delete the Aquaculture and Recreation Subzone.
- Request current policies allowing land division at Port Gibbon to be carried over.

## Commission’s Recommendations:

**1** Spatially apply the Hazards (Bushfire – Regional) Overlay to the entirety of Port Gibbon

Location within Council Area	Draft application	Amended application
		

**2** Spatially apply TNVs for minimum lot size and frontage to the Rural Shack Settlement Zone at Port Gibbon to retain current policy

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
PIRSA request to rezone the waters within Franklin Harbour to Coastal Waters and Offshore Islands Zone, and delete the Aquaculture and Recreation Subzone	Proposal outside of scope of Code transition. Would require future Code amendment.

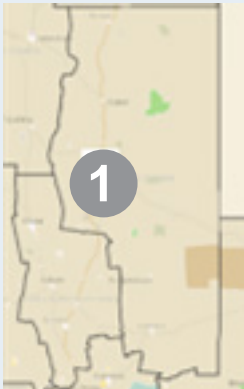

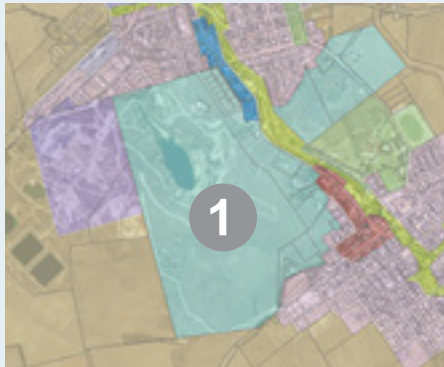
Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Regional Council of Goyder area:

- Resource Extraction is an inappropriate zone to place over the existing Historic Mining Zone. Too many envisaged uses and completely different to what is in place.
- Requested reinstatement of concept plan Map Go/I.

## Commission's Recommendations:

1

Spatially apply the Conservation Zone with Visitor Experience Subzone instead of Resource Extraction Zone at Burra

Location within Council Area	Draft application	Amended application
		

### Spatial alterations NOT recommended by the Commission

Inclusion of concept plan Map Go/I Enterprise Policy Area

### Rationale

Concept plan not required within Code and addressed through Code policy

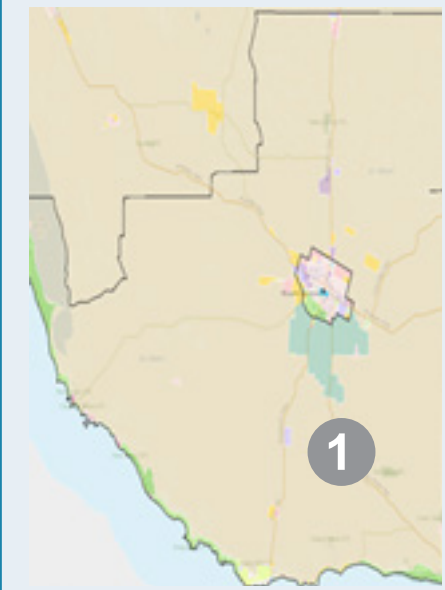
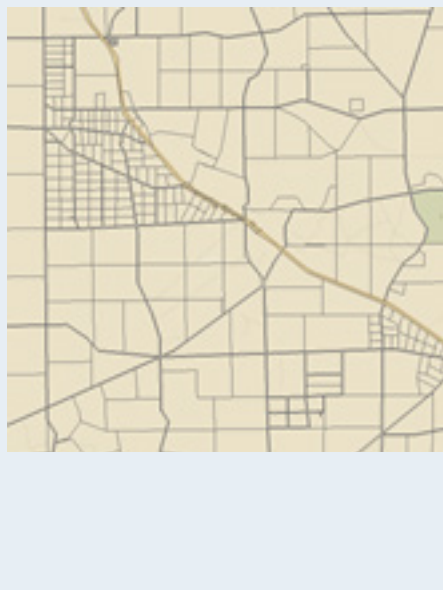
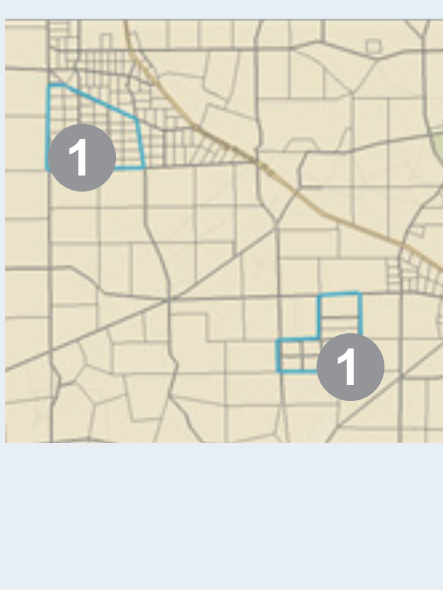


Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Grant area:

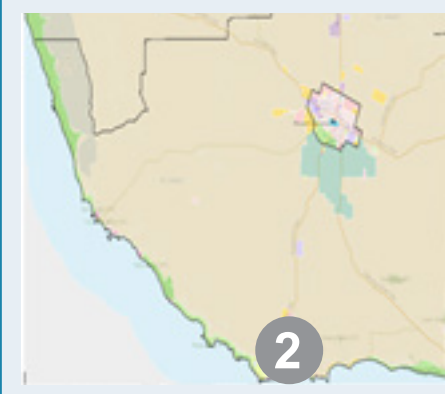


- The Limited Dwelling Overlay needs to be applied to the limited development areas marked in blue to maintain existing development limitations. The Concept Plan Map should not be retained in the Code.
- The Minimum Allotment Size – Technical and Numerical Variations Layer should be removed from the area in which the Development Plan does not currently specify a minimum allotment size

## Commission's Recommendations:

- 1 Spatially apply the Limited Dwelling Overlay to the two areas in Concept Plan Gra/7 in existing Development Plan.

Location within Council Area	Draft application	Amended application
		

- 2 Remove the Minimum Lot Size TNV from Rural Zone at Port MacDonnell

Location within Council Area	Draft application	Amended application
		

## Spatial alterations NOT recommended by the Commission

The Lifestyle Living in Glenburnie Racecourse Concept Plan is akin to rural living and should be zoned as such, rather than Recreation Zone as proposed in Code.

## Rationale

The land only covers a portion of the zone, residential development has already begun in this area. The nature of development and demand for housing will deliver the development outcomes sought by the existing zone policies and concept Plan. Therefore the area will be located in the Recreation Zone in the Code and the Concept Plan Map will not be retained.



Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Kangaroo Island Council area:

- Commercial forestry is currently a non-complying form of development and should attract the highest level of assessment going forward as it is not supported by the Council for the island due to the loss of agricultural land resulting from commercial forestry
- The single storey height limits applying to Stokes Bay & Snellings Beach need to be retained as these are quite steep sites where development can have a significant impact on the vistas of the areas if large scale buildings are allowed.
- The coastal landscapes and vistas of Kangaroo Island are particularly important and should be protected.
- The Significant Landscape Protection Overlay should apply to the Landscape Protection Policy Area of the Coastal Conservation Zone as policy is quite strong in these areas to retain the natural landscape and vistas.
- Some isolated parcels of land within the existing District Centre Zone should be zoned Township Activity Centre rather than Township Main Street Zone.
- There are some areas of land that have not been assigned a zone for example in the Bay of Shoals area & should be assigned the Coastal Waters & Offshore Islands Zone.
- There are a number of endangered species and related important habitat on Kangaroo Island where development plan policy currently guides development away from these locations. Development plan policy is particularly clear at American River.
- The reservoir site at Middle River should be zoned as Infrastructure Zone to reflect the existing use on the ground.




## Commission's Recommendations:

1




Create a new Kangaroo Island Subzone to be spatially applied where the Rural Zone is currently proposed to apply (to replace the Primary Production Zone) where commercial forestry is a restricted form of development and where additional policies can be introduced to reflect the importance of the natural and rural landscapes.



**2** Spatially apply the Significant Landscape Protection Overlay to the Rural Living Zone where it applies to Snelling Beach.

Location within Council Area	Draft application	Amended application
 <p>A map showing the location of Snelling Beach within the Council Area. The map includes labels for Snelling Beach, Vivonne Bay, and various Council Planning Zones (CPZ) such as Lullabur (CPZ), Vivonne Bay (CPZ), and Seal Bay (CPZ).</p>	 <p>A topographic map showing the draft application for the Rural Living Zone. A yellow shaded area is labeled 'Rural Living Zone' and is situated near Snelling Beach and the Vivonne River.</p>	 <p>A topographic map showing the amended application. The yellow shaded area is now labeled 'Rural Living Zone + Significant Landscape Protection Overlay', indicating the addition of the overlay to the existing Rural Living Zone.</p>

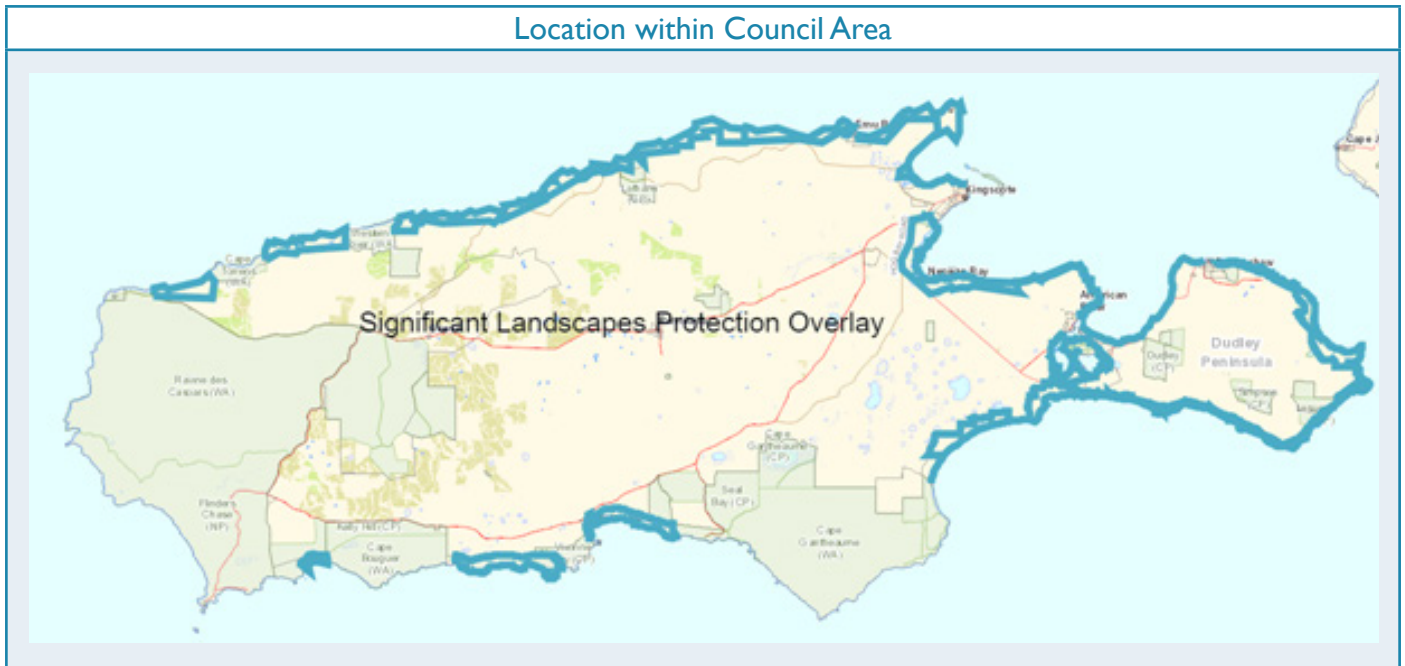
**3** Significant Landscape Protection Overlay to apply to the Rural Living Zone where it applies to Stokes Bay.

Location within Council Area	Draft application	Amended application
 <p>A map showing the location of Stokes Bay within the Council Area. The map includes labels for Stokes Bay, Vivonne Bay, and various Council Planning Zones (CPZ) such as Lullabur (CPZ), Vivonne Bay (CPZ), Seal Bay (CPZ), and Carriker Bay (CPZ).</p>	 <p>A topographic map showing the draft application for the Rural Living Zone. A yellow shaded area is labeled 'Rural Living Zone' and is situated near Stokes Bay and the Vivonne River.</p>	 <p>A topographic map showing the amended application. The yellow shaded area is now labeled 'Rural Living Zone + Significant Landscapes Protection Overlay', indicating the addition of the overlay to the existing Rural Living Zone.</p>



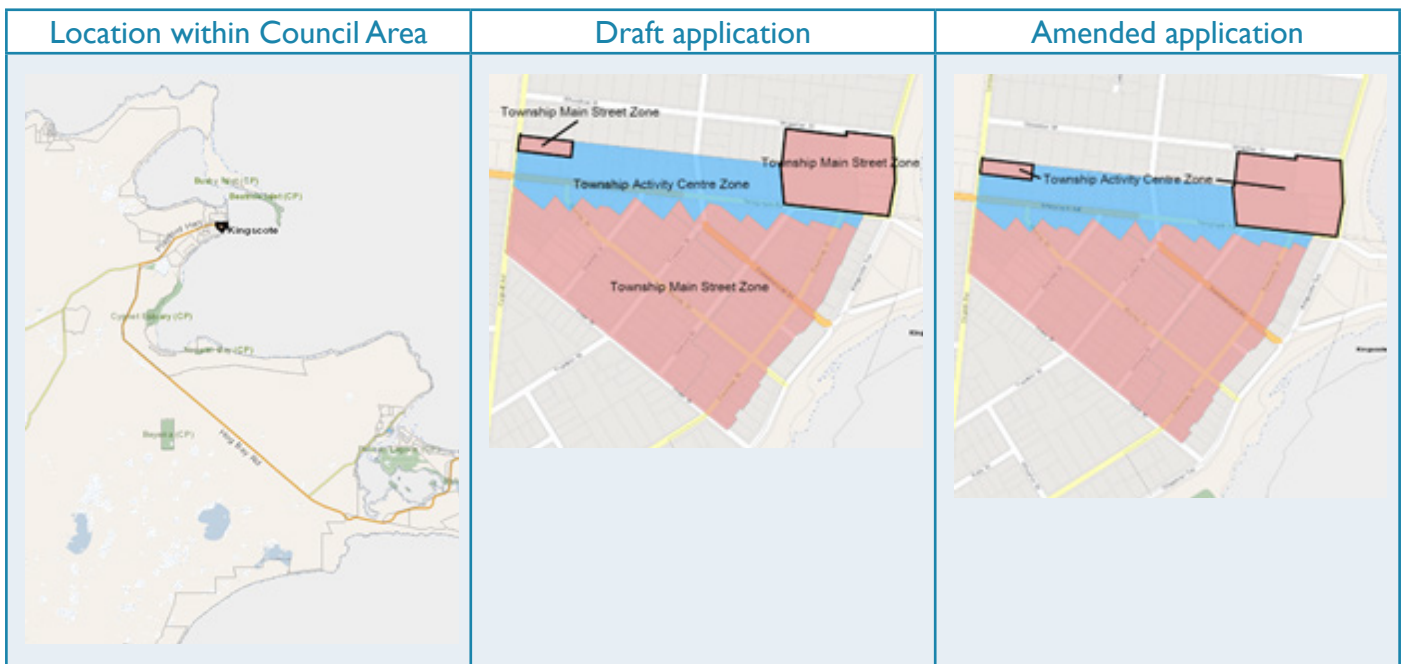
4

Spatially apply the Significant Landscape Protection Overlay to the existing Coastal Conservation zoned areas.



5



Spatially apply the Township Activity Centre Zone to isolated parcels of existing District Centre Zone.



6 Spatially apply the Coastal Waters & Offshore Islands Zone to Beatrice Islets in the Bay of Shoals.



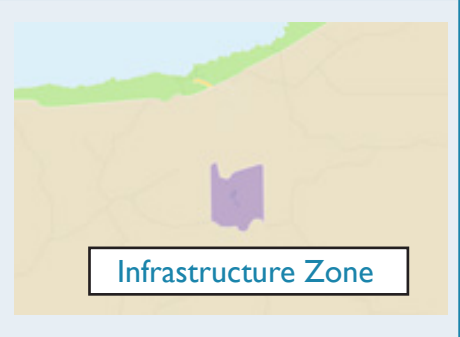
Location within Council Area	Draft application	Amended application
		

7 Spatially apply an American River Subzone to the Neighbourhood Zone where the Residential Zone currently applies at American River.

Location within Council Area	Draft application
	



- 8 Spatially apply the Infrastructure Zone instead of the Rural Zone, to the reservoir site at Middle River to reflect the existing land use on the ground and its key importance as regional infrastructure.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Nil	N/A

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Karoonda East Murray area:

- Nil

## Commission's Recommendations:

1 Nil

Spatial alterations NOT recommended by the Commission	Rationale
Nil	Nil

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Kimba area:

- Nil

## Commission's Recommendations:

1 Nil

Spatial alterations NOT recommended by the Commission	Rationale
Nil	Nil

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Kingston District Council area:

- Request to rezone land from Conservation to a residential use at Pinks Beach.
- Issues raised regarding application of Hazards (Bushfire) Overlay

## Commission's Recommendations:

1 Nil

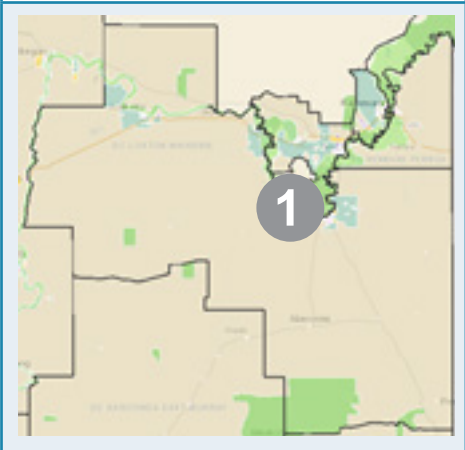
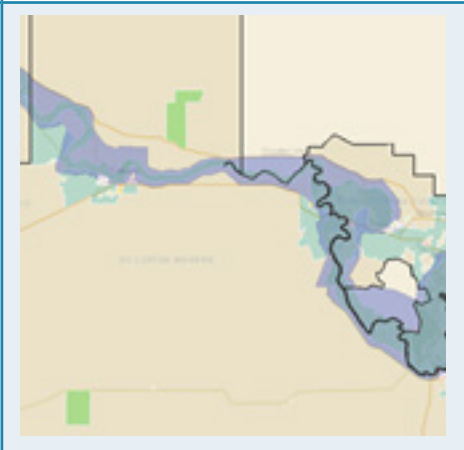
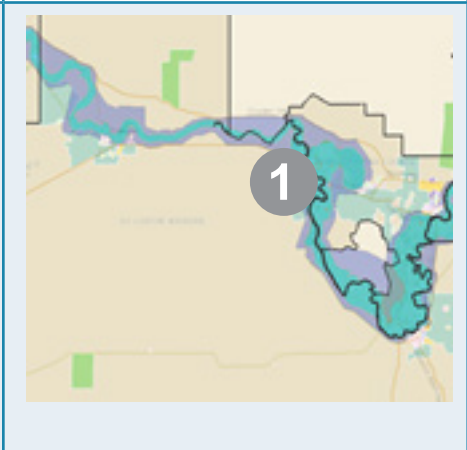
Spatial alterations NOT recommended by the Commission	Rationale
Re-zone land at Pinks Beach from Coastal Conservation to General Neighbourhood.	The rezoning of this land is beyond the scope or intent of this process and would require a greater level of investigations than has currently been undertaken. A rezoning such as this needs to occur as part of separate amendment process.
Hazards (Bushfire) Overlay has been applied to the Township Activity Centre Zone where as currently it is 'Excluded'.	The Hazards Bushfire Overlays have been applied as intended. The Hazards (Bushfire – Urban Interface) Overlay is applied over the are previously marked "Excluded"

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Loxton Waikerie:

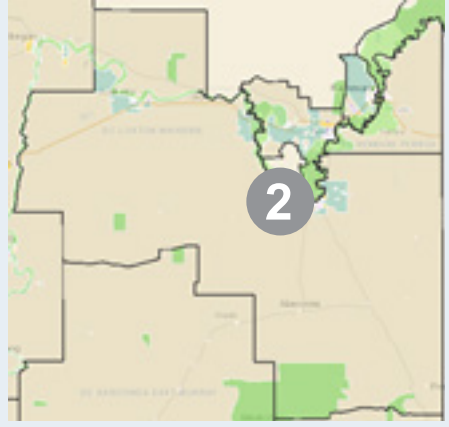
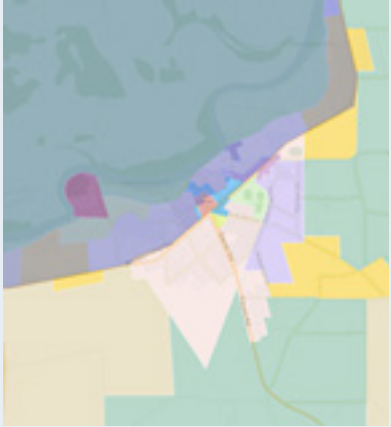
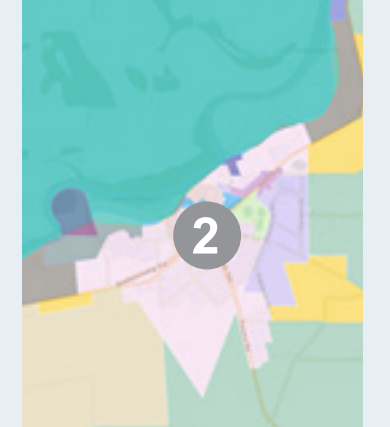
- Request Visitor Experience Subzone be applied to the Conservation zone, to promote Tourist Accommodation and investment into key areas.
- Amend the River Murray Flood Plain Overlay to include the 1956 Flood Line and have current designated area excluded
- Review the spatial application and policy within General Neighbourhood and Housing Diversity Neighbourhood zones and appropriateness within a regional context
- Amend the Recreation Zone to better support residential, tourist accommodation and land division per current policy position within existing golf courses
- Request for rezone of allotments adjacent the proposed Employment Zone in Waikerie
- Review and amend zoning of existing sporting precinct to the Recreation Zone
- Request for zoning change of existing residential areas within the Conservation Zone to recognised existing development/land uses
- Request to zoning change of the former Caravan and Tourist Part in Waikerie
- Apply the TNV for the Rural Living Zone south of Loxton (Development Plan Rural Living Zone, Precinct 6 Loxton South Country Living Precinct)

## Commission's Recommendations:

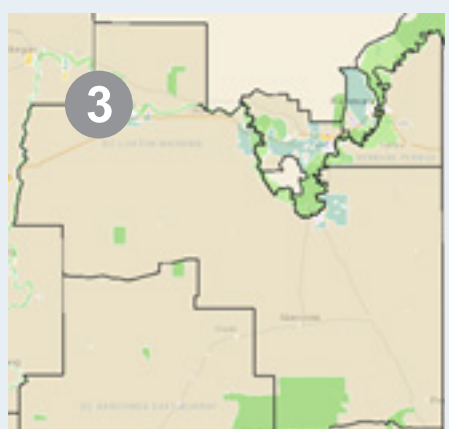

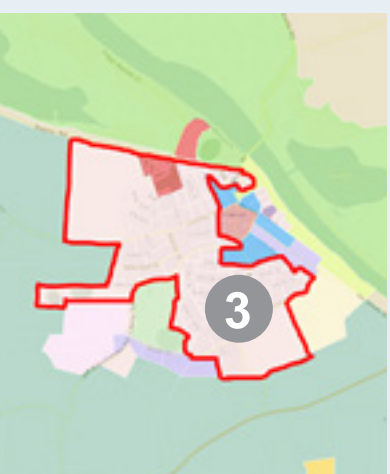

- 1 Spatially apply the River Murray Flood Plain mapping (1956 Flood Line) to the River Murray Overlay

Location within Council Area	Draft application	Amended application
		

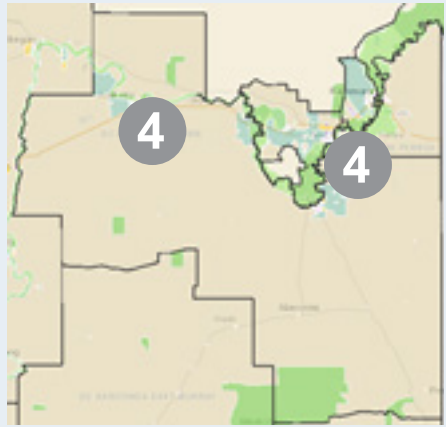

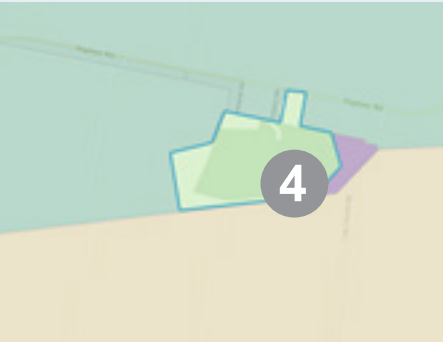
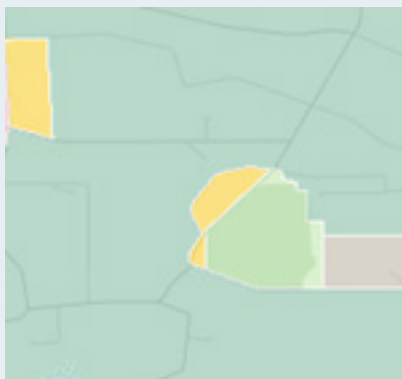
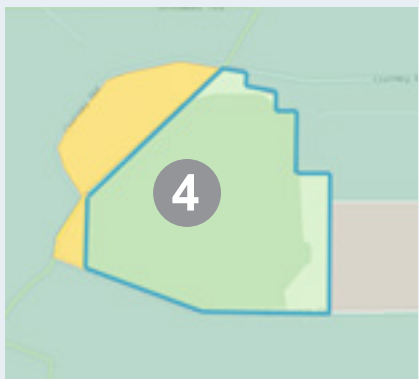
**2** Spatially apply the current exclusion areas from the River Murray Flood Plain within the Code

Location within Council Area	Draft application	Amended application
		

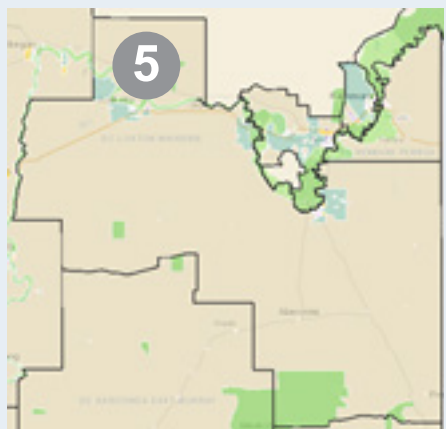
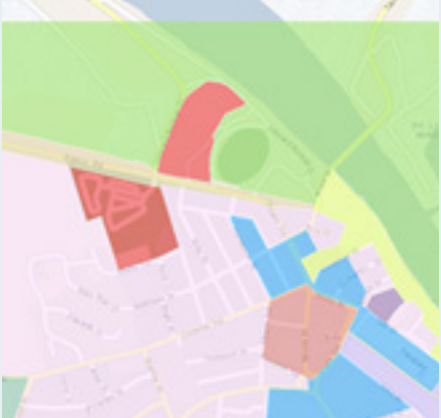

**3** Replace the General Neighbourhood Zone and Housing Diversity Neighbourhood Zone with the new Neighbourhood Zone at Waikerie and Loxton

Location within Council Area	Draft application	Amended application
		 

- 4** Spatially apply the Golf Course Estate Zone to the Loxton and Waikerie Golf Course areas instead of the Recreation Zone

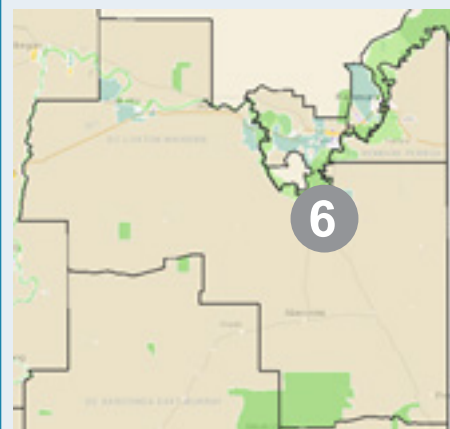
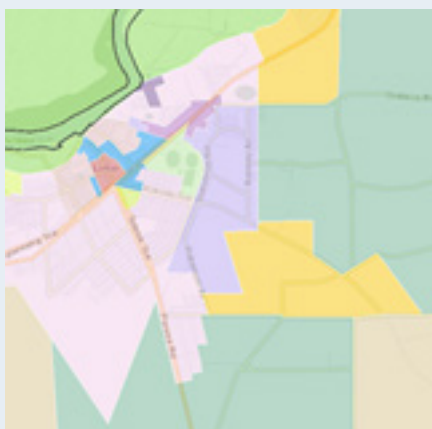
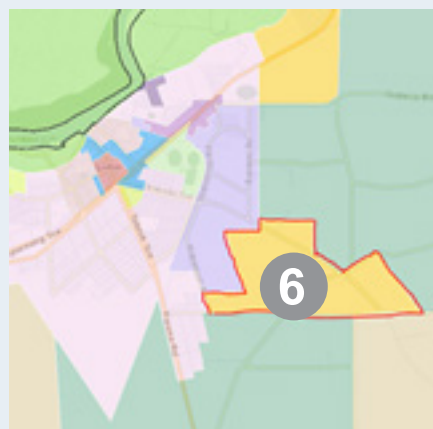
Location within Council Area	Draft application	Amended application
	<p data-bbox="735 421 860 450">Waikerie</p> 	<p data-bbox="1203 421 1327 450">Waikerie</p> 
	<p data-bbox="751 864 844 893">Loxton</p> 	<p data-bbox="1219 864 1295 893">Loxton</p> 

- 5** Spatially apply the Neighbourhood Zone to an area of land instead of the Caravan and Tourist Park Zone at Waikerie

Location within Council Area	Draft application	Amended application
	<p data-bbox="687 1480 908 1509">Draft application</p> 	<p data-bbox="1123 1480 1391 1509">Amended application</p> 



- 6 Spatially apply the Rural Neighbourhood Zone with a TNV of 2,000m<sup>2</sup> instead of the Rural Living Zone at Loxton

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Apply a Visitor Experience Sub-zone within the Conservation Zone to promote tourist accommodation. Additionally, Conservation Zone to review current list of restricted development	Proposal outside of scope of Code transition. Would require future Code amendment.
Expand proposed Employment Zone in Waikerie to reflect existing land uses	Proposal outside of scope of Code transition. Would require future Code amendment.
Change zoning of sporting precincts to recreation zone to reflect existing land uses	Proposal outside of scope of Code transition. Would require future Code amendment.
The residential area to the south of the caravan park at Paisley (Blanchetown east) should be allocated a more suitable transition zone to that of a Conservation Zone, so as to recognise the existing residential development	Proposal outside of scope of Code transition. Would require future Code amendment.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Southern Mallee District Council area:

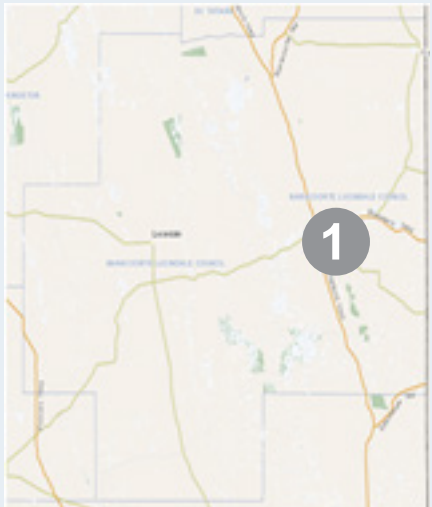

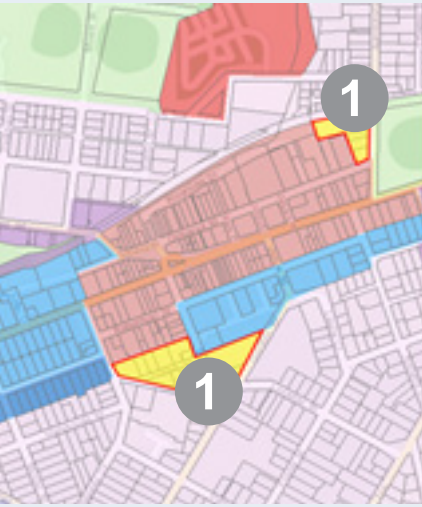
- None received

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Naracoorte Lucindale Council area:

- Issues with the spatial application of the General Neighbourhood Zone over certain areas.

## Commission's Recommendations:

- 1 Spatially apply a new Neighbourhood Zone over two areas at Naracoorte instead of General Neighbourhood Zone.

Location within Council Area	Draft application	Amended application
		

### Spatial alterations NOT recommended by the Commission

Rezone areas of land from Primary Production Zone to Rural Living Zone around the fringe of Lucindale.

### Rationale

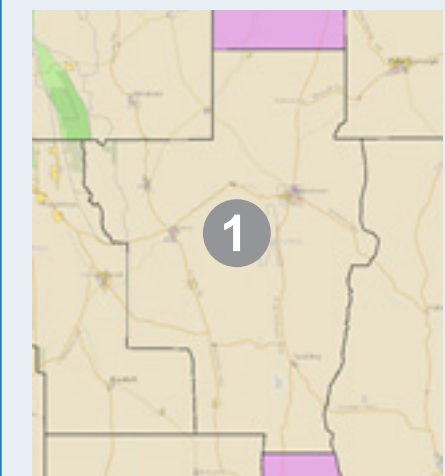
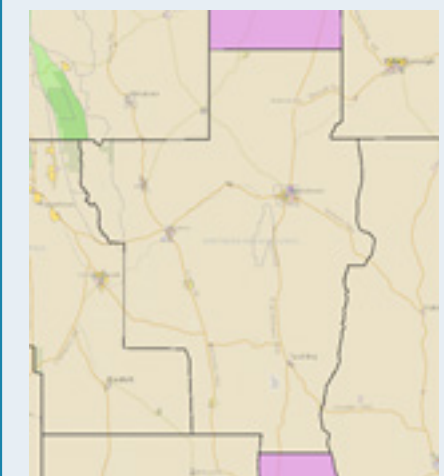
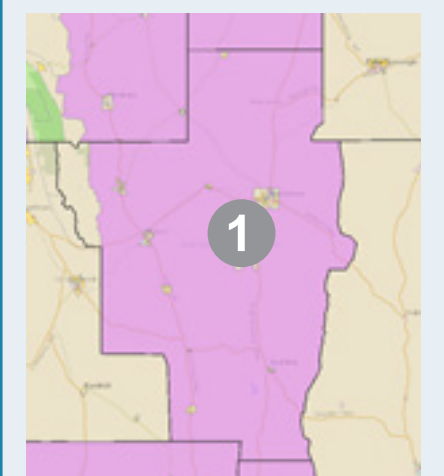
The proposed rezoning is separate to the transition process and insufficient investigations have been undertaken at this time to support the proposed rezoning of land. A Code Amendment process would be required to undertake a rezoning.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Northern Areas Council area:

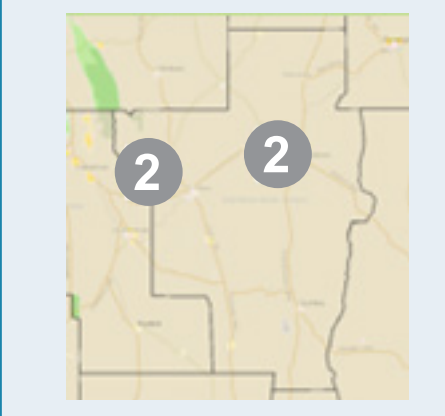
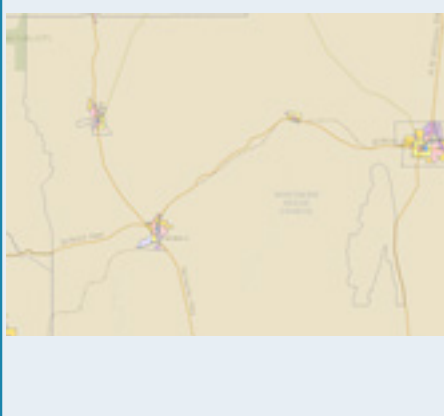

- Request Limited Land Division Overlay be removed.
- Request Dwelling Excision Overlay be applied.
- Request TNVs be amended to reflect existing numerical provisions.
- Seek reinstatement of Concept Plans NtA/3 and NtA/4
- Request specific policy to cater for explosives manufacturing facility at Beetaloo.
- Request zone changes and TNV amendments.
- Request to rezone SA Water owned sites to Infrastructure Zone.

## Commission's Recommendations:

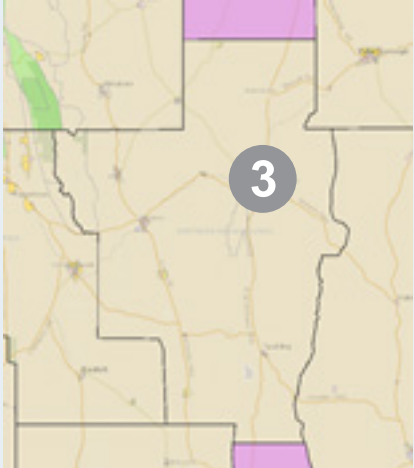
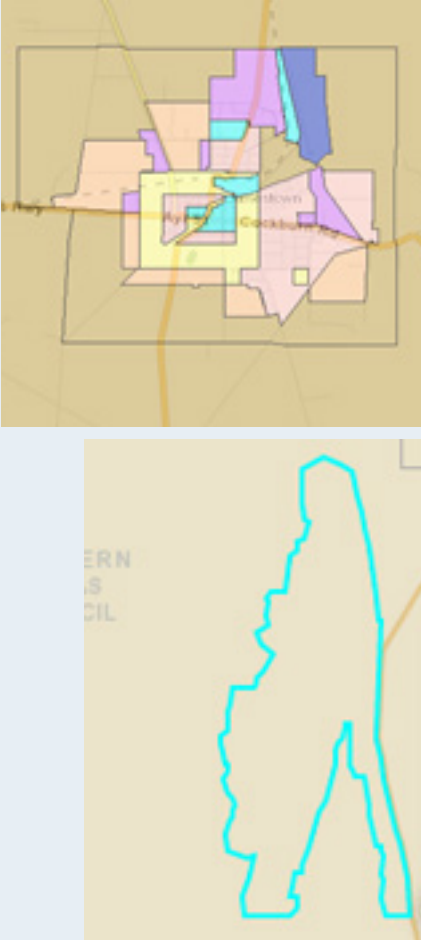
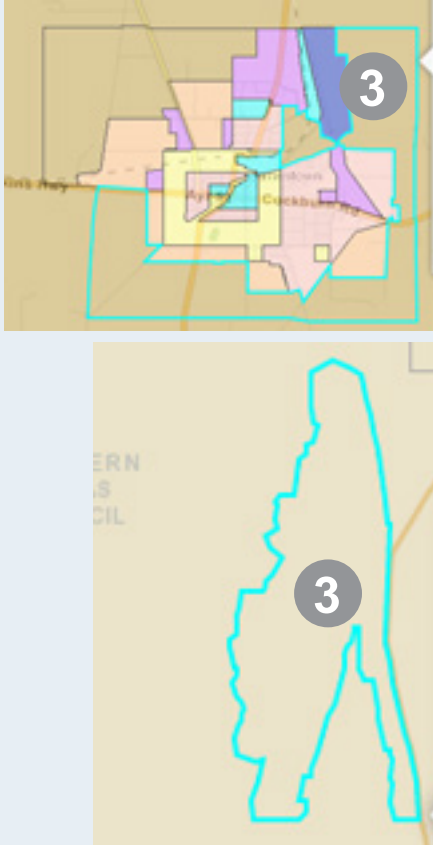
**1** Spatially apply the Dwelling Excision Overlay to the Rural Zone

Location within Council Area	Draft application	Amended application
		


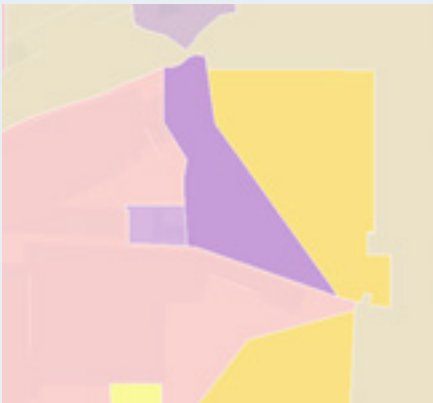
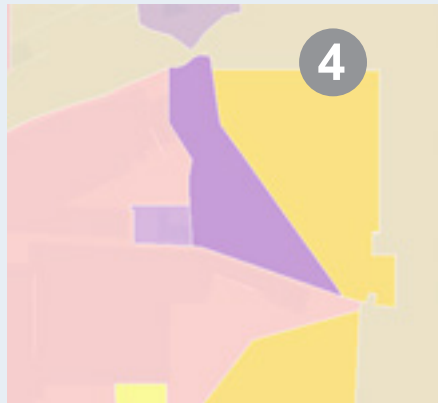
**2** Spatially apply the Significant Industry Interface Overlay to the buffer areas identified in concept plans NtA/3 and NtA/4 contained in the Development Plan

Location within Council Area	Draft application	Amended application
		

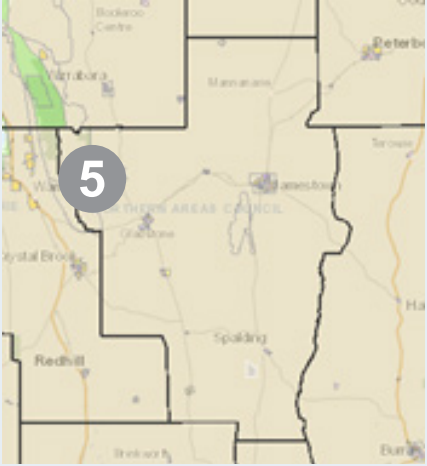
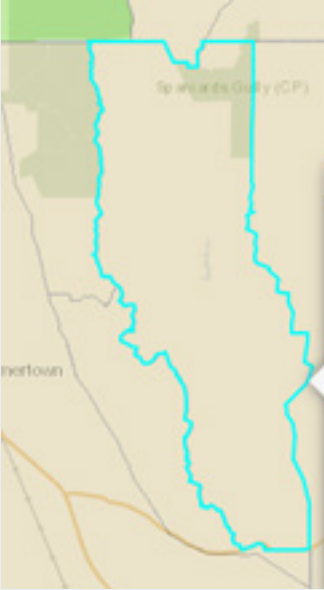

- 3** Remove the minimum lot size TNV for the area identified as Primary Production Zone - Township Fringe Policy Area and Forestry Policy Area in the Development Plan. Also remove the dwelling minimum lot size TNV from this same area.

Location within Council Area	Draft application	Amended application
		

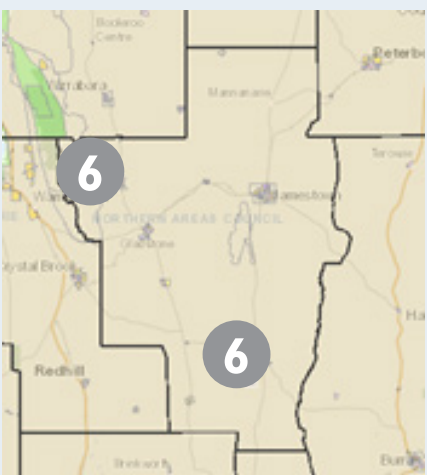
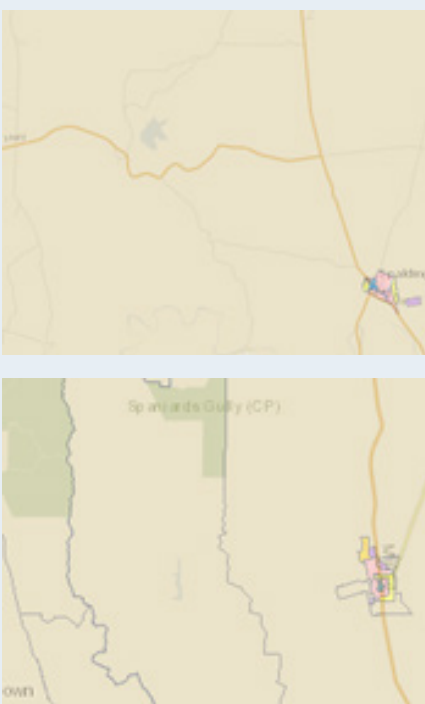
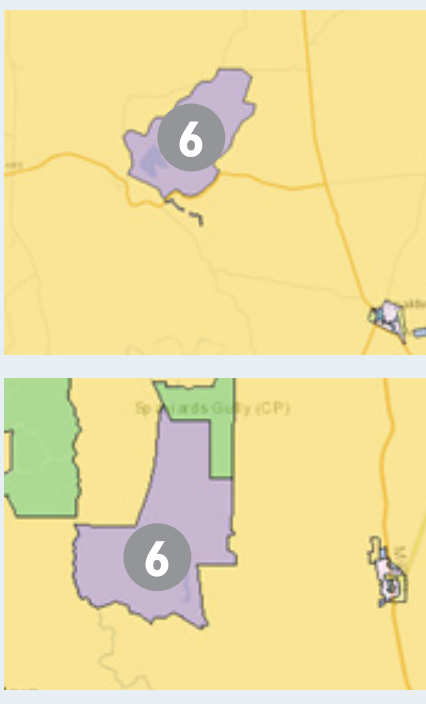
- 4** Remove the minimum lot size TNV for residential flat buildings from the area identified in the Development Plan as the *Jamestown Low Density Policy Area*

Location within Council Area	Draft application	Amended application
		

**5** Remove the minimum dwelling lot size TNV for the area identified as Rural Landscape Protection Zone in the Development Plan.

Location within Council Area	Draft application	Amended application
		

**6** Spatially apply the Infrastructure Zone instead of the Rural Zone, at the SA Water reservoir sites located at Spalding and Beetaloo Valley.

Location within Council Area	Draft application	Amended application
		



- 7** Remove the TNVs in the Employment Zone, Home Industry Zone and Infrastructure (Airfield) Zone  
*No maps shown as applies to all instances of the subject Zones in whole Council area.*

- 8** Remove the minimum lot size TNV in Rural Zone where Limited Land Division applies  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

Spatial alterations NOT recommended by the Commission	Rationale
Rezone Spalding from multiple zones to one Township Zone.	Support of concept but beyond the scope of this code amendment.
Replace the Township Activity Centre Zone with the Township Zone.	Not consistent with business rules around Code zone application.
Replace the Township Fringe Policy Area with the Rural Living Zone.	Proposal outside of scope of Code transition. Would require future Code amendment. There will be no dwelling minimum lot size TNV for this area.
Remove Limited Land Division Overlay from Rural Zone.	Overlay maintains existing Development Plan policy.

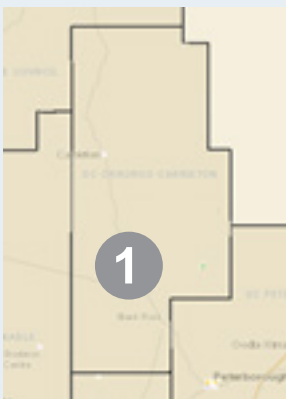




Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Orroroo Carrieton area:

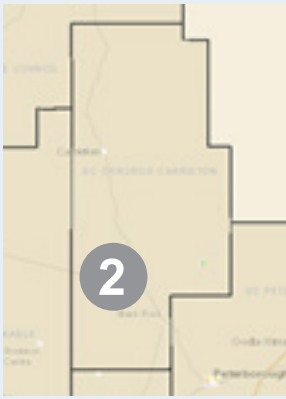

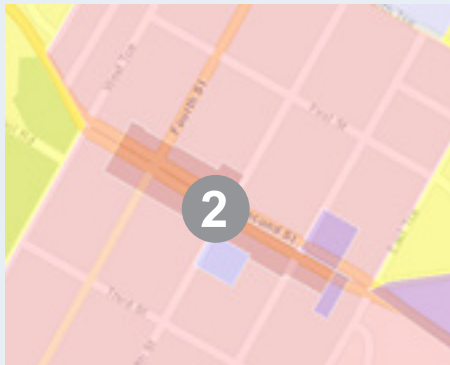
- Retain Concept Plan OrCar/I from the Development Plan within the Code.
- Request paper township of Pekina be rezoned from Rural Zone to Rural Settlement Zone.
- Viterra has closed in Orroroo and land is currently zoned Community Facilities. Propose land be zoned Employment (Bulk Handling) to reflect existing land use.
- Propose existing dwelling in Community Facilities Zone be rezoned to Suburban Neighbourhood to better reflect existing uses.
- Request the Township Activity Centre Zone be changed to Township Main Street Zone.

## Commission's Recommendations:

- 1 Spatially apply the Employment (Bulk Handling) Zone instead of the Community Facilities Zone at the Viterra site in Orroroo

Location within Council Area	Draft application	Amended application
 <p>A map of the District Council of Orroroo Carrieton area with a grey circle containing the number '1' indicating the location of the Viterra site.</p>	 <p>A detailed map of the Viterra site area showing various colored zones. A yellow area is highlighted, representing the draft application.</p>	 <p>A detailed map of the Viterra site area showing various colored zones. A blue area is highlighted, representing the amended application. A grey circle with the number '1' is overlaid on the map.</p>

- 2 Spatially apply the Township Main Street Zone instead of the Township Activity Centre Zone

Location within Council Area	Draft application	Amended application
 <p>A map of the District Council of Orroroo Carrieton area with a grey circle containing the number '2' indicating the location of the Township Activity Centre Zone.</p>	 <p>A detailed map of the Township Activity Centre Zone area showing various colored zones. A blue area is highlighted, representing the draft application.</p>	 <p>A detailed map of the Township Activity Centre Zone area showing various colored zones. A red area is highlighted, representing the amended application. A grey circle with the number '2' is overlaid on the map.</p>

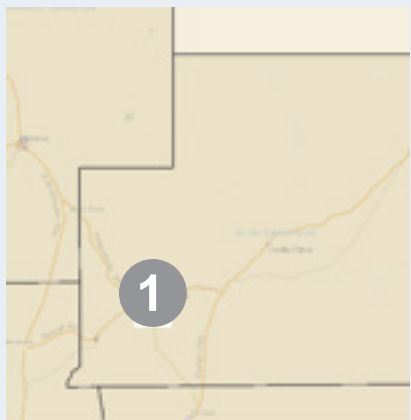
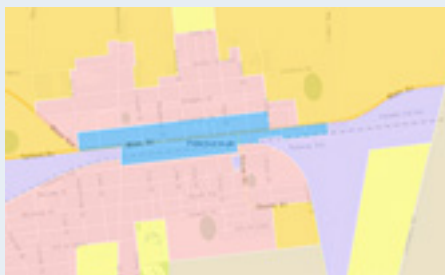
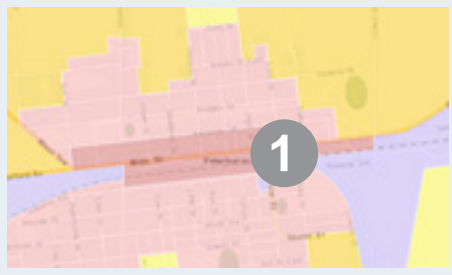
Spatial alterations NOT recommended by the Commission	Rationale
Propose the rezoning of an existing dwelling from Community Facilities Zone to Suburban Neighbourhood Zone.	Proposal outside of scope of Code transition. Would require future Code amendment. Dwelling has existing use rights.
Rezone the paper township of Pekina from Rural Zone to Rural Settlement Zone.	Proposal outside of scope of Code transition. Would require future Code amendment.
Retain Concept Plan OrCar/I from the Development Plan within the Code.	Not required. DPTI has power of direction over new access points.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Peterborough area:

- Request Township Activity Centre Zone be changed to Township Main Street Zone.

## Commission's Recommendations:

- Spatially apply the Township Main Street Zone instead of the Township Activity Centre Zone

Location within Council Area	Draft application	Amended application
		

- Remove the minimum frontage TNV applied to the Rural Living Zone  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

Spatial alterations NOT recommended by the Commission

Rationale

N/A

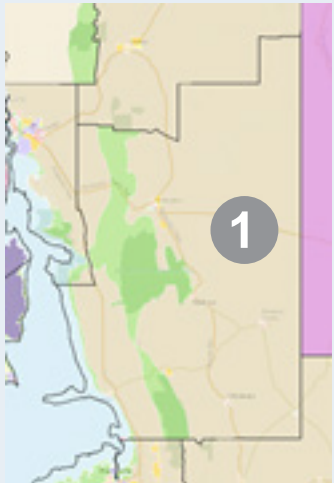
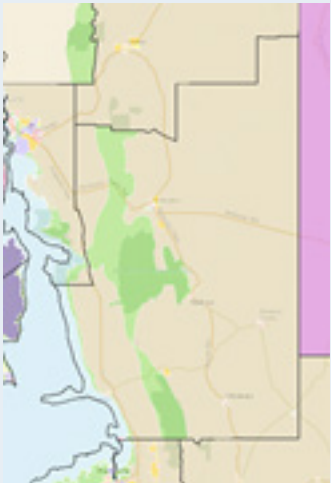
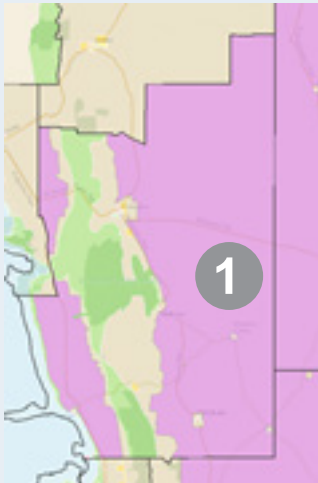
N/A

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Mount Remarkable area:

- Request Township Fringe Policy Area be rezoned to Rural Living, rather than being absorbed into the Rural Zone.
- Acid sulfate soil mapping should be consistent with the Development Plan.

## Commission's Recommendations:

- 1 Spatially apply the Dwelling Excision Overlay to the Rural Zone

Location within Council Area	Draft application	Amended application
		

- 2 Remove minimum Frontage TNVs applied in Rural Living Zone and Employment Zone  
*No maps shown as applies to all instances of the subject Zones in whole Council area.*

- 3 Remove minimum lot size TNVs applied in Employment Zone and Caravan and Tourist Park Zone  
*No maps shown as applies to all instances of the subject Zones in whole Council area.*

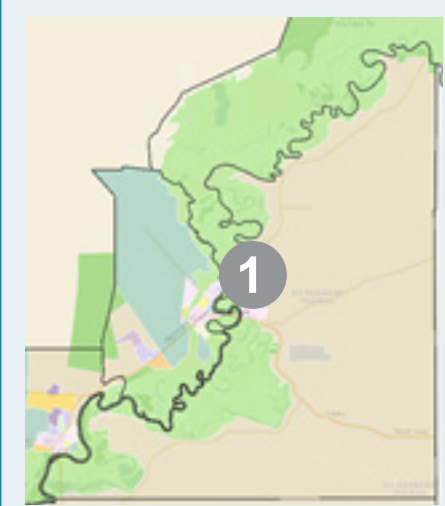
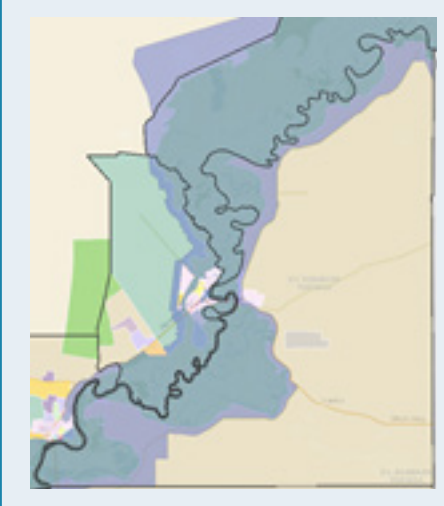
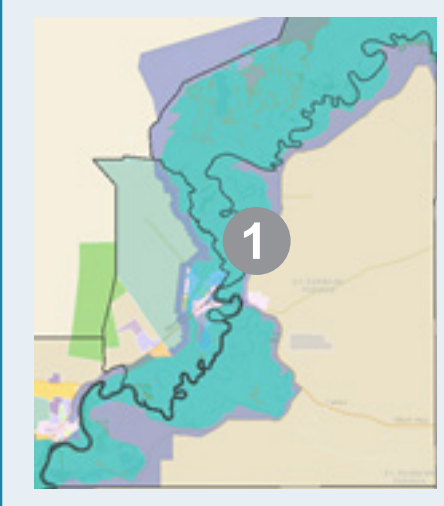
Spatial alterations NOT recommended by the Commission	Rationale
Rezone Wirrabarra and Wilmington Township Fringe Policy Areas from Rural to Rural Living	Proposal outside of scope of Code transition. Would require future Code amendment.
Acid sulfate soil mapping doesn't reflect what is in Development Plan	Mapping shown on consultation map viewer correct. Dataset provided by Department of Environment and Water. Overlay applies to categories 10% and above only. Urban areas have been removed from overlay.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Loxton Waikerie:

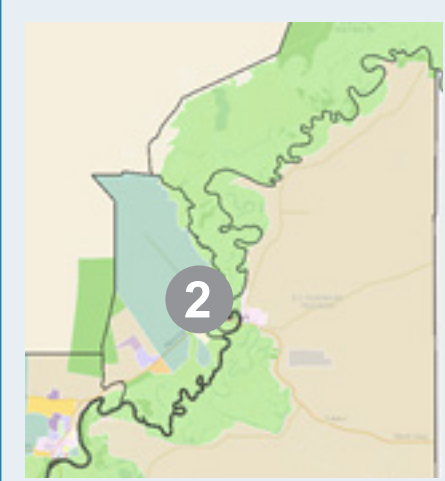
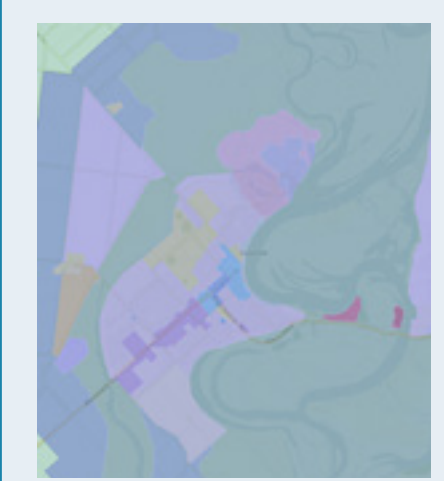

- Request Visitor Experience Subzone be applied to the Conservation zone, to promote Tourist Accommodation and investment into key areas.
- Amend the River Murray Flood Plain Overlay to include the 1956 Flood Line and have current designated area excluded
- Review the spatial application and policy within General Neighbourhood Zone and appropriateness within a regional context
- Request for rezone of allotments adjacent the proposed Employment Zone in Waikerie

## Commission's Recommendations:

- 1 Spatially apply the River Murray Flood Plain mapping (1956 Flood Line) to the River Murray Overlay

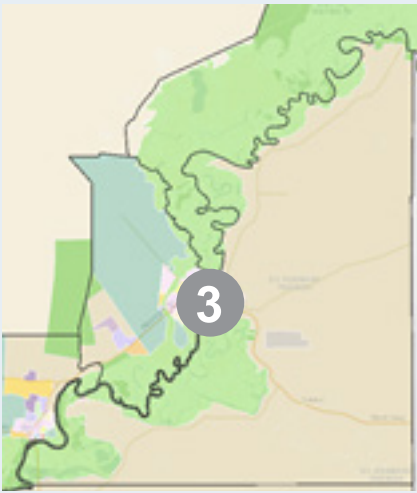

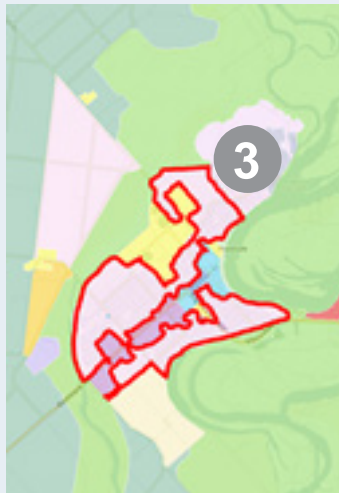
Location within Council Area	Draft application	Amended application
		

- 2 Spatially apply the current exclusion areas outlined in Schedule 8 of the existing Development Regulations 2008, from the River Murray Flood Plain within the Code

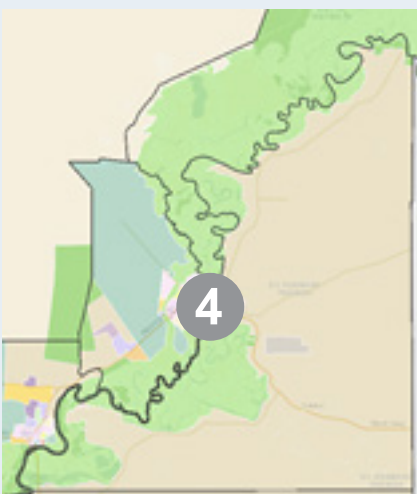


Location within Council Area	Draft application	Amended application
		



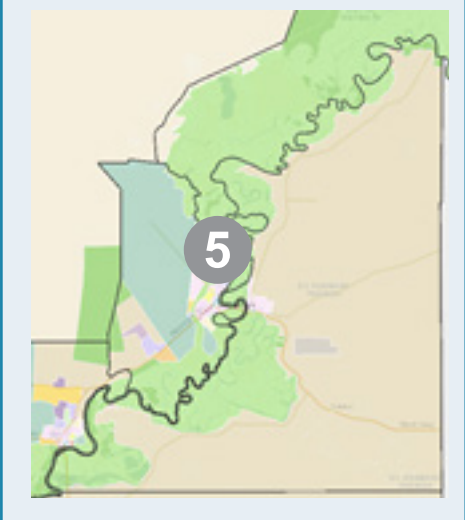
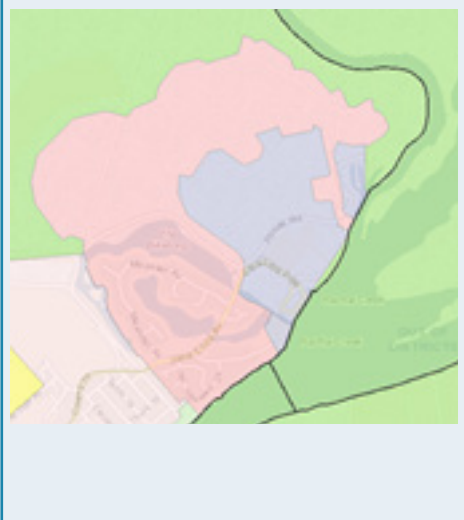
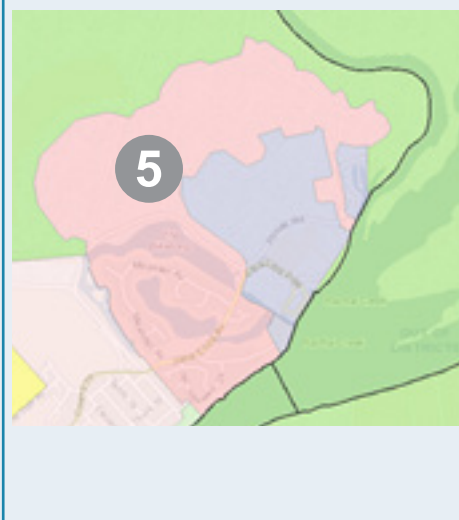
- 3** Spatially apply the new Neighbourhood Zone instead of the Suburban Neighbourhood Zone and Housing Diversity Neighbourhood Zone

Location within Council Area	Draft application	Amended application
		

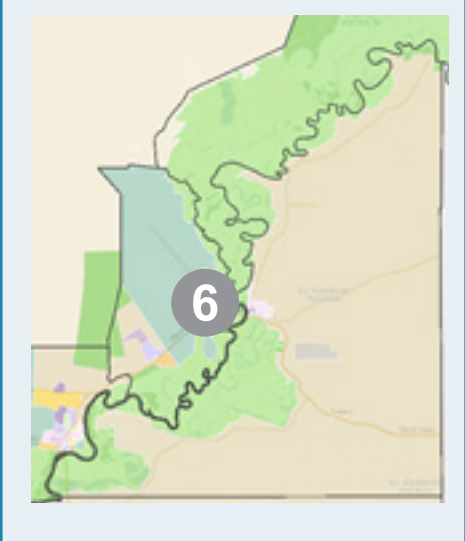

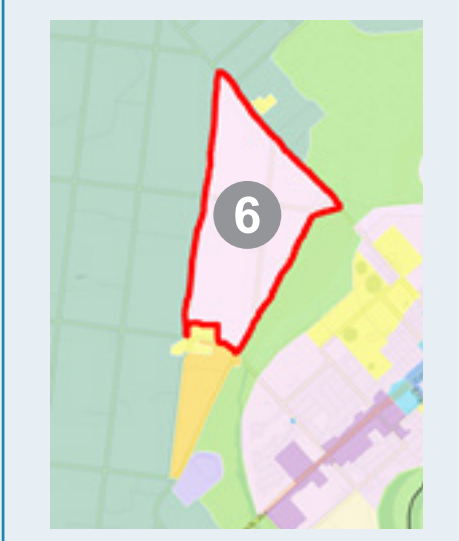
- 4** Spatially apply the Suburban Activity Zone instead of the Community Facilities Zone at two locations at Renmark

Location within Council Area	Draft application	Amended application
		

- 5** Spatially apply the Neighbourhood Zone and Waterfront Subzone to area of land (currently Development Plan Marina Zone, Residential Waterfront Policy Area 3), instead of Suburban Neighbourhood as proposed in draft Code application

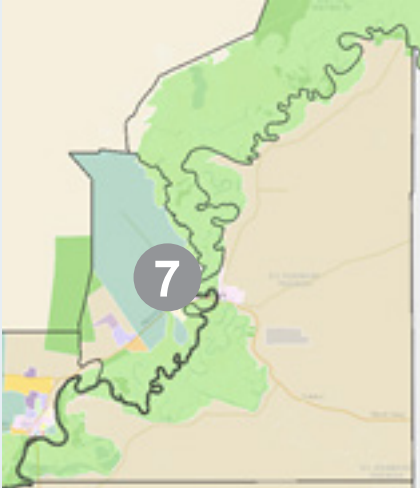

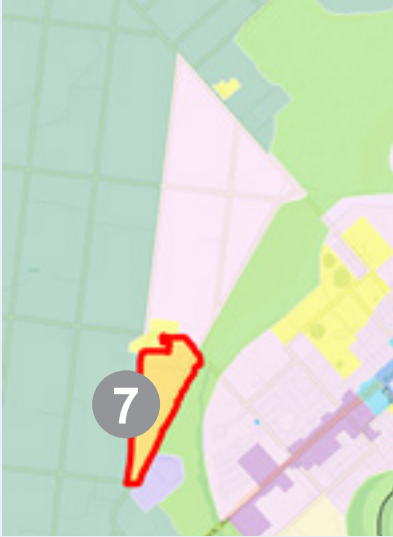
Location within Council Area	Draft application	Amended application
		

- 6** Spatially apply a new Bookmark Creek Subzone under the Rural Neighbourhood Zone to an area of land (currently Development Plan Rural Living Zone, Renmark West Rural Living Precinct 11)

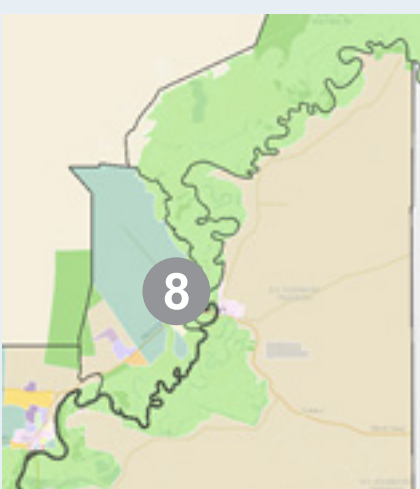


Location within Council Area	Draft application	Amended application
		



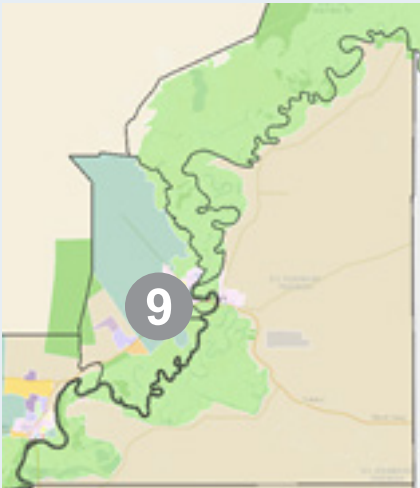


- 7** Spatially apply a TNV of 2,000m<sup>2</sup> instead of a TNV of 20,000m<sup>2</sup> (current Development Plan Rural Living, Renmark West Rural Living Policy Area 8)

Location within Council Area	Draft application	Amended application
		

- 8** Spatially apply Tourism Development Zone to the subject site instead of the Infrastructure (Ferry & Marina) Zone.

Location within Council Area	Draft application	Amended application
		

9 Spatially apply the Concept Plan Map RePa/8 to the subject site within the Rural Living Zone.

Location within Council Area	Draft application	Amended application
		



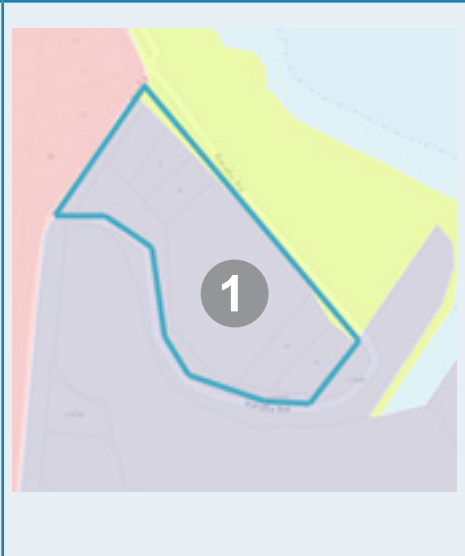
Spatial alterations NOT recommended by the Commission	Rationale
<p>Apply a Visitor Experience Sub-zone within the Conservation Zone to promote tourist accommodation. Additionally, Conservation Zone to review current list of restricted development</p>	<p>Proposal outside of scope of Code transition. Would require future Code amendment.</p>
<p>The Township Activity Zone within Renmark (formally Local Centre Zone adjacent precinct 6) to be changed to Suburban Neighbourhood Zone to reflect existing uses</p>	<p>Proposal outside of scope of Code transition. Would require future Code amendment.</p>

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Robe area:

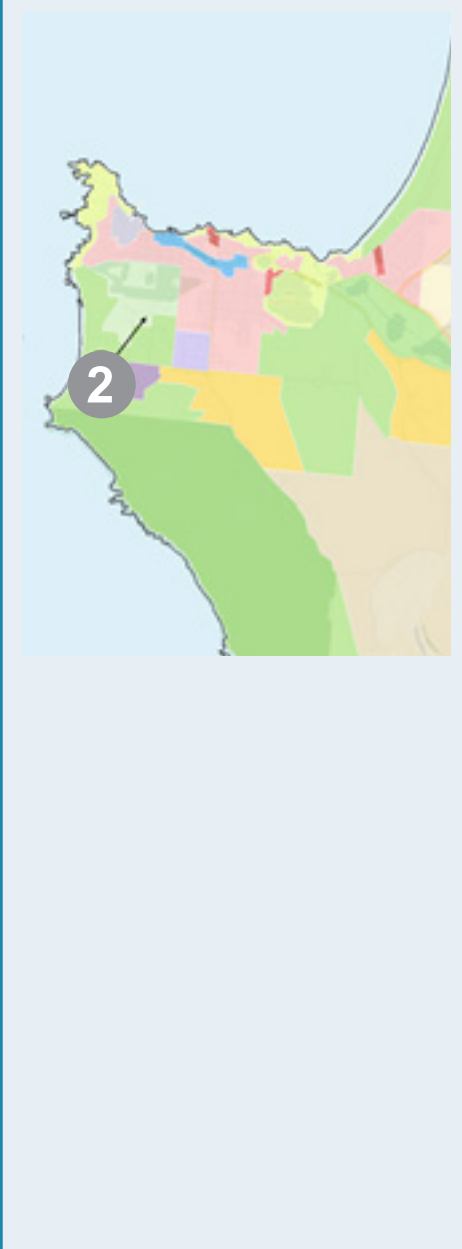
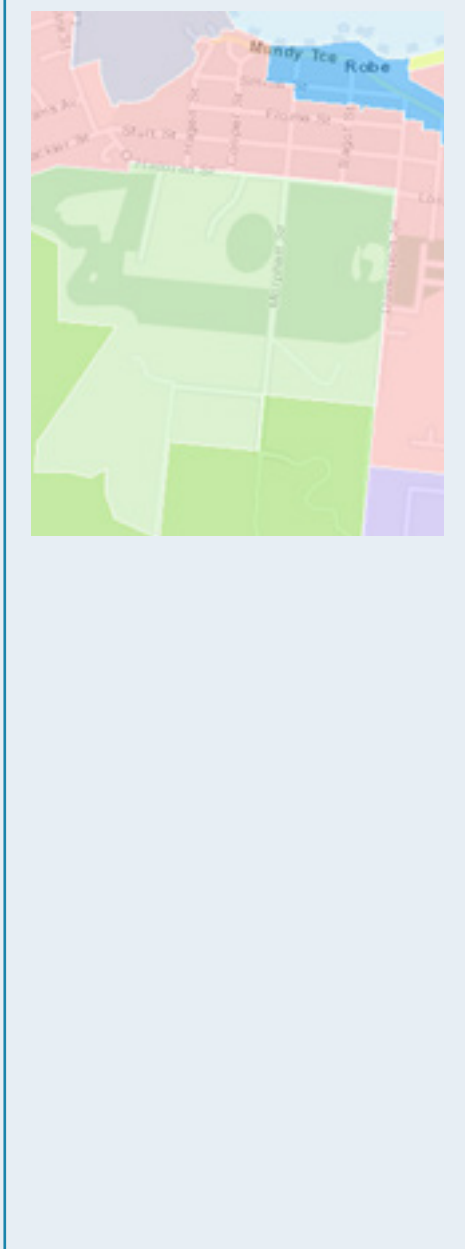
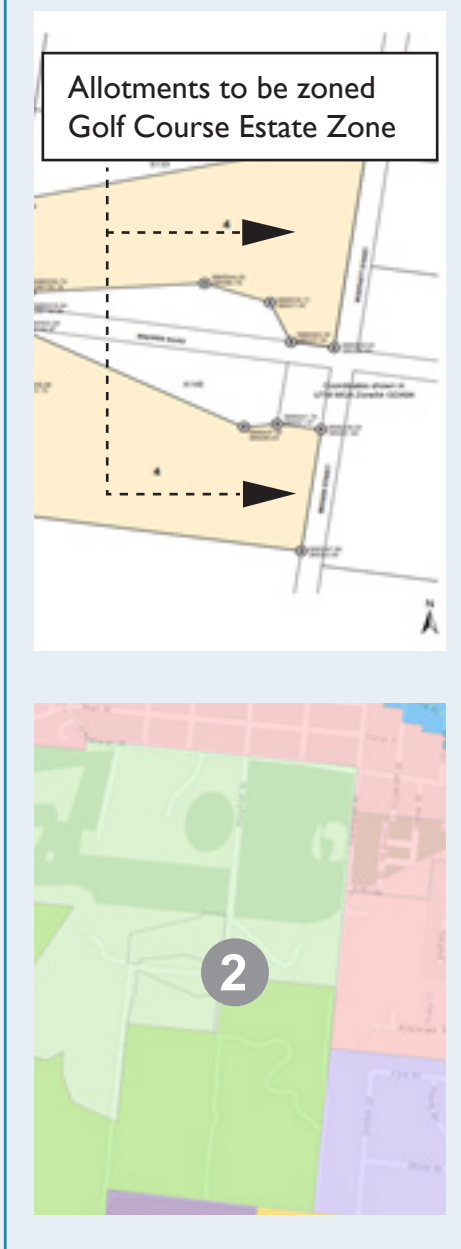
- Relocate allotments adjacent the foreshore at Robe to the Waterfront Subzone.
- The policies within the Historic Area Overlay provide an adequate policy framework to address the policy provided by the Concept Plan Map. Therefore the Code policies are adequate and the Concept Plan Map does not need to be retained.
- The existing Residential Precinct 4 should be relocated to the Golf Course Estate Zone in the Code to provide a more compatible policy framework.

## Commission's Recommendations:

- 1 Spatially apply the Waterfront Subzone under the Infrastructure (Ferry and Marina Facilities) Zone to area of land adjacent the foreshore at Robe.

Location within Council Area	Draft application	Amended application
		

2 Spatially apply the Golf Course Estate Zone instead of Recreation Zone (to two allotments within the existing Residential Precinct 4 in Council's Development Plan)

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Limited Dwelling Overlay removal from Rural Zone	This is consistent with existing Development Plan policy
Include Town Centre Zone within Character Overlay Area	The Character Overlay has been applied to the Residential Character Zone. The Town Centre Zone is located within a Historic Conservation Area and, as such, the Historic Conservation Overlay has been applied.

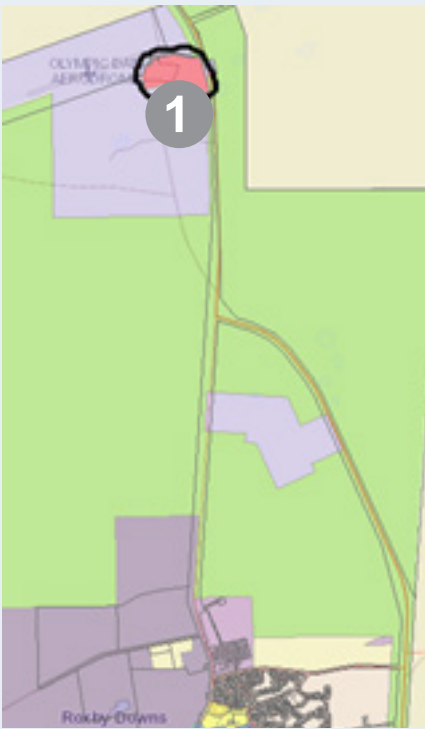


Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Roxby Downs Council area:

- The Residential Park Zone does not adequately replace the existing Special Living Zone & that an alternative zone be created & spatially applied
- The application of the Employment Zone limits deemed to satisfy development compared to existing types of complying development in the Industry and Light Industry Zones
- Request that the Township Activity Centre Zone be spatially applied to existing Retail Showroom & Medium Density Residential Policy Areas of the Town Centre Zone.
- The existing Residential Zone of Roxby Downs provides for workers accommodation and also requires development approval for swimming pools (due to climatic conditions).

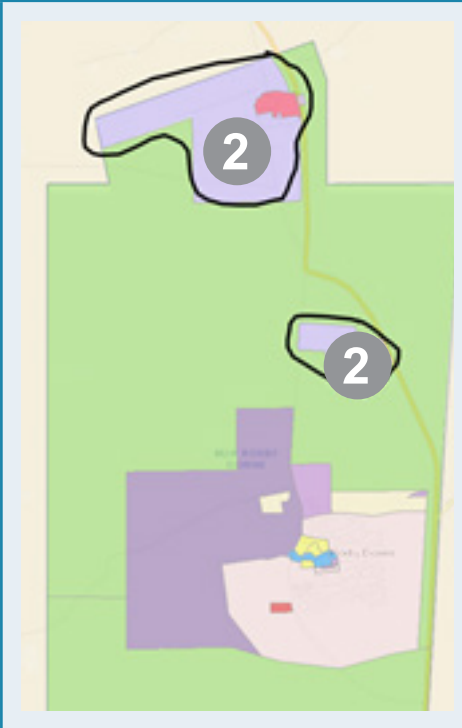

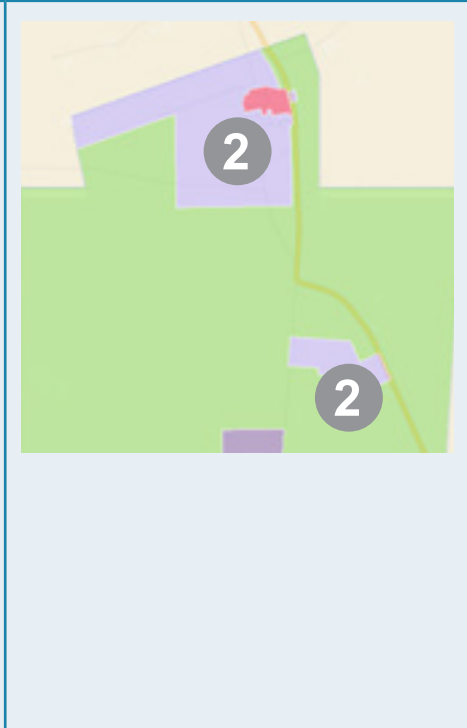
## Commission's Recommendations:

1

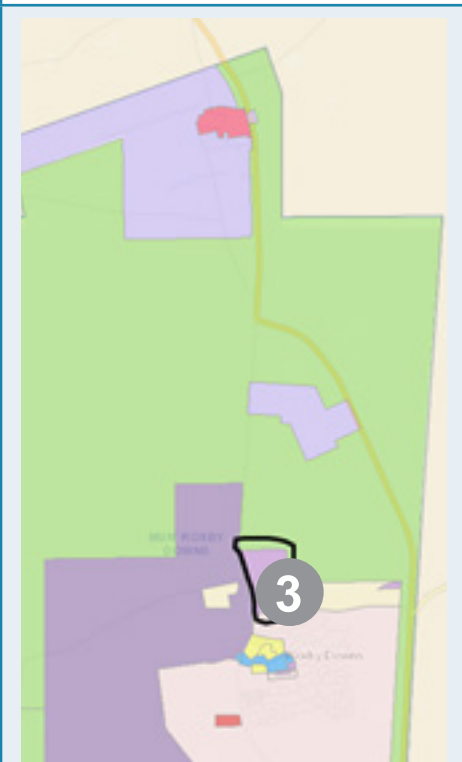
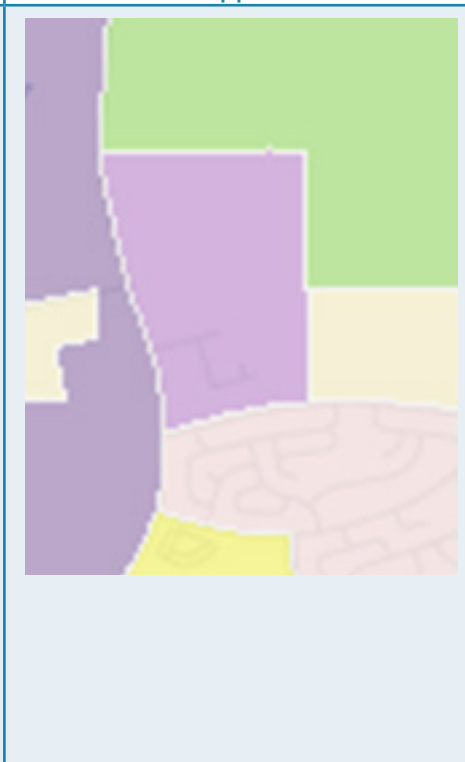
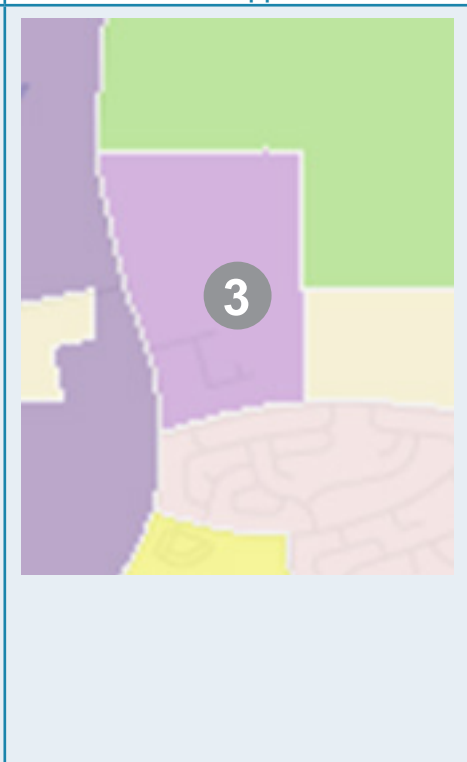
Spatially apply a new Workers Accommodation Zone instead of Residential Park Zone

Location within Council Area	Draft application	Amended application
		

- 2** Spatially apply a new Employment (Enterprise) Zone to replace the Employment Zone to the area of the Industry Zone in existing Development Plan.

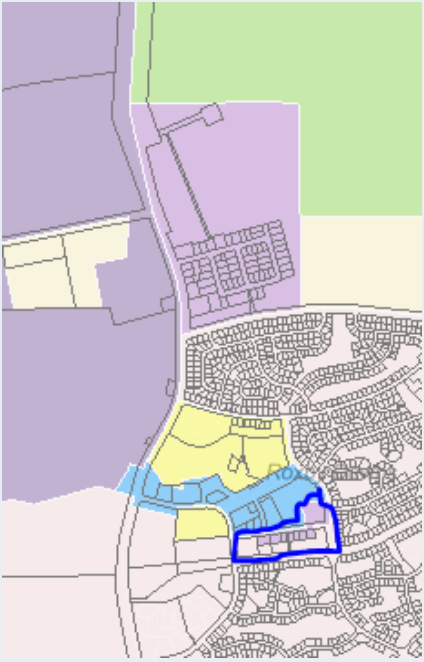
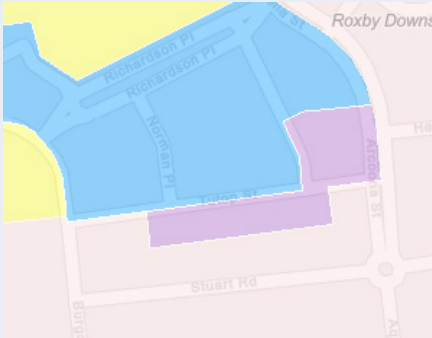
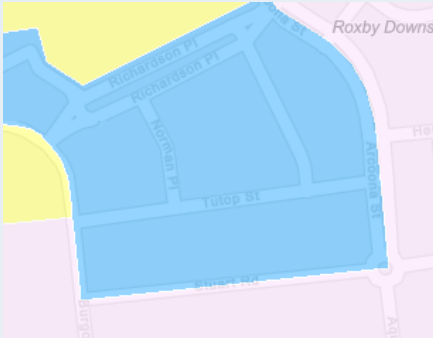
Location within Council Area	Draft application	Amended application
		

- 3** Spatially apply a new Employment (Enterprise) Zone with Light Industry Subzone to replace the Employment Zone to the area of the Light Industry Zone in existing Development Plan.

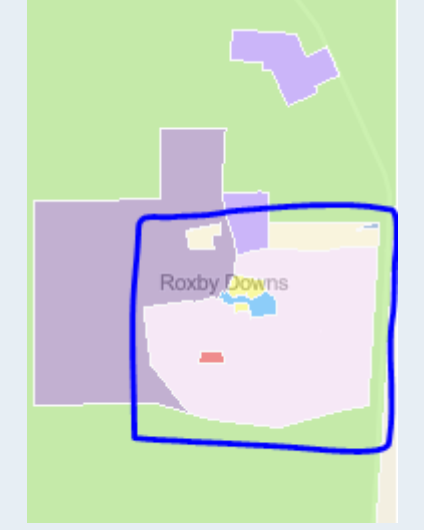
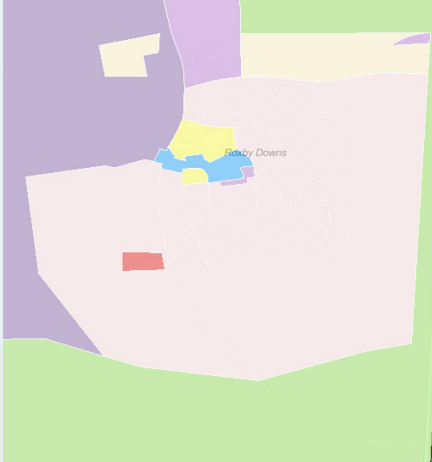
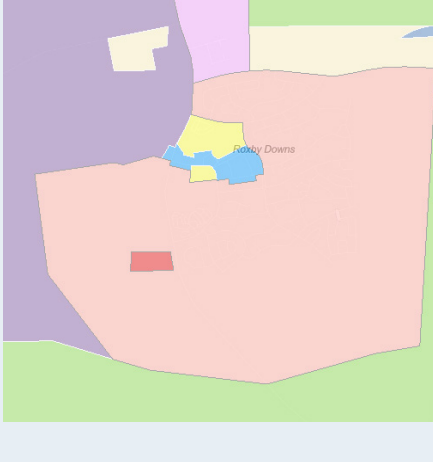
Location within Council Area	Draft application	Amended application
		



- 4 Spatially apply the Township Activity Centre Zone instead of Suburban Employment Zone and General Neighbourhood Zone to the areas of the existing Retail Showroom and Medium Density Residential Policy Areas of the Town Centre Zone in existing Development Plan.

Location within Council Area	Draft application	Amended application
		

- 5 Spatially apply a new 'Roxby Downs Subzone' that facilitates development of workers accommodation to the area proposed as General Neighbourhood Zone.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission

Nil

Rationale

Nil



Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Streaky Bay area:

- Request for rezoning of local airfield to Infrastructure (Airfield) Zone with relevant building height overlay.
- Inclusion of flood mapping for Baird Bay.

## Commission’s Recommendations:

1 Nil

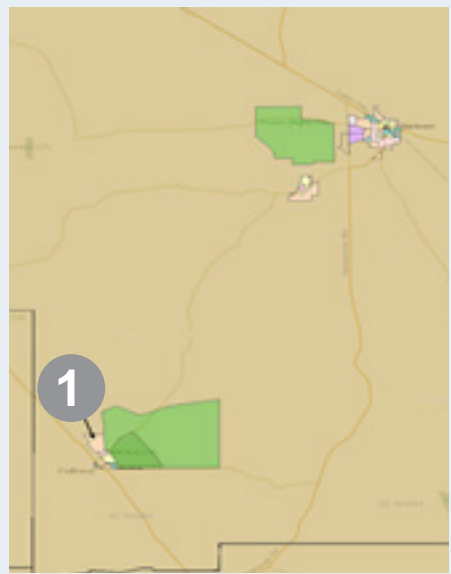
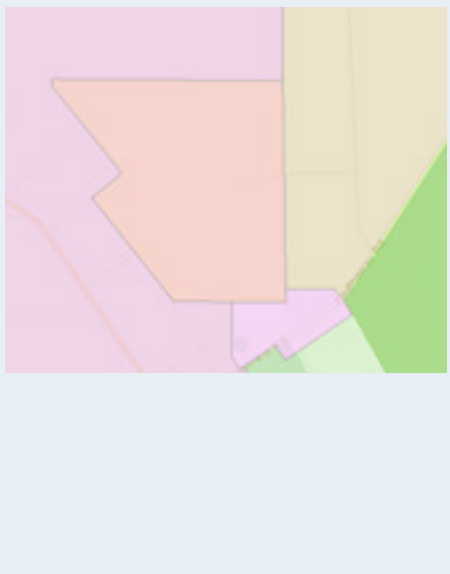
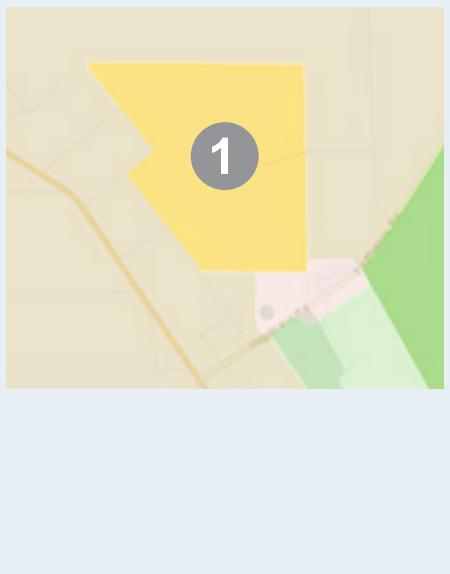
Spatial alterations NOT recommended by the Commission	Rationale
Rezoning of local airfield to Infrastructure (Airfield) Zone with relevant building height overlay	Proposal outside of scope of Code transition. Request forms part of a wider strategic issue for the Commission to consider post transition.
Inclusion of flood mapping for Baird Bay.	Flood mapping is not currently included in Council’s Development Plan. Would require future Code amendment.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Tatiara District Council area:

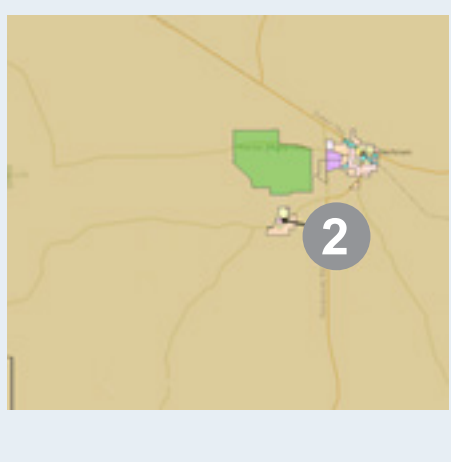
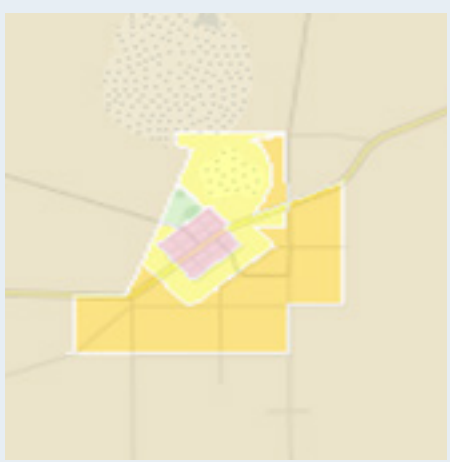
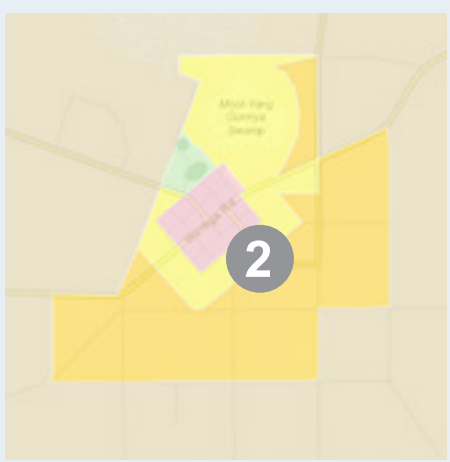
- There is currently no minimum allotment size for land not located within a precinct of the Rural Living Zone however, the Code has applied a 2ha minimum allotment size for these areas. The TNV should be removed from this area in Padthaway to reflect existing Development Plan policy.
- The Character Area Overlay is to be applied to the Township Zone at Mundulla.

## Commission's Recommendations:

**1** Remove the minimum allotment size TNV from the Rural Living Zone in Padthaway.

Location within Council Area	Draft application	Amended application
		

**2** Spatially apply the Character Area Overlay to the Township Zone at Mundulla

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission

N/A

Rationale

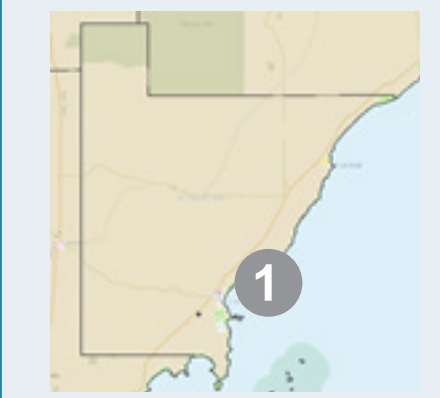
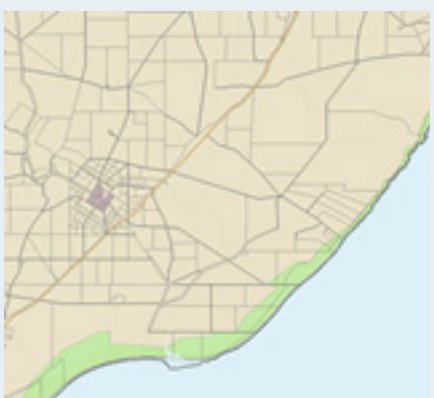
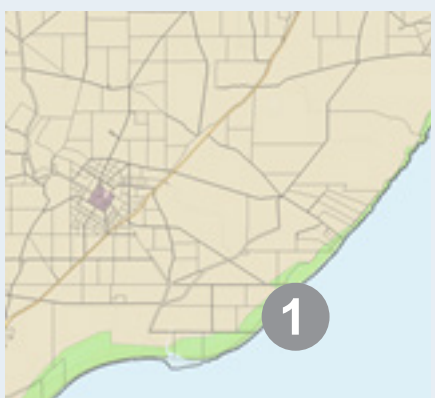
N/A

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the District Council of Tumby Bay area:

- Expansion of the Township Activity Centre Zone in Tumby Bay to align with the current Town Centre Zone.
- Replace the Suburban Employment Zone in Port Neill with an extension of the adjoining Town Activity Centre Zone as the policies do not align with existing Development Plan policy (Commercial Zone).
- Remove the Building Near Airfields Overlay from Deferred Urban Zone at Tumby Bay.
- Seek policy consistency with existing Development Plan Coastal Conservation Zone, in particular ability to build dwellings on specific allotments.
- Inclusion of 200m<sup>2</sup> minimum lot size TNV for Rural Shack Settlement Zones at Cape Burr and Elfrieda
- Apply the Infrastructure Zone to SA Water reservoir sites

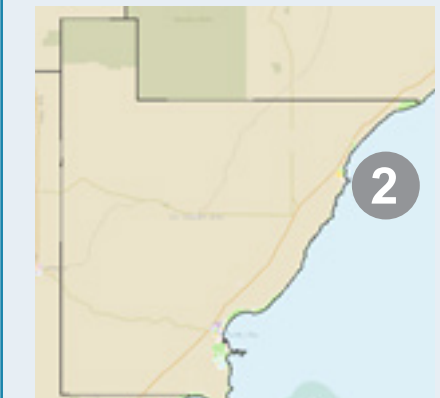


## Commission's Recommendations:

- 1 Spatially apply the Dwelling Subzone to the Conservation Zone.

Location within Council Area	Draft application	Amended application
		

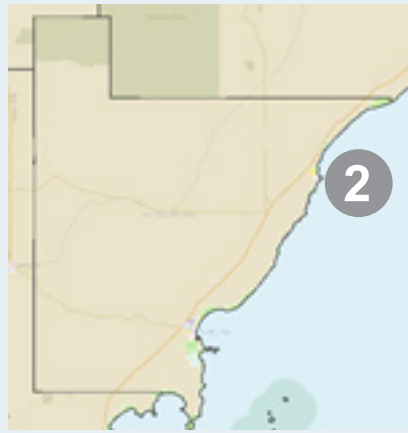

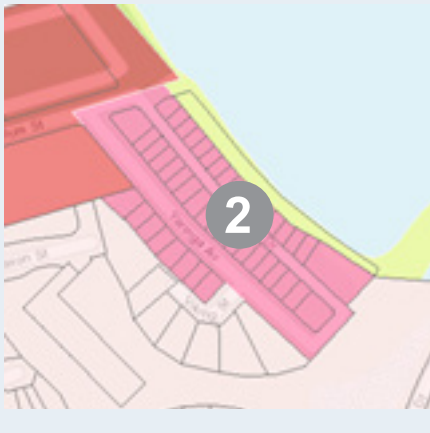
- 2 Spatially apply a 200m<sup>2</sup> minimum lot size TNV to the Rural Shack Settlement Zones at Cape Burr and Elfrieda

## Cape Burr

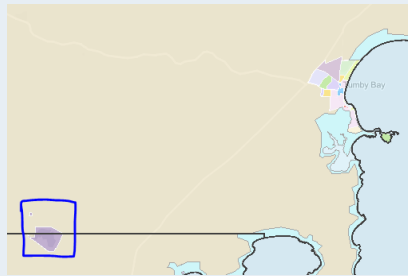
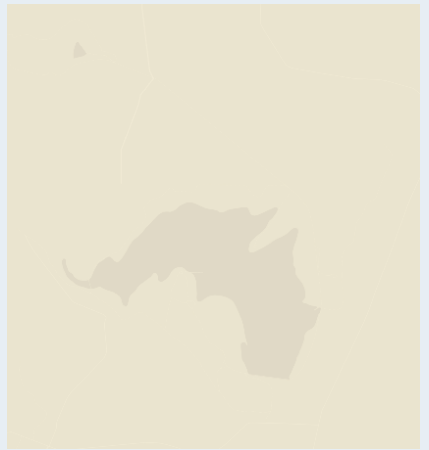
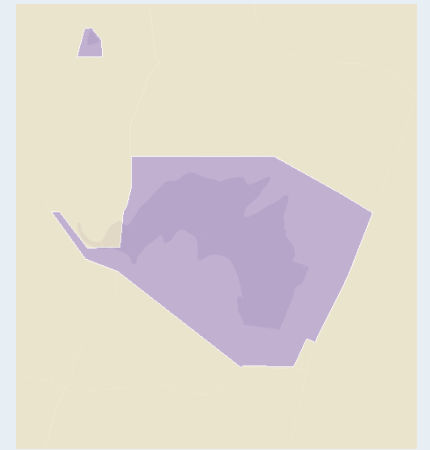
Location within Council Area	Draft application	Amended application
		

- 2 Spatially apply a 200m<sup>2</sup> minimum lot size TNV to the Rural Shack Settlement Zones at Cape Burr and Elfrieda

## Elfrieda

Location within Council Area	Draft application	Amended application
		

- 3 Spatially apply the Infrastructure Zone instead of the Rural Zone, at the SA Water reservoir sites located at Knott Hill and Tod River.

Location within Council Area	Draft application	Amended application
		

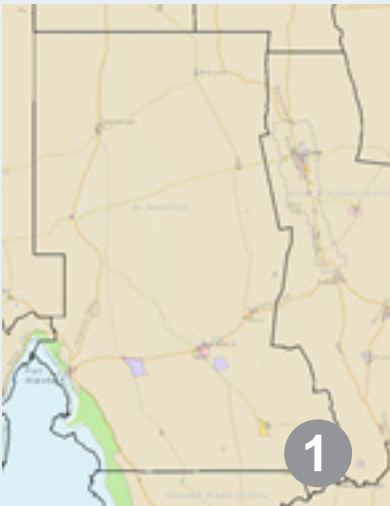


Spatial alterations NOT recommended by the Commission	Rationale
Expansion of Township Activity Centre Zone in Tumby Bay to align with the current Town Centre Zone	The proposed Neighbourhood Zone for the area has the most similar policy to current policy
Replacement of the Suburban Employment Zone at Port Neill with Town Activity Centre Zone	The proposed Suburban Employment Zone has the most similar policy to current policy
Removal of the Building Near Airfields Overlay from Deferred Urban Zone at Tumby Bay	The mapping rules guiding the proposed Building Near Airfields Overlay apply a set distance from airfields, regardless of the underlying zones.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Wakefield Regional Council area:

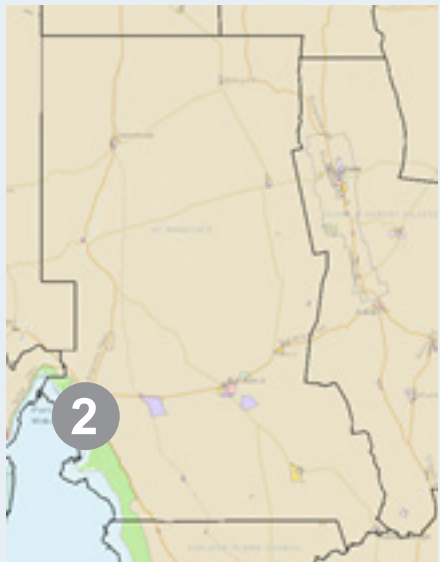

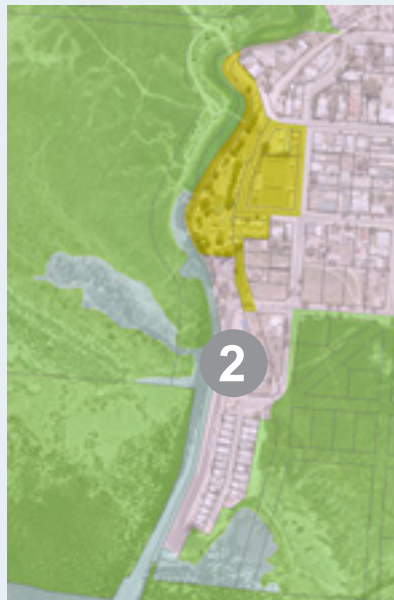
- Request reinstatement of concept plans WaKR/5, WaKR/6 and WaKR/7 from Development Plan.
- Extend the Suburban Neighbourhood Zone boundary within Port Wakefield over the portion of land in Tourism Development Zone which is residential.
- Amend TNVs to reflect existing numbers in Development Plan.
- Request AHD levels be reinstated in Code to address flooding.

## Commission's Recommendations:

- 1 Spatially apply Concept Plan WakR/6 from the existing Development Plan into the Code at the same area at Hamley Bridge

Location within Council Area	Draft application	Amended application
		

- 2 Spatially apply the new Neighbourhood Zone instead of the southern part of the Tourism Development Zone at Port Wakefield

Location within Council Area	Draft application	Amended application
		

- 3 Spatially apply the new Neighbourhood Zone instead of the Suburban Neighbourhood Zone at all locations in Council area  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*
- 4 Include a 450m<sup>2</sup> minimum lot size TNV for semi-detached dwelling in new Neighbourhood Zone  
*No maps shown as applies to all instances of the subject Zone in whole Council area.*

### Spatial alterations NOT recommended by the Commission

Inclusion of concept plans Maps WaKR/5 and WakR/7

### Rationale

Commissioner of Highways has power of direction over new access points and as such the matters are sufficiently addressed via referral mechanisms.

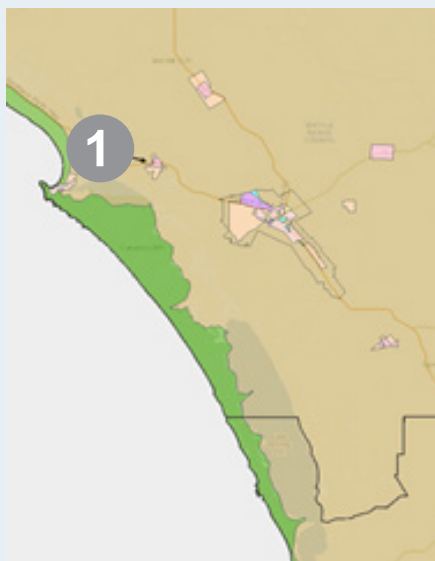

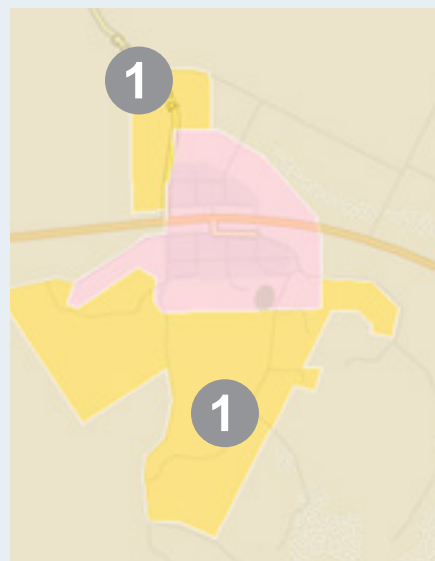


Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Wattle Range Council area:

- Existing Development Plan policy in Rendelsham Precinct 20 of the Rural Living Zone only allows for land to be divided where no additional allotments are created and furthermore boundary realignments should only occur where all resulting allotments are greater than 5ha. At consultation the Code policies allowed for land division with a minimum allotment size of 5ha. To be consistent with existing Development Plan policy the Limited Land Division Overlay needs to be applied to this area.

## Commission's Recommendations:

- Spatially apply the Limited Land Division Overlay to the area of the Code Rural Living Zone which is within Rendelsham Precinct 20 in the existing Development Plan.

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
Include recent heritage survey places / areas in the Local heritage Area / Place Overlay	This is beyond the scope the Planning and Design Code transition and would need to be considered as part of a future amendment.
Include the South End Caravan Park in the Caravan and Tourist Park Zone.	The land is currently located within the Residential Zone and has been transitioned to the General Neighbourhood Zone in the Code. Rezoning this land to Caravan and Tourist Park Zone is outside the scope and could be undertaken as a future amendment to the Code.



Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Wudinna District Council area:

- Request inclusion of Concept Plan guiding development in the Industry Zone (now Employment Zone) at Wudinna.
- Support use of TNVs in Rural Living and Residential Zones for minimum allotment sizes, frontage widths to carry over existing policy.

## Commission’s Recommendations:

1 Nil

### Spatial alterations NOT recommended by the Commission

### Rationale

Include the Concept Plan at Wudinna guiding development in the Industry Zone (transitioning to Employment Zone)




Concept Plan is not required due to ability for performance assessment against the Code.

Feedback received by the Commission sought the following alterations to the spatial application of the Code in the Yorke Peninsula Council area:


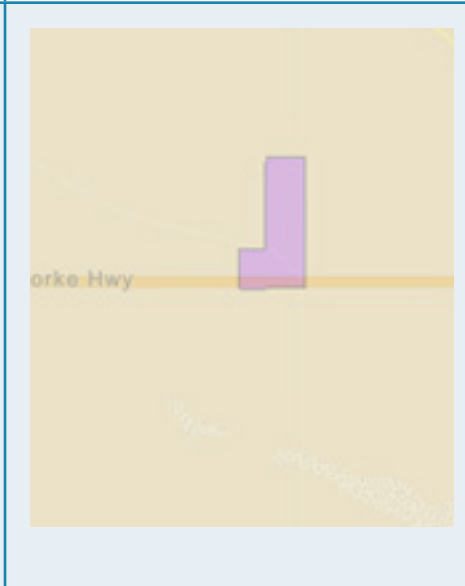
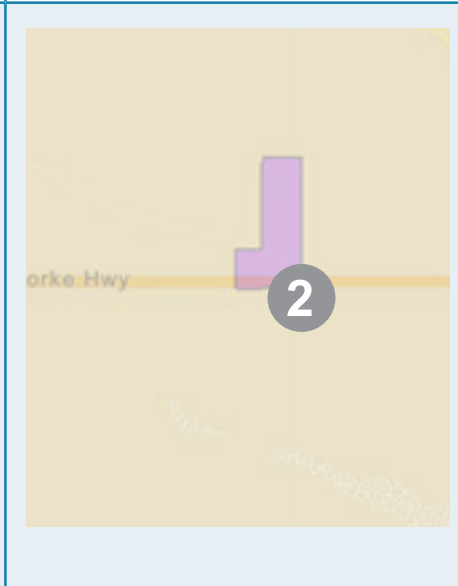
- Seeking reinstatement of selected concept plans.
- The Rural Shack Settlement Zone exposes existing shack areas (including Black Point) to much wider development opportunities and provides limited development guidance than currently exists (i.e. Design Guidelines).
- Seek to ensure the inclusion of the Limited Dwelling Overlay in the Rural Zone to list dwellings as restricted.
- Individual land owner rezoning requests were received to facilitate land division, tourist accommodation and higher order development / land uses in various locations.

## Commission's Recommendations:


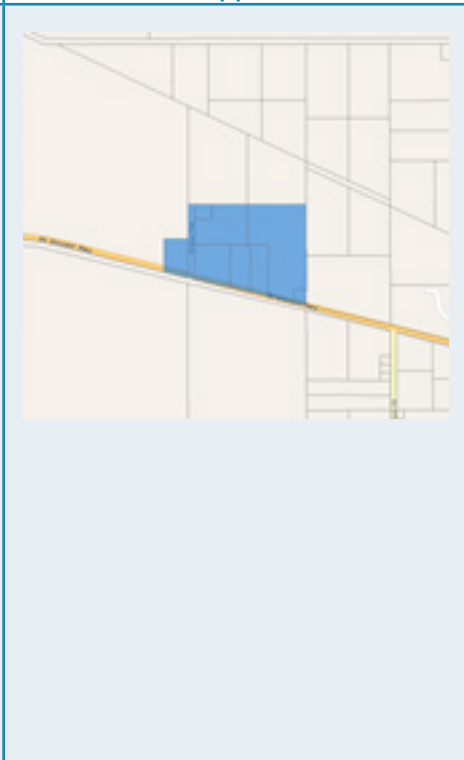
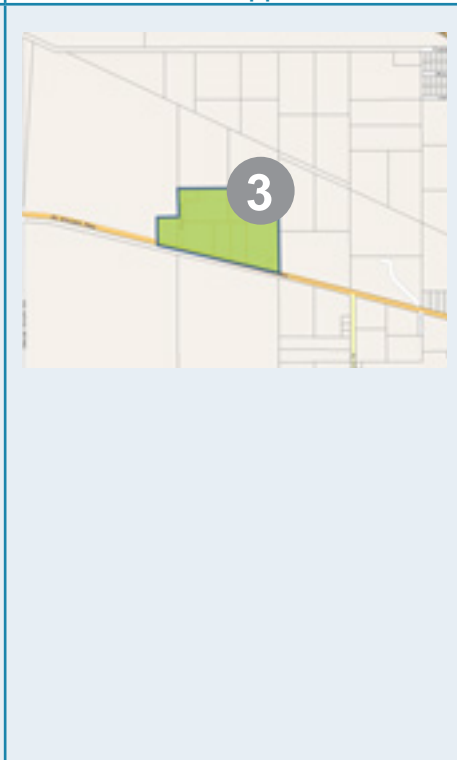
- 1 Spatially apply the Conservation Zone and apply a new Shack Relocation Subzone at part of land at Black Point instead of the Rural Shack Settlement Zone.

Location within Council Area	Draft application	Amended application
		




**2** Spatially apply the Employment Zone instead of the Suburban Employment Zone south of Point Turton.

Location within Council Area	Draft application	Amended application
		




**3** Spatially apply the Home Industry Zone instead of the Suburban Business and Innovation Zone at Edithburgh.

Location within Council Area	Draft application	Amended application
		

4 Spatially apply a new Waterfront Subzone to the Neighbourhood zone at the Port Vincent Marina.

Location within Council Area	Draft application	Amended application
		

**5** Spatially apply Concept Plan Map YoP/6 from the existing Development Plan into the Code at the relevant area at Port Vincent

Location within Council Area	Draft application	Amended application
		

Spatial alterations NOT recommended by the Commission	Rationale
<p>Individual land owner rezoning requests were received to facilitate land division, tourist accommodation and higher order development / land uses in various locations</p>	<p>Outside the scope of this Code Amendment.</p>
<p>Amend the boundaries of the Water Protection Overlay to reflect the Water Protection Zone as per the current Development Plan zone boundaries</p>	<p>The boundaries of the overlay are based on Gazetted mapping which takes precedence rather than being defined by existing Development Plan zoning boundaries.</p>
<p>Transition of Concept Plan YoP/1 Maitland Bulk Handling from Development Plan into Code</p>	<p>The area subject to the concept has been developed and key infrastructure, including stormwater and vehicle access, has been developed.</p>

# Attachment A: Engagement Results

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## Introduction

This Engagement Report has been prepared by the State Planning Commission for consideration by the Minister for Planning in adopting the Planning and Design Code for application to rural areas of South Australia – now known as Phase Two Code. It has been prepared in accordance with the requirements prescribed in section 73(7) of the *Planning Development and Infrastructure Act 2016* and *State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments*.

## Engagement Objectives

In its broadest terms, the purpose of the Engagement Plan for the Planning and Design Code was to seek feedback on the draft Code and broadly communicate to all South Australians why planning reform was needed and how (and when) the Code policies would be implemented across the state.

The engagement objectives of this plan were to:

- obtain meaningful feedback on the Phase Two Code from communities and practitioners within the rural areas of South Australia and assist them to understand what it means for them
- ensure professional peak bodies were informed about the draft Phase Two Code and its implementation and what it would mean for their members
- generate awareness about the remaining Phase Three (Urban areas) Code and its implementation
- educate South Australians about the new planning system and what it would mean for South Australia
- fulfil the principles of the Community Engagement Charter to demonstrate genuine and authentic engagement.

## Engagement Approach

South Australia's new planning system is informed by genuine feedback from the community, the planning and development industries and other interested parties. The Code is no different, having been prepared in collaboration with other state agencies, industry leaders and the wider public.

The process for amending or creating the Code is set out in the PDI Act. Public engagement in accordance with the Community Engagement Charter (the Charter) is an important part of this.

The Charter outlines the following five key principles (Figure 2) that must be taken into consideration when planning for and conducting consultation and engagement on designated instruments (such as the Outback Code):



Figure 2. Principles of the Community Engagement Charter

To ensure the Phase Two (Rural Areas) Code Amendment aligned with these principles and, therefore, the Charter, an Engagement Plan was prepared in accordance with the requirements of *State Planning Commission Practice Direction 2 (Consultation on the Preparation or Amendment of a Designated Instrument) 2018*.

The Engagement Plan, which was made publicly available on the SA Planning Portal, mapped the stakeholders who would be affected by the implementation of the Phase Two Code, the level of engagement required and the timing of consultation and communication activities.

## PART A – Stakeholder mapping

Stakeholder	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
<b>Minister for Planning and Office of the Minister</b>	Key interest as the head of the planning system	Smooth transition to new system in July 2020	Collaborate
<b>State Members of Parliament</b>	May have residents or community groups who are 'interested' in reform.	Informed of all planning changes and process of engagement along with detailed information on what it means for community	Inform and consult
<b>Federal Members of Parliament</b>	May have residents or community groups who are 'interested' in reform.	Informed of all planning changes	Inform
<b>Senior Managers of State government departments &amp; agencies</b>	Key interest in changes the Code makes to in the planning system e.g. referrals. Overlays can trigger referrals to the relevant State agencies.	Involved in reform and can influence key outcomes	Collaborate
<b>Ministerial Advisory Committees on</b> <ul style="list-style-type: none"> <li>• <b>Community Participation and Sustainability</b></li> <li>• <b>Development Business</b></li> <li>• <b>Local Government</b></li> </ul>	Interested in key changes the Code makes to in the planning system	Involved in reform and can influence key outcomes	Inform and consult
<b>Business Liaison Group</b>	Interested in changes to how the Code will affect business	Involved in reform and can influence key outcomes	Inform and consult
<b>Government Committees and Agency Boards</b> (including, but not limited to: Premier's Climate Change Council, Coast Protection Board, NRM Boards (or equivalent), Heritage Council)	Interested in how the Code address matters of interest such as climate change, heritage and environmental policy challenges.	Involved in reform and can influence key outcomes	Inform and consult



Stakeholder	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
<b>Local Government – Mayors and Elected Members</b>	<p>Understand how the Development Plan will be transitioned to the Code and what the changes mean for their community.</p> <p>Understand their role in the new system and how it differs from their current role.</p>	Involved and informed throughout the process.	Inform and consult
<b>Local Government – CEOs and Senior Managers</b>	<p>Understand the new planning system and how it differs to current system; their role in it and what the transition will 'cost' their council and what it means to 'community'.</p> <p>How they will communicate the change to their community</p>	<p>Involved and informed throughout the process.</p> <p>Engagement process is followed well</p>	Collaborate
<b>Local Government – Planning and development teams</b>	<p>Impacts to internal processes and systems. Briefing upwards in council on the changes and what it means to the council in terms of long-held planning policy, resourcing and funding.</p> <p>How they will communicate the change to their community.</p>	Involved and supported through change process	Involve
<b>Local Government – other non-planning staff</b>	<p>Understand how the Code will change current engagement and communication requirements for planning.</p>	<i>Some will want to contribute to local activities.</i>	Inform
<b>Local Government Association of SA</b>	Impact of reform on councils.	Not being seen as a 'regular' stakeholder in the process, but a key driver of decisions.	Collaborate
<b>Representative bodies for SA leaders</b> (e.g. Business SA)	<p>Opportunities to create and streamline development opportunities and investment for SA.</p>	<p>Involvement in any elements of most interest to their members. Access to Department to deliver exclusive sessions to members</p>	Inform and consult
<b>Peak Bodies</b>	<p>Opportunities to create and streamline development opportunities and investment for SA.</p>	<p>Involvement in any elements of most interest to their members. Access to Department to deliver sessions to members</p>	Involve
<ul style="list-style-type: none"> <li>• <b>Property Council of Australia</b></li> <li>• <b>Urban Development Institute of Australia</b></li> <li>• <b>Planning Institute of Australia</b></li> </ul>			

Stakeholder	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
<ul style="list-style-type: none"> <li>• <b>Australian Institute of Building Surveyors</b></li> <li>• <b>Housing Industry Association</b></li> <li>• <b>Master Builders Association</b></li> </ul>			
<b>Other Peak Bodies</b> <ul style="list-style-type: none"> <li>• <b>Law Society</b></li> <li>• <b>Australian Institute of Architects</b></li> <li>• <b>Australian Institute of Landscape Architects</b></li> </ul>	How the new system will impact their members. What elements of the Code will go live in Phase Two and Phase Three	Informed on changes and milestone points.	Inform and consult
<b>Business practitioners – architects, planners, planning lawyers, designers, surveyors and building surveyors</b>	How to use the Code, how to assess development applications using the new Code. Deemed-to-Satisfy criteria and where it applies? Zoning changes and language.	Need to find resources quickly; and find out the latest news	Inform and consult
<b>Community and Resident Groups</b> (e.g. Community Alliance, Prospect Resident’s Association, South West City Community Association, etc.)	Understand how community feedback can impact the Code. Identify which zone I live in and how much this has changed. Understand the density, height and scale of growth that will be allowed in my neighbourhood. Understand what types of development are allowable in my street, neighbourhood and town. Understand how planning happens in SA and how I can object to developments. Understand how heritage and character housing will be protected, and the impact of replacing contributory items with overlays.	There is a need for the community to see where their feedback impacted the writing the Code. Need to see how previous community planning “wins” have been incorporated into the new Code. Need information on ‘what this all means for me, or my local area’. Need to be able to easily search for my own home. Be reassured that heritage and conservation sites have been preserved. Need to be able to navigate the Code easily.	Inform and consult
<b>Special Interest Organisations</b> (e.g. Environment Defenders Office, Conservation Council,	Understand how heritage and character housing will be protected, and the impact of replacing contributory items with overlays.	Be reassured that heritage and conservation sites have been preserved. Need to be able to navigate the Code easily.	Inform and consult

Stakeholder	Nature of interest in the project and/or the potential impact of the project	Stakeholder needs/expectations for engagement in the project	Level of engagement (i.e. inform, consult, involve, collaborate)
National Trust, History Trust)	Identify where high-impact industries are located.		
<b>General Public</b>	New system addresses their particular issue with the planning system.	New system will 'fix' their issues and they will be involved.	Inform and consult
<b>Education sector</b>	Information to inform their courses. How to integrate the new system into existing curriculum.	High level update on the new Code so they can update their master's course. Informed on the new system and opportunities to obtain content.	Inform
<b>Media</b>	Information as to how the new system will impact the general community. What elements of the Code will go live in Phase Two and Phase Three.	Informed on changes and milestone points.	Inform

## PART B - Engagement Activities

During the engagement period there were numerous opportunities for councils, industry practitioners and members of the community to engage with representatives from the State Planning Commissions and Department staff to hear about the Phase Two draft Code and contribute to discussions on the planning policy for their communities.

### 1. Engagement Events

In total, 75 community and stakeholder engagement activities were conducted during the Phase Two Code consultation period, consisting of:

#### 1.1 Local Government Events

A series of information sessions and workshops for council CEOs, Mayors and Elected Members was conducted between 1 October 2019 and 29 November 2019 to enable them to discuss and ask questions about the draft planning policies in the Code.

The tables below summarises the information sessions that were undertaken for Local Government.

#### Pre-Code information sessions for council Elected Members in September 2019

Date	Activity	Audience
12 September 2019, 5.30 pm to 7.00 pm	State Planning Commission Briefing and Livestream on the pre-release of the draft Planning and Design Code for Council Elected Members including and Q&A session.  Where: Kardi Munaintya Meeting Room, Ground Floor, 50 Flinders Street, Adelaide	Elected Members from Phase Two and Three Councils

#### Phase Two Code information sessions for council Elected Members in November 2019

Date	Activity	Audience
7 November 2019, 5.30 pm to 7.00 pm	State Planning Commission Briefing and Livestream on the Draft Planning and Design for Phase Two Council Elected Members including Q&A session.  Where: Kardi Munaintya Meeting Room, Ground Floor, 50 Flinders Street, Adelaide	Elected Members from Phase Two Councils

**Phase Two Code information sessions for council CEOs and Mayors during October and November 2019**

Date	Council	Location
1 October 2019	District Council of Franklin Harbour	Cowell
2 October 2019	District Council of Cleve	Cleve
	District Council of Kimba	Kimba
	Riverland Local Government Forum Meeting	Renmark
3 October 2019	District Council of Lower Eyre Peninsula	Cummins
	District Council of Karoonda East Murray	Karoonda
	Southern Mallee District Council	Pinnaroo
	District Council of Tumby Bay	Tumby Bay
4 October 2019	Coorong District Council	Tailem Bend
8 October 2019	Roxby Downs Council	Roxby Downs
9 October 2019	District Council of Ceduna	Ceduna
10 October 2019	District Council of Streaky Bay	Streaky Bay
	District Council of Wudinna	Wudinna
	District Council of Streaky Bay	Streaky Bay
11 October 2019	District Council of Elliston	Elliston
14 October 2019	District Council of Mount Remarkable	Melrose
	Wakefield Regional Council	Balaklava
	District Council of Orroroo Carrieton	Orroroo
	Flinders Ranges Council	Quorn
	Clare and Gilbert Valleys Council	Clare
15 October 2019	District Council of Peterborough	Peterborough
	Northern Areas Council	Jamestown
	Barunga West Council	Port Broughton
	Copper Coast Council	Kadina
	Yorke Peninsula Council	Maitland
16 October 2019	Goyder Regional Council	Burra
21 October 2019	Tatiara District Council	Bordertown
	Naracoorte Lucindale Council	Naracoorte
22 October 2019	Kingston District Council	Kingston

Date	Council	Location
23 October 2019	Kangaroo Island Council	Kingscote
	District Council of Robe	Robe
6 November 2019	Yorke Peninsula Council	Adelaide

**Phase Two Code information sessions for council practitioners during October 2019**

Date	Council	Location
2 October 2019	Yorke Peninsula Council	Maitland
8 October 2019	Roxby Downs Council	Roxby Downs
	Coorong District Council	Tailem Bend
9 October 2019	Goyder Regional Council	Burra
10 October 2019	Franklin Harbour, Cleve and Kimba Councils	Cowell
11 October 2019	Lower Eyre Peninsula and Tumby Bay Councils	Port Lincoln
13 October 2019	Streaky Bay, Wudinna, Ceduna, Elliston Councils	Streaky Bay
14 October 2019	Berri Barmera, Loxton Waikerie, Renmark Paringa Councils	Berri
15 October 2019	Barunga West Council	Port Broughton
	Wakefield Regional Council	Balaklava
	District Council of Wattle Range	Millicent
16 October 2019	Northern Areas Council	Jamestown
	Kingston District Council	Kingston
	Clare and Gilbert Valleys Council	Clare
	Copper Coast Council	Kadina
	Southern Mallee District Council	Pinnaroo
17 October 2019	District Council of Robe	Robe
	Yorke Peninsula Council	Maitland
21 October 2019	Flinders Ranges Council	Quorn
22 October 2019	District Council of Mount Remarkable	Melrose
	District Council of Grant	Mount Gambier
23 October 2019	District Council of Peterborough	Peterborough
	Kangaroo Island Council	Kingscote
	Naracoorte Lucindale Council	Naracoorte
	District Council of Karoonda East Murray	Karoonda

Date	Council	Location
24 October 2019	Tatiara District Council	Bordertown
	District Council of Orroroo Carrieton	Orroroo
29 October 2019	District Council of Tumby Bay	Tumby Bay
31 October 2019	District Council of Coober Pedy	Coober Pedy

## 1.2 Community Events

A series of community information sessions were hosted by the State Planning Commission and Department between 1 October 2019 and 29 November 2019 to enable South Australian residents (and planning professionals) to ask questions about the draft Code. The tables below summaries the eight week-long tour across the Phase Two council areas. The aim of the information sessions was to inform local community members about the draft Phase Two Code and how it would impact planning in their communities.

### Phase Two Code community information sessions during October and November 2019

Date	Council Area	Location
8 October 2019	Roxby Downs	1pm to 3pm, Cinema Theatrette, Richardson Place
	Lower Eyre Peninsula	2pm to 4pm, Cummins & Yeelana RSL Hall
	Coorong	5pm to 7pm, Tailem Bend Town Hall
9 October 2019	Tumby Bay	9am to 12pm, Council Chambers, District Council of Tumby Bay
	Cleve	3pm to 5pm, Council Chambers, District Council of Cleve
10 October 2019	Franklin Harbour	9am to 12pm, Council Chambers, District Council of Franklin Harbour (Cowell)
14 October 2019	Streaky Bay	3pm to 5pm, Supper Room Council Chambers, District Council of Streaky Bay
	Berri Barmera, Renmark Paringa, Loxton Waikerie	3.30pm to 5.30pm, Berri Town Hall
	Wakefield	5pm to 7pm, Council Chambers, Wakefield Regional Council (Balaklava)
15 October 2019	Wudinna	9.30am to 11.30am, Wudinna & Districts Telecentre
	Elliston	2.30pm to 4.30pm, Council Chambers, District Council of Elliston
	Wattle Range	5pm to 7pm, Council Chambers, Wattle Range Council (Millicent)



Date	Council Area	Location
	Barunga West	5.30pm to 7.30pm, Council Chambers, District Council of Barunga West (Port Broughton)
	Clare and Gilbert Valleys	6pm to 8pm, Long Room, Clare Town Hall
16 October 2019	Ceduna	1pm to 3pm, Ceduna Foreshore Hotel Motel
	Southern Mallee	5pm to 7pm, Lameroo Sports Club
	Kingston	5pm to 7pm, Council Chambers, Kingston District Council
	Copper Coast	6pm to 8pm, Kadina Town Hall
	Northern Areas	6pm to 8pm, Council Chambers, Northern Areas Council (Jamestown)
17 October 2019	Robe	4pm to 6pm, Council Chambers, District Council of Robe
	Yorke Peninsula	4pm to 6pm, Council Chambers, Yorke Peninsula Council (Minlaton)
	Goyder	5pm to 7pm, Council Chambers, Regional Council of Goyder (Burra)
21 October 2019	Flinders Ranges	6pm to 8pm, Council Chambers, Flinders Ranges Council (Quorn)
22 October 2019	Grant	5pm to 7pm, Council Chambers, District Council of Grant (Mount Gambier)
	Mount Remarkable	5.30pm to 7.30pm, Council Chambers, District Council of Mount Remarkable (Melrose)
23 October 2019	Kangaroo Island	2pm to 4pm, Kangaroo Island Council Chambers (Kingscote)
	Karoonda East Murray	4.30pm to 7pm, Council Chambers (Karoonda)
	Naracoorte Lucindale	5pm to 7pm, Council Chambers, Naracoorte Lucindale Council
	Peterborough	6pm to 8pm, Peterborough Town Hall Meeting Room
24 October 2019	Tatiara	4pm to 6pm, Tatiara Civic Centre (Bordertown)
31 October 2019	Coober Pedy	4.30pm to 6pm, Council Chambers
6 November 2019	Members of the Community Alliance	7pm to 8.30pm, The Box Factory, Adelaide

### 1.3 Industry Events

The list below summaries the key industry events that were undertaken to educate industry and other stakeholder professionals about the draft Code and involve them in its development and adoption. Industry other stakeholder professionals also had the opportunity to attend any of the community information sessions.

#### Planning and Design Code information sessions for industry during October and November 2019

Event	Details	Audience
17 October 2019 3.30pm to 5.30pm	Urban Development Institute of Australia (SA) – Knowledge Series Presentation on the draft Planning and Design Code. Where: Level 15 Pullman Hotel, Hindmarsh Square, Adelaide	UDIA Members
25 October 2019, 12.00pm to 12.30pm	Spatial Information Day - Presentation on the draft Planning and Design Code. Where: Adelaide Convention Centre	Members
30 October 2019	SA Health - Presentation on the draft Planning and Design Code and discussion on community health and wellbeing. Where: The Adelaide Pavilion	Members
30 October 2019, 1.00pm to 2.30pm	Australian Institute of Architecture and Australia Institute of Landscape Architecture - Presentation on the draft Planning and Design Code. Where: ODASA, 28 Leigh Street, Adelaide	Members of the AIA and AILA
30 October 2019, 9.00am to 5.00pm	2019 Local Government Association (LGA) Annual General Meeting – Keynote Address by The Hon Stephan Knoll MP, Minister for Planning and Michael Lennon, State Planning Commission Chair on the new planning system and draft Planning and Design Code. Where: Adelaide Oval	LGA members
30 & 31 October 2019, 9.00am to 5.00pm	2019 LGA Conference Information booth for council staff to discuss the draft Planning and Design Code with Department staff during the LGA Conference. Where: Adelaide Oval	LGA members
31 October 2019, 11.00am to 11.30am	SA Heritage Council - Presentation on state heritage aspects in the draft Planning and Design Code. Where: 81-95 Waymouth Street, Adelaide	Members
4 November 2019	DEW Statutory and Advisory Committees and Boards Presentation on the draft Planning and Design Code. Where: Office for Design and Architecture South Australia (ODASA)	Members
11 November 2019, 6.30pm to 8.00pm	Conservation Council SA – Who Speaks for the Trees? - Presentation on the draft Planning and Design Code. Where: The Joinery, 111 Franklin Street, Adelaide	Conservation Council members

Event	Details	Audience
26 November 2019, 2.00pm to 4.00pm	Environment Committee of SA Wine Industry Association - Presentation on the draft Planning and Design Code. Where: Finlaysons Lawyers, Level 12, 81 Flinders Street, Adelaide	Industry members
27 November 2019	Environmental Sustainability & Adaptation Practitioners Networks - Presentation on the draft Planning and Design Code. Where: Marion Cultural Centre	Members

#### 1.4 South Australian Government

Mr Michael Lennon, State Planning Commission Chair provided a briefing on the draft Planning and Design Code to members of Cabinet during November.

#### Planning and Design Code information session for Cabinet Members during November 2019

Event	Details	Audience
14 November 2019, 9.30am to 10.00am	Code Consultation Session for members of South Australia's Cabinet by State Planning Commission	South Australian Cabinet Members

## 2. Promotional Activities

### 2.1 Functional advertising

Public Notices were placed in regional and metropolitan newspapers, listing public information sessions and targeted at community members, industry practitioners, community groups and interested parties.

Two advertisements were an open call, and the remainder all promoted at least one session if not several. The ads directed people to the SA Planning Portal to see the full event listing. During October an RSVP function was launched in order to capture attendees and manage numbers.

#### Functional Advertising in metropolitan and regional newspapers

Date of publication	Publication	Information Session Location and Date
5 October 2019	<i>The Advertiser</i>	Planning and Design Code Consultation Now Open – Have your say
2 October 2019	<i>Transcontinental</i>	Roxby Downs (8 Oct) Cowell (10 Oct) Jamestown (16 Oct) Quorn (21 Oct) Melrose (22 Oct) Peterborough (23 Oct)
3 October 2019	<i>Eyre Peninsula Tribune</i>	Cleve (9 Oct)

Date of publication	Publication	Information Session Location and Date
		Cowell (10 Oct) Wudinna (15 Oct)
3 October 2019	<i>Port Lincoln Times</i>	Cummins (8 Oct) Tumby Bay (9 Oct) Elliston (15 Oct)
8 October 2019	<i>Yorke Peninsula Country Times</i>	Port Broughton (15 Oct) Kadina (16 Oct) Minlaton (17 Oct)
9 October 2019	<i>Bordertown Chronicle</i>	Naracoorte (23 Oct) Bordertown (24 Oct)
9 October 2019	<i>The Plains Producer</i>	Balaklava (14 Oct) Clare (15 Oct) Jamestown (16 Oct) Burra (17 Oct) Melrose (22 Oct) Peterborough (23 Oct)
9 October 2019	<i>Murray Pioneer</i>	Berri (14 Oct)
9 October 2019	<i>The Flinders News</i>	Berri (14 Oct) Jamestown (16 Oct) Burra (17 Oct) Quorn (21 Oct) Melrose (22 Oct) Peterborough (23 Oct)
9 October 2019	<i>Mount Gambier Border Watch</i>	Mount Gambier (22 Oct) Bordertown (24 Oct)
9 October 2019	<i>Coastal Leader</i>	Kingston (16 Oct) Robe (17 Oct) Naracoorte (23 Oct)
9 October 2019	<i>The Northern Argus</i>	Balaklava (14 Oct) Clare (15 Oct) Jamestown (16 Oct) Burra (17 Oct) Quorn (21 Oct) Melrose (22 Oct) Peterborough (23 Oct)
10 October 2019	<i>Whyalla News</i>	Planning and Design Code Consultation Now Open – Have your say
10 October 2019	<i>West Coast Sentinel</i>	Streaky Bay (14 Oct)

Date of publication	Publication	Information Session Location and Date
		Ceduna (16 Oct)
10 October 2019	<i>The Islander</i>	Kingscote (23 Oct)
10 October 2019	<i>South Eastern Times</i>	Millicent (15 Oct) Kingston (16 Oct) Robe (17 Oct) Mount Gambier (22 Oct)
16 October 2019	<i>Pinnaroo Border Times</i>	Lameroo (16 Oct)
17 October 2019	<i>Naracoorte Herald</i>	Robe (17 Oct) Naracoorte (23 Oct) Bordertown (24 Oct)
24 October 2019	<i>Coober Pedy Times</i>	Coober Pedy (31 Oct)

## 2.2 Social media

DPTI's social media accounts on Facebook, Twitter and LinkedIn as well as the State Planning Commission's LinkedIn account were used during consultation, achieving a total of 321,439 impressions with the following posts:

### Social media during Phase Two consultation 1 October – 29 November 2019

Date	Activity	Audience	Social Media metrics
1 October 2019	DPTI Facebook (post announcing start of consultation on Phase Two Code)	Community members and industry practitioners	6,418 people reached, 212 post clicks, and 16 likes, comments and shares.
1 October 2019	DPTI LinkedIn (post announcing start of consultation on Phase Two Code)	Community members and industry practitioners	4,375 impressions, 14 reactions and 103 post clicks representing a 2.67% engagement rate
1 October 2019	DPTI Twitter (post announcing start of consultation on Phase Two Code)	Community members and industry practitioners	2,695 impressions and 19 total engagements (including link clicks, profile clicks, likes and retweets)
11 November	Commission LinkedIn (post to promote community sessions)	Industry practitioners and community members	364 impressions, 10 post clicks representing a 2.75% engagement rate
12 November – 29 November	Paid Facebook post, boosted to Phase Two council areas ahead of community sessions in those areas:	Community members and industry practitioners	307,587 impressions with a reach of 168,194, plus 77 link clicks and 94 engagements.

Date	Activity	Audience	Social Media metrics
	“Come along to a community information session and speak to our planners about the draft Planning and Design Code which is currently on consultation. For a full list of events in your area and to RSVP visit the SA Planning Portal.”		

## PART C – Engagement Summary

### 1. Mandatory Requirements

The Community Engagement Charter lists five mandatory requirements against the Consultation Categories as detailed in the graph below:

Consultation Category	Mandatory requirement
Proposals that are specifically relevant to a particular Council or Councils (where Council did not initiate the proposal).	That Council or Councils must be directly notified of the proposal and consulted.
Proposals that are generally relevant to Councils.	The Local Government Association must be notified in writing and consulted.
A proposal to enter a place within the Planning and Design Code as a place of local heritage value.	The owner of any land on which the place resides, must be directly notified in writing of the proposal and consulted for a minimum period of four weeks.
A proposal to amend the Planning and Design Code to include any heritage character or preservation policy that is similar in intent or effect to a local heritage listing.	The owner of any land on which the place resides, must be directly notified in writing of the proposal and consulted for a minimum period of four weeks.
Infrastructure delivery scheme.	Landowners affected by the scheme must be directly notified in writing of the scheme under section 166 of the PDI Act for a minimum of four weeks.

Three of these categories were applicable to the Phase Two Planning and Design Code consultation:

- a. Proposals that are specifically relevant to a particular council or councils
- b. Proposals that are generally relevant to Councils
- c. A proposal to amend the Planning and Design Code to include any heritage character or preservation policy that is similar in intent or effect to a local heritage listing.

The Commission met the mandatory requirements of the Charter via the following engagement activities, namely:

- a. Councils were directly notified by the State Planning Commission about the commencement of the Phase Two Code consultation period, and invited to comment on the proposals. All Phase Two councils received a visit from a State Planning Commission member and/or a senior member of DPTI and council liaison officer.
- b. The Local Government Association was directly notified via letter by the State Planning Commission about the commencement of the Phase Two Code consultation period, and invited to comment on the proposals. The Department and the LGA also hosted monthly forums for all Councils during the consultation period.
- c. Owners of land were directly notified via letter of the proposal to include a Historic Area Overlay in the Planning and Design Code, and the availability a Historic Area Statements relevant to their property in 11 council areas. Owners were invited to comment on the proposals over a four week period from 6 November to 4 December.

## 2. Engagement Outcomes

The Commission’s Planning and Design Code Engagement Plan outlined a broad range of council, industry and community activities to ensure that all interested parties were aware of the consultation period, the content of the Phase Two Code and the opportunities available to have a say.

The Commission delivered in full on the engagement plan with the exception of the below variances:

Variance	Justification
The promotional postcard was distributed at public and industry events rather than via letterbox drop.	The letterbox drop requirements of the engagement plan were met through the distribution of 11,000 Phase Two Code Historic Area Statement letters that were mailed direct to property owners.
An ‘intergenerational panel’ engagement activity was not conducted during the Phase Two Code consultation period.	This activity was deferred to the Phase Three consultation period due to the cost and logistics of coordinating panel participants from 35 different rural locations across the state.



### 3. Engagement Evaluation

The Communications and Engagement approach was continually evaluated during and on completion of the Phase Two Code consultation period.

Hard copy surveys were provided to participants at the end of consultation events to help identify improvements to the presentation and engagement process in general.

Online surveys were also distributed to individuals who submitted a Phase Two Code submission both upon submission and following release of the Phase Two Code 'What We Have Heard Report'.

Feedback was also received via a variety of channels including a dedicated email address, 1800 Code hotline and in person which was used to refine the engagement process.

Interim and final survey results, an assessment of the engagement process by the Engagement Manager and against the Principles of the Community Engagement Charter are provided in the following tables, with the following survey improvements noted over the code engagement period:

- There was an increase from 32% to 49% with people understanding how their feedback would be used in the preparation of the final Planning and Design Code for Rural Areas.
- People's understanding of how the Planning and Design Code may affect them and/or their community grew by 20%, from 38% to 58%.
- People feel well-informed about the proposed Planning and Design Code for Rural Areas with agreement percentages increasing from 27% to 46%.
- Survey respondents felt that they have had a genuine and adequate opportunity to have their say on the proposed Planning and Design Code for Rural Areas, with an increase from 29% up to 41%.
- The information provided on the new Planning and Design Code for Rural Areas was clear and understandable and enabled respondents to take an informed view – with approval percentages increasing by 21% (19% up to 40%).

## Final Evaluation Survey Results Post Phase Two Code consultation

Principle 1: Engagement is genuine					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I understand how the Planning and Design Code may affect me and/or my community	13%	23%	6%	38%	20%
I understand how my feedback will be used in the preparation of the final Planning and Design Code for Rural Areas	15%	16%	20%	39%	10%
Principle 2: Engagement is inclusive and respectful					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel well-informed about the proposed Planning and Design Code for Rural Areas	16%	17%	21%	41%	5%
Principle 3: Engagement is fit for purpose					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel that I have had a genuine and adequate opportunity to have my say on the proposed Planning and Design Code for Rural Areas	25%	16%	18%	36%	5%
The information provided on the new Planning and Design Code for Rural Areas was clear and understandable and enabled me to take an informed view	16%	31%	13%	30%	10%
Principle 4: Engagement is informed and transparent					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I would be willing to participate in future consultations related to the Planning and Design Code.	0%	2%	5%	29%	64%

## Interim Evaluation Survey results during Phase Two Code consultation

Principle 1: Engagement is genuine					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I understand how the Planning and Design Code may affect me and/or my community	26%	22%	14%	25%	13%
I understand how my feedback will be used in the preparation of the final Planning and Design Code for Rural Areas	24%	24%	20%	26%	6%
Principle 2: Engagement is inclusive and respectful					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel well-informed about the proposed Planning and Design Code for Rural Areas	28%	32%	13%	22%	5%
Principle 3: Engagement is fit for purpose					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel that I have had a genuine and adequate opportunity to have my say on the proposed Planning and Design Code for Rural Areas	32%	27%	12%	22%	7%
The information provided on the new Planning and Design Code for Rural Areas was clear and understandable and enabled me to take an informed view	32%	33%	16%	12%	7%
Principle 4: Engagement is informed and transparent					
Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I would be willing to participate in future consultations related to the Planning and Design Code.	3%	2%	9%	24%	62%

## Engagement Manager Assessment of engagement process as a whole

An assessment of the Phase Two Code engagement process was undertaken on completion of the Phase Two consultation process with a view to improving the consultation process for the remaining Phase Three consultation period.

	Evaluation statement	Response options
1	The <b>engagement reached</b> those identified as the community of interest	<input type="checkbox"/> Representatives from most community groups participated in the engagement <input checked="" type="checkbox"/> Representatives from some community groups participated in the engagement <input type="checkbox"/> There was little representation of the community groups in engagement
	<i>Comment: Attendance at some Phase Two Code community events was lower than expected despite advertisements being placed in local newspapers, social media posts and council promotion prior to the event.</i>	
	<b>Engagement was reviewed</b> throughout the process and improvements put in place, or recommended for future engagement	<input checked="" type="checkbox"/> Reviewed and recommendations made in a systematic way <input type="checkbox"/> Reviewed but no system for making recommendations <input type="checkbox"/> Not reviewed
	<i>Comment: Engagement was reviewed throughout the consultation period via formal surveys and informal feedback from event participants. Weekly Code engagement meetings were held with key team members to review activities and improve subsequent engagement activity. One such improvement was the implementation of an online RSVP mechanism on the SA Planning Portal to better capture the number and details of event participants.</i>	
3	Engagement <b>occurred early enough</b> for feedback to genuinely influence the Code	<input checked="" type="checkbox"/> Engaged when there was opportunity for input into scoping <input checked="" type="checkbox"/> Engaged when there was opportunity for input into first draft <input type="checkbox"/> Engaged when there was opportunity for minor edits to final draft <input type="checkbox"/> Engaged when there was no real opportunity for input to be considered
	<i>Comment: Early engagement in the development of the draft Planning and Design Code was undertaken via the publication of a number of discussion papers particularly those that sought feedback on the four key themes of the Code: Integrated Movement Systems, Environment and Natural Resources, Productive Economy as well as People and Neighbourhoods. In addition input into the scoping and first draft of the Code was sought from by the Code drafting team.</i>	
4	Engagement <b>contributed to the substance of the final Code</b>	<input checked="" type="checkbox"/> In a significant way <input type="checkbox"/> In a moderate way <input type="checkbox"/> In a minor way <input type="checkbox"/> Not at all
	<i>Comment: Feedback received at consultation events, via communications channels such as email and telephone enquiries and through Code submissions were captured in the Code engagement register and considered by DPTI and Commission in finalising the recommendations for the Minister of Planning. A significant number of changes proposed during the engagement process were included in the finalised Code.</i>	
5	Engagement provided <b>feedback to community about outcomes</b> of engagement	<input checked="" type="checkbox"/> Formally (report or public forum) <input type="checkbox"/> Informally (closing summaries) <input type="checkbox"/> No feedback provided

	Evaluation statement	Response options
	<p><i>Comment: A What We Have Heard Report was publicly released on the SA Planning Portal with copies sent to all Phase Two Councils, Key Industry representatives and Code Submitters. In addition all Phase Two councils received written summaries of their proposed changes to the Code relevant to their council area and updated mapping to reflect the spatial application of the updated Code.</i></p>	
6	<p>Identify <b>key strength</b> of the Charter and Guide</p>	
	<p><i>Comment: Guidance on the evaluation survey criteria was particularly helpful in developing the Phase Two Code evaluation survey questions</i></p>	
7	<p>Identify <b>key challenge</b> of the charter and Guide</p>	
	<p><i>Comment: Understanding the changes required by Practice Direction 2 on the Community Engagement Charter</i></p>	

## Engagement Assessment against the Charter

The Charter principles were applied to the engagement as outlined below:

Charter principle	How the engagement met the principles
Engagement is genuine	<ul style="list-style-type: none"> <li>• A variety of different opportunities were provided to participate in the engagement (including days of the week, different times, online or face to face)</li> <li>• An easy-to-understand Guide to the Code for the community and a more detailed Practitioners Guide was provided on the SA Planning Portal</li> <li>• The Guide to the Code was provided in a number of different languages</li> <li>• Commission Members and department staff listened to feedback provided at consultation events and were open to considering changes</li> <li>• The Chair and members for the Commission were available to councils, industry and the community</li> <li>• The Phase Two Code was released with the Phase Three Code to enable interested parties to view the Code in its entirety and provide early input into the Code's development</li> <li>• The Phase Two Code was open for consultation over an 8 week period.</li> </ul>
Engagement is inclusive and respectful	<ul style="list-style-type: none"> <li>• The engagement was tailor to suit the differing levels of understanding between industry professionals and community</li> <li>• Direct means (letters, emails, telephone calls, meetings) were used to ensure those most affected and/or interested were aware and understood how the Code would affect them</li> <li>• All comments and proposals for change were captured in a Code Engagement Register for Commission consideration</li> <li>• All consultation events included a Q&amp;A session during which attendees could seek clarification from Commission or department representatives</li> <li>• Where disagreement or differences of opinion was identified, these were acknowledged and handled respectfully.</li> </ul>
Engagement is fit for purpose	<ul style="list-style-type: none"> <li>• The engagement was conducted in all 35 rural council areas that will be affected by the Phase Two Code.</li> <li>• Interested parties (council staff, elected members, industry representatives and community members) in all Phase Two Council areas were provided opportunities to engage in person with Commission and Department representatives</li> <li>• A 1800 Code Hotline and dedicated Planning Reform email address was established and manned by planning staff to respond to all public enquires in a timely manner</li> </ul>

	<ul style="list-style-type: none"> <li>• Matters of contention were addressed at consultation events and through a series of Code Factsheets on hot topics such as Residential Infill and Heritage/Character</li> <li>• 11,000 letters were sent to individual property owner to advise of the introduction of the Historic Area Overlay and Statements</li> </ul>
Engagement is informed and transparent	<ul style="list-style-type: none"> <li>• Information was provided online via the SA Planning Portal and the YourSAy website.</li> <li>• Information was also provided in hardcopy and on request. Enquires were registered and addressed in a timely manner.</li> <li>• The engagement process, consultation materials and dates, engagement event dates and locations, explanatory information, how to make a submission and next steps were clearly articulated online and in collateral.</li> <li>• Feedback was provided to all submitters following the close of consultation via a What We Have Heard Report. In addition all Phase Two Councils were provided a summary of the Code changes addressed in their council areas as a result of their submission.</li> </ul>
Engagement is reviewed and improved	<ul style="list-style-type: none"> <li>• A summary of feedback captured at each consultation event was submitted and logged in the code engagement register for consideration.</li> <li>• Weekly engagement meetings were held to review progress on the engagement plan and improve engagement activities</li> <li>• Weekly engagement reports were shared with executive team and commission members</li> <li>• Event feedback and survey forms were used to assist in improving engagement activities</li> <li>• Improvements were implemented as required during the consultation period i.e. hot topics were added to engagement presentations, and an RSVP function was added to the SA Planning Portal events webpage.</li> </ul>



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
1	1	08-Nov-19	Phase 3	Local Government	Grant McKenzie	Port Pirie Regional Council				<b>ON HOLD - PHASE 3</b>
2	1	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale			Council supports the need to be accredited for the assessment of both Planning and Building applications. However, the need for an Assessment Manager (Level 1 accreditation) at the NLC in particular is something that we do not feel is justified. NLC generally only approve an average around 200 applications a year. Many of these applications are low level commercial developments, detached dwellings, farm buildings and domestic sheds. Many of our applications can be assessed in house by a level two, three or four planner. Whilst there are options for shared services for an Assessment Manager within the region there still appears to be very few. Therefore, requiring Council to source a consultant to oversee the assessment manager's role if current staff do not meet the accreditation requirement. To engage a consultant to undertake this role will create an additional cost to Council which hasn't previously been required or been an issue to date. Suggestion – Council staff (Department Manager or CEO) determine how the application should be assessed. If in house Council planners aren't suitably qualified to undertake the assessment. Then engaging a consultant (Level 1) on a "as needs basis". This would assist and help to reduce costs to Council. This has been NLC current practice which has been work well for many years.
2	2	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	Zones and Subzones	Suburban Neighbourhood	The zoning terminology appears to be metro based. In a rural setting such as Lucindale (population of 200 people) the public don't see themselves living in a "Suburban neighbourhood" whilst this is just terminology the general public won't relate to this form of zoning when dealing with Council.
2	3	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	Zones and Subzones	Suburban Neighbourhood Zone General Neighbourhood Zone	Suggest that there is very little need for an additional zoning of "General Neighbourhood". As it appears the usage is somewhat very similar. Could possibly be streamlined to one as per the past with residential zoning.
2	4	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	General Feedback	Notification fees and signage	The new requirements for public notification is to install a suitable sign on the proposed allotment is supported. As per the Act this can be installed by the applicant or Council. It was unknown what fee would be charged. Is it a set fee or something Council can charge? Or if it's a legislated fee? NLC ask that consideration be taken due to travel distances for rural Councils (i.e. NLC travel up to 60km to Council boundaries) plus staff time etc. Therefore we are asking that this be considered as part of the fees and charges proposal.
2	5	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	Mapping	Re-zoning	NLC are very keen to amend a proposed zoning of Lucindale. NLC has undertaken extensive consultation with the community and a strong desire to have this changed was identified. NLC have been holding off for the proposed changes to the code as we were initially told this new reform would be the best time to seek a zoning change and avoid going through the whole DPA process and cost. Unfortunately we have been advised by the transition manager that this isn't the case and to lodge a DPA come April as per normal process. This appears to be taking a backward step in addressing the issues under a new rollout of the planning system as it appears to be an opportune time to act. DPA are historically know to be arduous & costly creating angst for the community and Council staff.
2	6	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	General policy	Transport, Access and Parking	The carparking requirements in the new code appear to be ambiguous for development i.e. restaurants 0.4 spaces per seat? Suggest a different simplified method can be achieved for such requirement especially if we are going to make the system user friendly for the general public.
2	7	29-Oct-19	Phase 2	Local Government	Paul McRostie	Naracoorte Lucindale Council	Naracoorte Lucindale	General Feedback	Training	Suggest that training is supplied to Council staff using the system, applicants and IT staff to ensure that transition is as smooth as possible. Would be good if DPTI could supply a list of IT requirements- equipment, operating speeds, etc. prior to April so Councils can be prepared for the commencement.
3	1	26-Nov-19	Phase 3	Local Government	Eleanor Walters	City of Norwood, Payneham and St Peters				<b>ON HOLD - PHASE 3</b>
4	1	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Consultation period	As outlined in our letter of 3 October 2019, the three Riverland Councils collectively wish to express their very strong disappointment in the 2 month consultation period and response timeframes offered to Phase Two Councils, in particular noting that other areas of the State were afforded 5 months to review and respond.
4	2	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Implementation date	We implore that the Commission allows the Riverland Councils to go live at 1 July 2020 – this will provide an additional three months (as given to many other Councils) to review and be trained on the new SA Planning Portal (the "Portal"), which is pivotal to the engine room of the new system, and to set up internal and external systems for the operation of the new system. There also needs to be more lead-time to enable the public and external users of the Portal to be educated and trained. The enormity of this task and the education required cannot and must not be under-estimated, especially given that the Portal is not yet ready and no training or education on the operation of the Portal has yet commenced.
4	3	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	ePlanning	In terms of the Portal and the Commission's aim to make it an all-encompassing public information portal for property, land and development matters, we urge the Commission to make the links to title searches and related title documentation (Land Management Agreements, Heritage Agreements, Encumbrances and the like) freely available to the public via the SAILIS website and at no cost to the public. It is also vital that the Commission makes the Portal user friendly, and relevant as it relates to the Riverland, having a Regional Assessment Panel with one appointed Assessment Manager across three separate and independent Councils.
4	4	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Climate Change	There is much greater need for real and meaningful recognition of climate change issues and water preservation policy in the Code. Presently the Code generally relies on motherhood policy, but real and measureable policy is required to mandate (not just promote) better building ESD principles, water retention and reuse, wastewater retention and reuse. By way of example, we consider that the Code should ensure that less reliance is put on people accessing and using mains water as a default position – it should be mandated to capture roof-water for reuse, not in tiny mandated tanks under the Building Code but with large domestic tanks (25,000-50,000 litre tanks can be easily placed on dwelling lots) and large commercial tanks for commercial, industrial and business uses. If we are serious and genuine about our water future and a good future world, we need more than tokenistic attempts to change people's building and site design outcomes. There is also need for better demarcation of bushfire risk areas and impacts of drought and climate change – we note the Commission plans to review bushfire risk areas in the next few years, but this should be given a higher priority and be reviewed annually.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
4	5	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Urban Areas	We support the policy in DTS 17.1 of the Design in Urban Areas module that promotes residential accommodation with a ground finished floor level 300mm above the top of the kerb level of the primary street. This is an important site design as it relates to drainage management.
4	6	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Urban Areas	We also support the policy in DTS 18.2 and 19.1 on promoting urban design features, but these should be further expanded to place a stronger emphasis on good design outcomes. We also support the range of open space design options. It is recommended that Schedule 8 of the new Regulations be expanded to require applicants to provide a statement of design justification.
4	7	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Urban Areas	We also recommend that more flexible options be provided for good urban design outcomes for upper level windows for two storey dwellings, and not just relying on minimum window sill heights.
4	8	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Urban Areas	Guiding policy for minimum dwelling site frontages coupled with a restriction for 50% site width policy for garages, makes it difficult for design outcomes that require double garaging – which is most often the case in rural areas – better policy is needed to address such.
4	9	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Rural Areas	Query Design in Rural Areas DO 1(c) which refers to integrated landscape design, noting that some practical application of such is needed in drought affected areas.
4	10	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Rural Areas	We also query Design in Rural Areas DTS/DPF 10.1, where it is considered a total dwelling window area of 2 square metres facing the primary street is generally inadequate. This policy also appears irrelevant to and disrespectful to rural areas, where dwellings in the main do not face a street as they are often sited on large rural holdings. This type of scenario which appears to be township or street lot based development is replicated throughout the Code for rural type areas.
4	11	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Rural Areas	We also query Design in Rural Areas DTS/DPF 10.1, where it is considered a total dwelling window area of 2 square metres facing the primary street is generally inadequate. This policy also appears irrelevant to and disrespectful to rural areas, where dwellings in the main do not face a street as they are often sited on large rural holdings. This type of scenario which appears to be township or street lot based development is replicated throughout the Code for rural type areas.
4	12	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Rural Areas	We support the policy in PO 19.1 of the Design in Rural Areas module as it relates to need to enclose the sub-floor space beneath transportable dwellings – but we seek that the policy be amended to have wider application to all types of elevated buildings not just dwellings.
4	13	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Interface between Land Uses	The Code needs to retain current Development Plan policy relating to buffer setbacks for dwellings from horticultural activities and vice versa, so as to minimise impacts from sprays, dust and noise - taking into account vegetated buffers, the nature of adjoining development, prevailing winds, topography and physical barriers.
4	14	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Interface between Land Uses	The DTS/DPF 2.1 policy needs to anticipate Sunday trading in regional and rural areas.
4	15	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Wastewater	A significant issue for the Councils is to ensure there is better consideration given to the assessment of onsite wastewater systems at a development application stage. This is often overlooked by private certifiers - in such cases this puts Councils and land owners in a difficult position when having to resolve building siting and design issues post a Development Approval stage. It is therefore imperative, that the Code policy be amended to place a stronger requirement for onsite wastewater to be assessed at a development application stage, and that Deemed to Satisfy and Performance Assessed assessment tables be strengthened to ensure development approvals are not issued in advance of detailed wastewater assessments by qualified wastewater engineers. In relation to the above, based on our liaison with the Wastewater Management section of SA Health, it has been noted that the Code makes reference to 'South Australian standards for wastewater management and disposal' and 'South Australian Standards'. It is recommended that the Code has a consistent reference to the SA Health's On-site Wastewater Systems Code and the CWMS Code.
4	16	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Caravan and Tourist Park Zone	Given the clear intent of the Caravan and Tourist Park Zone, it is unusual that cabins, caravans, caravan annexes, and other standard forms of development are not listed within the Deemed to Satisfy or Performance Assessed pathways, unless we assume they are captured under the definition of Tourist Accommodation. Unless this matter is clarified and/or addressed, it will mean proposals would be Performance Assessment and require notification, which appears to be against what the Zone is seeking to achieve.
4	17	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Caravan and Tourist Park Zone	Although Land Division is Restricted in the Zone, an additional exception should apply for boundary realignments.
4	18	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Caravan and Tourist Park Zone	It is considered that greater policy guidance is required at a Zone level for ancillary type light industrial activities in the Zone, especially noting that Light Industry is to be Performance Assessed.
4	19	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Conservation Zone	We support the overarching use of a Conservation Zone as it applies to most of the River Murray areas. However, we seek that the Visitor Experience Sub Zone be applied to the Zone, so as to promote Tourist Accommodation and investment into key areas – this will need further thought as to the applicable areas possibly during the second generation of the Code.
4	20	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Conservation Zone	The Conservation Zone treats all forms of Renewable Energy Facilities as Performance Assessed, rather than Restricted. This is of concern as it relates to wind farms and large scale solar farms (not small scale solar), as most of the Conservation Zone applies to sensitive areas along the River Murray and designated Conservation Parks. It is noted that the Significant Landscape Protection Overlay has not been applied to the Conservation Zone in the Riverland, meaning that Overlay PO 1.2 that restricts wind farms and large scale solar farms would not apply.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
4	21	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Conservation Zone	We raise issue with the rationale for what is listed as Restricted development, ala a Petrol Filling Station is Performance Assessed, a Wind Farm is Performance Assessed, yet a Dwelling is Restricted. Policy should be riverine reference based, not just coastal based.
4	22	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Employment Zone	General Industry is marked as Restricted yet Special Industry is not – this should be corrected and be drafted the other way around.
4	23	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Employment Zone	The Employment Zone identifies Consulting Rooms and Office in the Deemed to Satisfy assessment table, yet they are not envisaged uses in the principal land use DTS 1.1 – this anomaly should be addressed.
4	24	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Employment Zone	Given the high intensity activities envisaged in the Zone, there is a lack of guiding policy for the assessment of such land uses.
4	25	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Infrastructure Zone	The Zone lacks policy guidance for a wide range of anticipated public infrastructure – this not only poses an issue for assessment with lack of policy, but also means that many of the envisaged developments identified in DTS 1.1 in the Zone must be publically notified – this seems to be at odds with the aim of the Code.
4	26	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	General Neighbourhood Zone	In the context of Riverland towns, 200-300 square metre allotments for detached dwellings and other forms of dwellings in a General Neighbourhood Zone is far too small, and also poses issues with regard to ability of Council infrastructure services – there is also no specific investigations provided by the State Planning Commission with regard to infrastructure audit capability assessment for such an increased density, demand and supply for such allotments. Given the above, we seek that the General Neighbourhood Zone is altered to a Suburban Neighbourhood Zone with inclusion of the current townships dwelling lots size criteria (in the Residential Zone – Development Plan) via the Minimum Allotment Size Technical and Numeric Variation Overlay. This approach will allow us to retain our current Development Plan policy and to further consider possible options for higher density housing as part of the Riverland's upcoming Growth Strategy that would guide possible future Code Amendments at that time.
4	27	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Housing Diversity Neighbourhood	We seek that the Housing Diversity Neighbourhood Zone (a higher density Zone in the Code that provides for net residential density of up to 70 dwellings per hectare or 142 square metre lots net) be deleted – this should be replaced with a Suburban Neighbourhood Zone with a Minimum Allotment Size Technical and Numeric Variation Overlay that reflects the Councils current Development Plan density policy for the Medium Density Policy Area.
4	28	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Residential Zones	We seek that Industry be Restricted Development within these residential areas, as such developments are not considered to be compatible with residential living and is not orderly or sound planning. Unique cases can then be considered via a Restricted Development assessment pathway.
4	29	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Suburban Neighbourhood Zone	In the Suburban Neighbourhood Zone, there is a confusing format issue on page 1085 of the Code for a detached dwelling in the Performance Assessed table. That is, there is a page break at the bottom of page 1085 and it is unclear to the reader as to whether or not the semi-detached dwelling policy on the following pages also applies to a Detached dwelling - if so there needs to be a PTO type reference in the detached dwelling column, or if not there is a significant level of policy detail lacking for a detached dwelling in the table.
4	30	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Suburban Neighbourhood Zone Housing Diversity Neighbourhood Zone	There is also a drafting error in the General Neighbourhood Zone, where it references the Suburban Neighbourhood Zone in point (b) of the Notification procedure table – this error appears to be replicated in the Housing Diversity Neighbourhood Zone notification procedural table.
4	31	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Open Space Zone	Given the intent of the Zone, there is a lack of guiding policy for the assessment of land uses.
4	32	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Open Space Zone	Query the absence of any Restricted Development in the Zone, given the general conservative development nature of the Zone.
4	33	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Recreation Zone	As part of the 2012 Riverland Better Development Plan initiative, the Riverland Councils had specific residential, tourism accommodation development and land division policies embedded into the Development Plans – this was in order to promote and facilitate tourism based economic development in association with the existing golf courses, without prejudicing the overarching intent of the Zone. It is important that the Recreation Zone in the Code retains the existing Development Plan policy content; otherwise the Code would be a retrograde step. This could be addressed by a simple amendment by expanding the types of activities in PO 1.2 and by the inclusion of a Sub-Zone.
4	34	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Recreation Zone	Minor ancillary structures such as toilets and general recreation facilities should have a Deemed to Satisfy pathway within the Recreation Zone – the same should apply in the Open Space Zone.
4	35	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Recreation Zone	The zone needs greater clarity as to when land division scenarios would and would not be contemplated.
4	36	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	Acid Sulfate Soils	Query the basis of inclusion of new mapping of Acid Sulphate Soils, noting that there is no Statement of Investigations that explains these new inclusions into the Code.
4	37	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	AHD levels	The Code does not currently carry forward Development Plan AHD levels in zoning policy in the Code. The current Development Plan AHD level policy needs to be included into the Code, via suitable Overlays, TNVs or data layers.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
4	38	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	River Murray Flood Plain Overlay	We note that the 1956 flood mapping of the River Murray Flood Plain (that exists in the Development Plan) is not present in the Code. What exists in the Code is a River Murray Flood Plain Overlay, but that area appears to be based on the current River Murray Water Protection Area (or by some other rationale) and not the flood plain. The River Murray Water Protection Area is not the defined 1956 flood plain and is a much larger geographic area defined more so for environmental management and referral purposes. The 1956 flood plain mapping in the Development Plan shows the extent of the flood that occurred in 1956 and is specifically used for flood hazard assessment. The 1956 flood mapping is crucial to ensure the proper assessment of site constraints and to avoid inappropriate developments occurring in potentially hazardous areas – the mapping must be reinstated in the Code. The name of the River Murray Flood Plain Overlay must also be altered as it is misleading. The areas of Renmark within the flood levee protection area should be excluded from the flood mapping.
4	39	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	River Murray Flood Plain Overlay	Township, urban areas and caravan park Zones should be excluded from the River Murray Flood Plain Overlay Area, so as to avoid minor Deemed to Satisfy developments from being tripped in performance assessed – the status quo of the current system should prevail and the new planning system should not be more of a burden with additional red tape.
4	40	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	River Murray Flood Plain Overlay	Council supports the Flood Resilience policy in the River Murray Flood Plain Overlay – but we question how a planning authority can best manage the proliferation of pumps under DTS 7.3.
4	41	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	Council urge the reinstatement of the Councils' land division minimum allotment sizes, boundary realignment criteria, allotment date and size criteria to establish dwellings, or indeed to excise existing dwellings where existing policy supports this approach.
4	42	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 1.1 should be amended to include a wider list of envisaged uses and associated performance assessed criteria so that appropriate land uses are not inadvertently overlooked. Some land uses which are not contained within this provision but should be included, are, wind farm, waste facility, stock slaughter works/abattoir, renewable energy facilities, workers accommodation and caretaker dwellings.
4	43	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 3.1 limits a greenhouse to 250 square metres. Commercial greenhouse developments are usually considerably larger than 250 square metres. Council seeks that there be no floor area limit on the size of greenhouses, and each case be considered on a performance basis – this is the approach stated in the Rural Horticulture Zone, and council see no valid reason to apply a different criteria/approach in the Rural Zone.
4	44	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 4.1 limits industry, storage, warehousing and transport distribution activities to a floor area of 250 square metres and allotments at least 20 hectares. The floor area and minimum allotment size are both considered problematic and not realistic for rural/agricultural areas. The 250 square metre floor area should be increased and that some consideration be given to having separate Deemed to Satisfy and Performance Assessed criteria for floor areas. The 20 hectare minimum allotment size is considered too large, and may "lock out" smaller primary industry businesses from developing such facilities. Again, consideration needs to be given to having separate Deemed to Satisfy and Performance Assessed criteria for allotment sizes.
4	45	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 5.2 requires that a secondary dwelling on an allotment is "located on an allotment not less than 40 hectares in area". This size requirement is considered unworkable and will inhibit the implementation of secondary dwellings as envisaged by PO 5.3. Furthermore, the term secondary implies a second dwelling only, whereas PO 5.3 promotes more than one dwelling in the case of farm hands, managers residences and aging in place – the term secondary dwelling should be replaced with the term more than one dwelling.
4	46	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 6.3 outlines a 100 square metre limit for tourist accommodation - this should be revisited as it will limit the ability for large scale tourism development, innovation in design and developments where more than one type of tourist accommodation facility is proposed. Further, the phrase "in relation to the area used for accommodation" is not entirely clear. Whilst we read it as being the total area used for guest rooms, it could be interpreted more broadly. The phrase may also lead to confusion in developments that propose more than one form of tourist accommodation – for instance, a development that contains hotel-style rooms together with detached, self-contained tourist accommodation buildings. We recommend that this provision be reviewed and amended so that it is entirely clear and does not inadvertently discourage tourism development.
4	47	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 12.1 outlines a total floor area limit of 250 square metres and minimum allotment size of 10 hectares – this provision may result in acceptable, performance assessed buildings being refused. Put simply in the context of rural/agricultural farms needing very large machinery sheds, shearing sheds, hay sheds and the like, a 250 square metre policy is not realistic and must be altered. Again, creating separate Deemed to Satisfy and Performance Assessed criteria for agricultural buildings is considered an appropriate mechanism to "balance" the need for relatively conservative Deemed to Satisfy criteria and more facilitative Performance Assessed criteria.
4	48	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Rural Zone	PO 1.1 of the Rural Land Division general module, is applied to ensure allotments are suitable for their intended purpose taking into account physical characteristics of the land and the like. However, PO 1.1 of the Rural Land Division module is not called up for Performance Assessed Land Division in the Rural Zone.
4	49	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	Dwelling Excision Overlay	Land division dwelling excisions may, under the Dwelling Excision Overlay, be allowed regardless of when an allotment was created, and where multiple ongoing excisions could occur over time. We urge the Commission to include date criteria into the Code (i.e. the date of the authorisation of the Code) or some other method to avoid unwarranted repetitious use of this policy.
4	50	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone Rural Horticulture Zone	Frost fans are an important element of horticultural activity in the Riverland – the Code needs to include policy with regard to such types of activity, both as an envisaged form of development, but also to address interface, visual and noise aspects.
4	51	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Horticulture Zone	Riverland Councils suggest there are significant similarities with the Rural Zone and therefore question why there needs to be two Zones, and suggest the Code would be better served with one Rural Zone or possibly with a Horticulture Sub-Zone.
4	52	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Living Zone Zone	Riverland councils raise concern that policy within the Zone limits outbuildings to 100 square metres and five metres in height – they believe this is far too restrictive and is not respectful of the needs of rural communities.
4	53	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark	Zones and Subzones	Rural Living Zone	Riverland Councils believe there is need for additional policy in Rural Living Zones to ensure use of pre-colour treated materials for sheds and to promote alignment of sheds off of side and rear lot boundaries.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
							Paringa; Loxton Waikerie			
4	54	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Living Zone	Riverland Councils suggest Industry needs to be identified as Restricted within the Rural Living Zone.
4	55	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	No detailed criteria are provided in the Rural Zone for large scale solar and battery storage facilities. Given that many such facilities are being developed in areas that are proposed as part of the Rural Zone/s, appropriate assessment criteria is needed to ensure that this burgeoning industry is not inadvertently discouraged and that appropriate siting and design occurs. Riverland Councils urge the Commission to consider the Victorian Solar Energy Facilities Design and Development Guidelines 2019, and the discussion paper titled Solar Farm Land Use Planning Policy and Approvals Processes in South Australia (Somers, 2018). As part of the consideration of these excellent papers, thought needs to be given to the physical size of facilities (on the ground) rather than the actual energy outputs as a measurement of scale – especially in light of rapidly advancing technology.
4	56	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	DTS/DPF 9.2 refers to a “panel” size of 80 square metres per structure. Given the community’s understanding of what a panel is (i.e. each individual panel), we suggest that this term be revisited to avoid confusion.
4	57	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	In the Rural Zone, Renewable Energy Facilities are to be Performance Assessed as the Significant Landscape Protection Overlay does not apply in the Riverland – we support this approach.
4	58	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Horticulture Zone	Within the Rural Horticulture Zone all forms of Renewable Energy Facilities are Performance Assessed – we also support this approach.
4	59	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Suburban Employment Zone	The Suburban Employment Zone does not provide a DTS pathway for shops, but does for office and consulting rooms. Given the nature and intent of the Zone, consideration should be given to a Deemed to Satisfy pathway for a shop.
4	60	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Tourist Development Zone	As expected, we note that within the Tourist Development Zone many tourism development activities are envisaged, however there are no guiding policies for such development – the only guiding policies relate to offices, shops, signs, dwelling and land division. This imbalance of guiding policy needs to be addressed.
4	61	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Non-residential Development	Riverland Councils express concerns about subsequent fragmentation of Township Main Street and Activity Zones, as a result of the loosening of land use policy in residential type zones. We request consistent, stronger policy to encourage non-residential type developments in Centre Zones, as opposed to Residential Zones.
4	62	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Township Main Street Township Activity Centre	We note an inconsistency in drafting approach, where some land uses in these zones are Deemed to Satisfy, such as Consulting Room, but other similar uses are not such as Shops and Offices.
4	63	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Township Main Street Township Activity Centre	Change of use from any of an office / shop / consulting rooms to an office / shop / consulting rooms should be accepted development. Given these land uses are so similar in nature and intensity, it will make it much easier for new small businesses to open in regional towns/main streets. The Planning, Development and Infrastructure Act 2016 (the “Act”) gives the clear ability for a change of use specified in the Code to be treated as a minor change of use that will not be regarded as a change in the use of land under the Act.
4	64	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Township Main Street Township Activity Centre	Riverland Councils request prescriptive policy be removed as it relates to car parking, so as to allow for greater flexibility in assessment in rural areas.
4	65	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Accepted Development	Riverland councils raise concern that members of the public and/or builders will form their own opinion on carports/sheds/garages and the like as Accepted Development without thoroughly checking through all relevant applicable policy and overlays, which could lead to unauthorised development occurring with subsequent enforcement issues for Councils and property owners.
4	66	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Transport, Access and parking	Riverland councils believe there is need for car parking for small scale shops in residential areas to be of a lesser number, in the context of people walking to such – a high generation rate also often renders a small scale shop project to be untenable by virtue of too much land being taken up for parking versus the development itself.
4	67	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Transport, Access and parking	Riverland councils believe there is also need for the Code to identify that in rural/agricultural communities that car parking spaces should be larger in dimension to accommodate larger rural vehicles.
4	68	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Stores	A Store in the General Neighbourhood, Suburban Neighbourhood, Housing Diversity Neighbourhood, Residential Neighbourhood, Deferred Urban and Rural Living Zones is not Restricted whilst in the current Development Plan it is non-complying in equivalent zones. Under the Code, a Store will be Performance Assessed, but there is inadequate policy to limit and/or guide key built form aspects such as size and height of Stores and to guide the circumstances where they might be supported or opposed, and to avert a potential high probability of appeals where such are refused. As you would respect, Stores on vacant land are not an orderly development outcome, and poses a serious issue in regional SA with the proliferation of people living in sheds and leading to visual, amenity, public health (wastewater issues) and illegal changes in land use.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
4	69	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Suburban Employment Zone	There is a drafting error in the Notification Table of the Suburban Employment Zone, with no exceptions listed as prompted by the drop down points.
4	70	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Notification	Riverland councils ask that there be a more practical approach to notification requirements in rural and regional areas. Firstly, we note that in the notification tables for zones, Performance Assessed development where "the site of the development is adjacent to land in a different Zone" must be notified. This appears to be an overly onerous requirement where the proposed development adjoins a similar use or is of a lesser intensity than a development it abuts - we ask that appropriate exclusions to the notification "trigger" should be considered to avoid needless notification.
4	71	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Notification	Riverland councils believe the need or placement of notification signs on land in rural areas is not practical or sensible and that requirement needs to be altered/refined.
4	72	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Restricted v Performance Assessed Development	The balance between what is Restricted Development and Performance Assessed in zones is out of kilter – there is often little policy guidance (or a complete silence) to assess what may be a poor project in a particular zone, where the refusal of such is likely to lead to a higher number of appeals, and confusion and indecision with the Courts and authorities on interpretation.
4	73	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Rules of Interpretation	The term 'element' and how it relates to assessing development.	As it relates to the Act, there is much confusion as to the term 'element' in relation to assessing various components of a development prior to the granting the final development approval after all elements of the development have been approved by 1 or more relevant authorities – we understand this is also causing confusion to the officers of the State Commission Assessment Panel with the implementation of the Phase 1 Code in Outback SA.
4	74	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General policy	Design in Urban Areas	Berri Barmera council considers consider there should be a minor change to the terminology for smaller settlements, as referring to Cobdogla / Loveday as an urban area is not really appropriate.
4	75	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Zone	Berri Barmera raise concerns with the Rural Landscape Protection Zone being merged into a Rural Zone or Rural Living Zone with a Native Vegetation Overlay. They require that these unique areas be better recognised via a Sub-Zone and that key provisions be retained as to no removal of native vegetation for dwelling sites, driveway and associated development. For areas such as these the protection of intact stratum and the impact of cumulative vegetation clearance needs to be better recognised.
4	76	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Mapping	Recreation Zone	The sporting precincts in the townships of Waikerie (CR 6164/809, CR 5755/582), Moorook (CR 5755/571), Loxton North (CR 5755/635), Wunkar (CR 5755/567), Ramco (CR 5737/435) and Browns Well, Paruna (CR 6096/664, CR 6096/665, CR 5755/643, CT 5714/611) should all be rezoned as Recreation Zone.
4	77	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Employment Zone	The Employment Zone at Waikerie (Sturt Highway, Waikerie east) needs realignment to accommodate all existing commercial businesses in that location, as illustrated in red on the following graphic.
4	78	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Living Zone	The Rural Living Zone (Loxton South Country Living Precinct) is not provided with a Minimum Allotment Size Technical and Numeric Variation Overlay. The existing structure plan allows land division to allotments less than 2000 square metres in size when the precinct is developed in accordance with the staging plan. We accept the removal of the structure plan in this instance, but request that the Precinct is converted to a Residential Neighbourhood Zone with a Minimum Allotment Size Technical and Numeric Variation Overlay of 2000 square metres. This is also consistent with the conversion of the Waikerie Country Living Precinct.
4	79	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Community Facilities Zone	Renmark Paringa Council requests the land zoned Community Facilities to both the north and south of the Civic Centre be placed into a Suburban Neighbourhood Zone and Suburban Activity Centre Zone respectively. In support of such a request, the area to the south of the Civic Centre is already the subject of a housing development proposal that Council supports/facilitates – the area to the north of the Civic Centre has been identified by Council for future investment and economic development abutting the existing Suburban Activity Centre Zone, arterial road and community facilities.
4	80	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Suburban Activity Centre Zone	Renmark Paringa Council request that Precinct 4 Banking and Community (located between Ral Ral Avenue and the river) be altered in the Code from a proposed Community Facilities Zone to the Suburban Activity Zone so as to better reflect the current land uses.
4	81	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Township Activity Centre Zone	The Local Centre Zone will be replaced with the new Township Activity Zone in the Code. This Zone covers five properties located behind the Civic Centre. The current land use for these properties appears to be residential and as such this area may be better to be included in the surrounding Suburban Neighbourhood Zone.
4	82	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Infrastructure (Ferry and Marina) Zone	It was identified that the Residential Waterfront Policy Area of the Marina Zone of the Development Plan should be better recognised within the new Suburban Neighbourhood Zone in terms of a Sub-Zone, related policy, AHD level criteria and the reinstatement of Concept Plan Map Re/Pa 6. This is especially important given the unique nature of the current Zone. Concept Plan Map Re/Pa 6 should also be reinstated into the Code as it relates to the Infrastructure (Ferry & Marina) Zone.
4	83	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Rural Living Zone	Renmark Paringa Council requests the rural living area to the south of Cucumunga Street should retain the 2000 square metre area under the current Development Plan and be placed in the Residential Neighbourhood Zone in the Code with its 2000 square metre land division policy.
4	84	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Infrastructure (Ferry and Marina) Zone	The Tourism Accommodation Zone in the Development Plan, New Landing Drive, Renmark, has been placed into an Infrastructure (Ferry & Marina) Zone. Whilst this Code Zone contemplates tourist accommodation, it would be more appropriate for this Zone to be replaced with the new Tourism Development Zone in the Code.
4	85	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Concept Plans	Riverland Councils are concerned that important Development Plan Concept Plans have not been transferred in to the Code – it is incorrect of the Commission to assume that such Plans are primarily suitable in metropolitan and outer metropolitan growth areas. Many of the Concept Plans, as identified further below, are required to support infrastructure provisions and orderly development in the region.
4	86	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Overlays	Native vegetation	Riverland councils request the commission the removal of the native vegetation overlay from townships and settlements as it may become a layer of red tape that the code did not envisage.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
4	87	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Mapping	Aboriginal Heritage	Riverland Councils would like to see Aboriginal Heritage Areas mapping layers developed to help identify areas of the State that are subject to conservation, protection or cultural heritage significance – we note that this has occurred in Western Australia and assists/alerts developers/assessment officers to potential interface with an area of aboriginal heritage significance.
4	88	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Mapping	High voltage mapping	Riverland Council urge the Commission to retain high voltage powerline mapping in the Code
4	89	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Concept Plan	Berri Barmera Council request the inclusion of the Berri West Infrastructure and Staging Concept Plan Be/Ba/1 and Berri East Infrastructure and Staging Concept Plan Be/Ba/3 – both of these areas are growth areas and the concept plans provide important infrastructure planning and staging guidance.
4	90	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Caravan and Tourist Park Zone	Loxton Waikerie request the former caravan park at Lot 500 Peake Terrace, Waikerie, should be zoned Suburban Neighbourhood Zone, rather than Caravan and Tourist Park Zone in order to recognise the current use of the land - it has not been a caravan park for many years.
4	91	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Conservation Zone	Loxton Waikerie request the residential area to the south of the caravan park at Paisley (Blanchetown east) should be allocated a more suitable transition zone to that of a Conservation Zone, so as to recognise the existing residential development.
4	92	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Concept Plans	Renmark Paringa request the reinstatement of the Marina Estate Concept Plan Map Re/Pa 6 into the Code as the concept plan provides key vision and infrastructure/layout information that must not be lost.
4	93	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Concept Plans	Renmark Paringa suggest Concept Plan RePa/7 for the Renmark Golf Club must be reinstated in the Code – the concept plan provides key spatial information to guide development in and around the golf course.
4	94	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Zones and Subzones	Concept Plans	Renamk Paringa suggest Concept Plan Map RePa/8 for the Paringa North Rural Living area must be reinstated in the Code - the concept plan provides key spatial, geographic, cliff face and infrastructure planning to guide development.
4	95	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	DTS v DPF	Riverland Councils question the use of Deemed to Satisfy criteria for Performance Assessment developments, via use of the same Designated Performance Feature. The manner in which Deemed to Satisfy criteria is expressed could lead to Performance Assessed development applications being refused due to a lack of guidance as to what variations from Deemed to Satisfy criteria are and are not appropriate in a Performance Assessment.
4	96	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Land use Definitions	Ancillary Accommodation	Riverland Councils support the inclusion of the new definition for Ancillary Accommodation in the Code, so as to provide greater clarity on defining housing options for granny flats and dependant accommodation. However, we do not support the definition restricting ancillary accommodation not having more than 1 bedroom or room or area capable of being used as a bedroom – this is simply not a practical or reasonable proposition, say for a family member (aging in place) wishing to have an ancillary study/ sewing room and/or guest room for grandchildren or visitors. The definition should be amended to say not more than 2 bedrooms.
4	97	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Land use Definitions	Tourist Accommodation	We support the new definition of Tourist Accommodation in the Code – however, there is opportunity for the Code to provide clearer land use definition and policy guidance where boutique style tourist accommodation is envisaged, so as to avoid confusion where such development often has a similar form to a dwelling in riverine, rural and landscape/scenic settings.
4	98	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Land use Definitions	Workers Accommodation	The definition of Workers Accommodation needs minor redrafting to clarify applicability of each level of definition.
4	99	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	Land use Definitions	Non-defined activities	Land uses that are stated in the explanatory columns of the Code definition table need definition – such as for example Private Bushfire Shelter.
4	100	27-Nov-19	Phase 2	Local Government	Cheryle Pedler	Riverland Councils	Berri Barmera; Renmark Paringa; Loxton Waikerie	General Feedback	Need for audit	Riverland Councils urge the Commission to undertake a thorough audit of the Code before it goes live – this is considered critical to resolving errors, anomalies, inconsistencies, incorrect formatting and policy labelling, chinks and running-in issues before the new Planning System goes live. It is far too important and poses serious risks if the Commission allows the system to go live in the absence of thorough road testing. To allow the whole of regional SA and the whole balance of SA to go live on 1 April and 1 July 2020 would be far too risky and irresponsible – the Commission needs to allocate more time to testing, verification and running in of the new system in a safe non-live or testing environment. this
5	1	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Who pays for Code amendment for issues that DPTI didnt have time to fix?
5	2	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Loss of local variations - i.e. different sized outbuildings in rural areas?
5	3	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Extension of time
5	4	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Will LMAs be included on the mapping?
5	5	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	ePlanning - resourcing, ease of use, surity that all relevant provisions will be returned
5	6	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Proposed Zone name changes seem unnecessary/not always fit for purpasa given context of development on ground



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
5	7	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	Council is still of the view there is a need for concept plans. The following plans should therefore be included in the Planning and Design Code; <ul style="list-style-type: none"> <li>• Concept Plan Tat/1 Weir Drive Bordertown</li> <li>• Concept Plan Tat/4 Commercial Estate Naracoorte Rd Keith</li> <li>• Concept Plan Tat/9 South Avenue East Bordertown</li> <li>• Concept Plan Tat/11 Ramsay Terrace Bordertown</li> <li>• Concept Plan Tat/15 Horse Keeping Precinct Bordertown</li> <li>• Concept Plan Tat/16 Ramsay Terrace Rural Living Bordertown</li> <li>• Concept Plan Tat/18 Development Constraints Water Protection</li> <li>• Concept Plan Tat/20 Development Constraints Conservation Areas</li> <li>• Concept Plan Tat/21 Development Constraints Groundwater Salinity.</li> </ul>
5	8	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	General Neighbourhood Zone	Proposed Zone name changes seem unnecessary/not always fit for purpose given context of development on ground. <u>Note</u> this would require a rezoning even though Council have not specifically requested this.
5	9	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Rural Living Zone	The Development Plan allows for a land division with an allotment size of 1ha but also requires that the average allotment size in a division must be 2ha. This provision has not been carried over into the P&DC.
5	10	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Rural Zone	The Rural Zone limits development which supports primary production (i.e. warehousing, industry) to a floor area of 250m2 and allotments of 20ha. This is unrealistic given that many of these uses will require significantly less land, but are important to supporting primary production.
5	11	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Water Protection Zone (Development Plan)	Council would like their current 'Water protection Zone' to be carried over into the Code. <u>Note</u> - the Water Protection Areas Overlay covers the wider area. Transition manager would need to discuss
5	12	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Township Zone	Council want historic character policy from Mundulla Policy Area 6 to be transitioned into the Code. <u>Note</u> - they have not said how they want this to occur i.e. subzone, character statement etc.
5	13	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Employment Zone	Industry is marked as restricted, but Special Industry is not - this needs to be changed.
5	14	27-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	Zones and Subzones	Employment Zone	Allotment size - Council wants current sizes to remain in order to allow for on site wastewater.
6	1	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General Feedback	Engagement and Consultation	Council would like to thank the Commission for the opportunity to comment on this extremely important document. However, Council is disappointed that the Commission has given Regional Communities only 2 months in which to absorb and attempt to provide meaningful comment on a document that the Commission itself has called a 'once in a generation' change. It is acknowledged that ultimately the document is to be in electronic form, however it is unfortunate that the draft PDF/hardcopy version that was released for consultation was poorly formatted and contained numerous referencing errors and policy omissions. As a result, it has been extremely time consuming for staff to thoroughly review and assess the proposed policies, associated mapping, assessment process pathways and procedural matters.
6	2	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General Feedback	Cross referencing errors	Council has indicated that there is cross referencing to policies that do not exist eg Urban Transport Routes ref DTS 8.1, 10.1. Numerous spelling and grammatical errors throughout document. Quality of figures and tables throughout Code is poor – some difficult to read.
6	3	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Native Vegetation Overlay	Council is concerned that there is very little accepted development due to the Native Vegetation Overlay applying over the entire Council area. Very little DTS development due to the Native Vegetation Overlay applying over the entire Council area. Very little DTS development due to the Bushfire Risk Overlays applying over. The above results in a more complex assessment process for simple forms of development – eg a farm building/ agricultural building in a Rural Zone – currently complying development (where is less than 500m2 in floor area and setback 50m from property boundaries) now performance assessed and subject to 30 policy provisions.
6	4	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Public Notification	Recommend that all zones exempt development listed as envisaged uses from notification – all zones appear to be DTS/DPF 1.1 – this will ensure envisaged uses are not subject to notification.
6	5	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General Feedback	Incorrect zone applied to Council Code	The Infrastructure (Ferry and Marina Facilities) Zone included in DCLEP extract – this zone does not apply to the Council area.
6	6	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Admin Definitions		Primary building line, B85 passenger vehicle, Native Vegetation and Infrastructure all referred to in policies - should be defined.
6	7	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Coastal Areas Overlay	The Coastal Areas Overlay hasn't been applied to North Shields.
6	8	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	No TNV's	North Shields – No TNV – should insert min site level 2.5m AHD & Min FFL 2.75m AHD.
6	9	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Hazards (Flooding) Overlay	Council considers that the Hazards (Flooding) Overlay should apply to Sleaford Bay. There is no existing flood mapping in the current Development Plan for Sleaford Bay - just some existing general hazards policy concerning risk of flooding.
6	10	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	No TNV's	Sleaford Bay – No TNV applied – should insert min site level & Min FFL.
6	11	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Coastal Areas Overlay	The Coastal Areas Overlay hasn't been applied to Whaler's Way.
6	12	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Conservation Zone, Visitor Experience and Dwellings Subzones (for existing precincts)	Outbuildings, carports and verandahs within a Dwelling Subzone should be included in Table 3 (performance assessed development) to remove the need for notification.

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6	13	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Conservation Zone, Visitor Experience and Dwellings Subzones (for existing precincts)	No provision for the building of a CWMS at Shelley Beach – current Concept Plan Map LEP/8 Shelley Beach shows the location of a CWMS and CWMS vegetation buffer on land within the current Coastal Conservation Zone. The current non-complying provides for the creation of an allotment for this purpose. Recommend that in Table 4 (Restricted Development) – exclusions to apply to Land Division include “To create an allotment to accommodate a Community Waste Water Treatment System at Shelly Beach Kellidie Bay”.
6	14	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Conservation Zone, Visitor Experience and Dwellings Subzones (for existing precincts)	Need to include “waste reception, storage, treatment of disposal at Shelley Beach Kellidie Bay’ in Table 3 with reference to application policies.
6	15	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Conservation Zone, Visitor Experience and Dwellings Subzones (for existing precincts)	No provision for an allotment to be created for an existing dwelling located within the existing Precinct 11 Snapper Hill Road – current exception for land division in non-complying list.
6	16	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Employment Zone	Stamford – TNV to include min lot size of 1500m2.
6	17	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Employment Zone	Coffin Bay – TNV to include min lot size of 1500m2. Recommend TNV to include setback of 4m from primary street frontage and 3m from secondary street frontage – to be consistent with current policy as allotments are generally small in size and setbacks in DTS/DPF 3.3 not appropriate for Coffin Bay industrial area.
6	18	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Employment Zone	Cummins – TNV to include min lot size of 1500m2.
6	19	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Employment Zone	Include Land Division into Table 3 with applicable policies. DTS/DPF – lot minimum size of 2500m2 is too large for Lower Eyre Peninsula – recommend that T& NV introduce min lot size of 1500m2 with a minimum frontage of 25m.
6	20	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Employment (Bulk Handling) Zone	Table 3 to include “Bulk handling facility including bunkers and silos for the reception, storage and dispatch of commodities in bulk” so it does not fall into “All other code assessed development “...to exclude facilities from public notification.
6	21	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Infrastructure Zone	Coffin Bay - Recommend that Dwelling be included in Table 4 – Restricted Development.
6	22	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Recreation Zone	Coffin Bay & Louth Bay – concerned envisaged uses are not included in Table 3 – therefore will require notification.
6	23	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Resource Extraction Zone	Western Approach Road and Pt Boston – Concerned envisaged uses are not included in Table 3 – therefore will require notification.
6	24	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Rural Aquaculture Zone	Kellidie Bay – Coastal Areas Overlay should apply – with the exception of that part of the zone located at 530 Kellidie Bay RD Kellidie Bay.
6	25	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Little Douglas – Coastal Areas Overlay should apply.
6	26	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Louth Bay South and North – Coastal Areas Overlay should apply.
6	27	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Pt Boston – Coastal Areas Overlay should apply.
6	28	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Pt Boston – Current policy provides for a min lot size of 10ha – Code zone provides for 1ha DTS/DPF 8.1 - TNV to include min lot size of 10ha within this area.
6	29	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Pt Boston - DTS/DPF 7.1 – 30m wide landscape buffer is considered unnecessary, recommend this be reduced to 10m which is consistent with current policy.
6	30	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Aquaculture Zone	Pt Boston – Concerned envisaged uses are not included in Table 3 including fish processing which includes the conduct of works for scaling, gilling, gutting, filleting, freezing, chilling, packing fish.
6	31	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Zone	In the area that is currently zoned "Water Protection" - the application of the Limited Land Division Overlay results in tighter restrictions to land division within this part of the zone - current zone allows for a small lot (1ha) to be created where property is >100 ha – this needs to be retained.
6	32	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Zone	DTS/DPF 12.1 – max floor area of agricultural building at 250m2 is too restrictive. Currently farm buildings with a floor area less than 500m2 are complying development within DCLEP. DTS/DPF 13.1 and DTS/DPF 13.2 – restrictions on outbuilding and carport sizes and numbers within the Rural Zone are considered unnecessary and far too restrictive. This is the one zone within the Council area where large sheds are considered acceptable.

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6	33	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Zone	Detached dwelling should be removed from the notification list – considered unnecessary to notify a dwelling in the rural zone – the majority of DCLEP council area comprises farm land and ancillary dwellings.
6	34	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Shelley Beach – Does not provide for the proposed shack relocation at Shelley Beach – as reflected in current Concept Plan LEP/9 – Shelley Beach.
6	35	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Shelley Beach – Policy needs to allow for land division to create 26 allotments/receiver allotments.
6	36	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Shelley Beach and Kellidie Bay – Policy needs to require: <ul style="list-style-type: none"> <li>new lots to be connected to the CWMS</li> <li>dwellings setback in excess of 100m from CWMS</li> <li>building setback of min 6m from coastal reserve boundary.</li> </ul>
6	37	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Shelley Beach and Kellidie Bay - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.45m AHD and min FFL 2.70m AHD;</li> <li>Min lot size 800m2;</li> <li>Min frontage 18m;</li> <li>Max building height of 5m (note DTS/DPF 2.3 allows for 6m); Finished floor level of no more than 1m above natural ground level; and Max site coverage of 50%.</li> </ul>
6	38	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Tulka - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.3m AHD and min FFL 2.55m AHD.</li> </ul>
6	39	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Farm Beach - TNV should include: <ul style="list-style-type: none"> <li>Min lot size 1200m2.</li> </ul>
6	40	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Little Douglas - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.45m AHD and min FFL 2.70m AHD and Min lot size 1200m2.</li> </ul>
6	41	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Mount Dutton Bay West – TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.45m AHD and min FFL 2.70m AHD and Min lot size 1200m2.</li> </ul>
6	42	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Mount Dutton Bay East - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.45m AHD and min FFL 2.70m AHD</li> <li>Min lot size 1200m2.</li> </ul>
6	43	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Coffin Bay (previously Policy Area 1) - This is an extremely unique area which has been subject to very specific policies overtime which has resulted in small scale distinctive development – the proposed policies are insufficient to retain the desired character of this area.
6	44	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Coffin Bay (previously Policy Area 1) - TNV should include: <ul style="list-style-type: none"> <li>Max building height of 5m and single storey (note DTS/DPF 2.3 allows for 6m);</li> <li>Total floor area of 190m2;</li> <li>Finished floor level of no more than 1m above natural ground level;</li> <li>Min site and floor levels – min site level 2.45m AHD and min FFL 2.70m AHD;</li> <li>Min setback of 2m from coastal and/or road boundary and 1m from side boundaries; and</li> <li>Max floor area for freestanding outbuildings 36m2, max wall height 2.7m, max overall height 3.3m.</li> </ul>
6	45	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Sleaford Bay – Hazards (Flooding) Overlay should apply.
6	46	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Sleaford Bay - TNV should include: <ul style="list-style-type: none"> <li>Max building height.</li> </ul>
6	47	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Proper Bay Road (near Tulka) - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.3m AHD and min FFL 2.55m AHD.</li> </ul>
6	48	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Shack Settlement Zone	Zone needs to provide for outbuilding size max 120m2 floor area, max height 4.2m, max wall height 3.3m unless otherwise specified.
6	49	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Boston - Question relevance of Water Protection Overlay? Appears to apply to land that was previously within the Water Protection Zone – refer comments in Water Protection Overlay.
6	50	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Boston – TNV should include: <ul style="list-style-type: none"> <li>Min lot size of 1ha</li> <li>Min road frontage 25m</li> <li>Min building setback from side and rear 5m</li> <li>Min setback from public road 20m (DTS/DPF 2.1 provides for only 15m min).</li> </ul>
6	51	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Wangary – TNV should include: <ul style="list-style-type: none"> <li>Min lot size of 2ha</li> <li>Min road frontage 25m</li> <li>Min building setback from side and rear 5m</li> <li>Min setback from public road 20m (DTS/DPF 2.1 provides for only 15m min).</li> </ul>

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6	52	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Coffin Bay – TNV should include: <ul style="list-style-type: none"> <li>Min lot size of 0.5ha</li> <li>Min road frontage 25m</li> <li>Min building setback from side and rear 5m</li> <li>Min setback from public road 20m (DTS/DPF 2.1 provides for only 15m min).</li> </ul>
6	53	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Tiatukia – TNV should include: <ul style="list-style-type: none"> <li>Min lot size of 1ha</li> <li>Min road frontage 25m</li> <li>Min building setback from side and rear 5m</li> <li>Min setback from public road 20m (DTS/DPF 2.1 provides for only 15m min).</li> </ul>
6	9.54	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Zone needs to provide for outbuilding size max 180m <sup>2</sup> floor area, max height 6m, max wall height 4.5m unless otherwise specified – DTS/DPF 2.5 specifies a max floor area of 100m <sup>2</sup> , max wall height of 4m and total roof height of 5m.
6	55	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Living Zone	Amend DTS/DPF 3.1 to require a minimum frontage of 25m (not 6m) and maximum ‘handle’ of 50m (not 30m).
6	56	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Settlement Zone	Louth Bay - TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.5m AHD and min FFL 2.75m AHD.</li> </ul>
6	57	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Settlement Zone	Poonindie – Aircraft Noise Exposure Overlay should apply.
6	58	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Settlement Zone	North Shields – Aircraft Noise Exposure Overlay should apply.
6	59	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Settlement Zone	North Shields – TNV should include: <ul style="list-style-type: none"> <li>Min site and floor levels – min site level 2.5m AHD and min FFL 2.75m AHD.</li> </ul>
6	60	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Rural Settlement Zone	Zone needs to provide for outbuilding size max 120m <sup>2</sup> floor area, max height 4.2m, max wall height 3.3m unless otherwise specified.
6	61	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Suburban Neighbourhood	Point Boston – No provision for the sequential development of residential precincts.
6	62	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Suburban Neighbourhood	Point Boston – TNV should be consistent with Scheme Description: <ul style="list-style-type: none"> <li>single storey dwelling height limit 5.2m and two storey development 8.2m - on specific lots</li> <li>40% site coverage</li> <li>Outbuildings within Point Boston max floor area of 36m<sup>2</sup>, max wall height 2.7m and max height 3.3m.</li> </ul> The Scheme Description and Design Guidelines specify what type of dwelling can be built on what allotment.
6	63	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Suburban Neighbourhood	Should zone name be Suburban Neighbourhood (Low Density) Zone? Zone needs to provide for outbuilding size max 120m <sup>2</sup> floor area, max height 4.2m, max wall height 3.3m unless otherwise specified.
6	64	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Township Main Street Zone	Cummins – Rezone land not fronting Bruce Terrace and Railway Terrace as Township Activity Centre - more appropriate.
6	65	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Zones and Subzones	Tourist Development Zone	Pt Boston – Should the zone name be Specific Use (Tourism Development)?
6	66	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Airport Building Heights (Regulated) Overlay	Currently any development within Area A on Concept Plan Map LEP/3 is referred to Council’s Airport Manager for comment in regard to proposed building height and impact to airport operations. The Port Lincoln airport is not within prescribed airspace of an airport covered by the Airports Act (1996) and therefore the Commonwealth Secretary for the Department of Infrastructure, Regional Development and Cities referral does not apply. For airport safety Council needs to ensure that there is a trigger for the referral to the Port Lincoln Airport Manager.
6	67	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Aircraft Noise Exposure Overlay	This Overlay appears to no longer apply - acoustic assessment of land division for residential purposes and sensitive uses on land within 3km of Port Lincoln Airport – currently SCHEDULE 21, 7—Other (5) (f) Development in the vicinity of certain airports. Accordingly, this overlay should apply to land within a 3km radius of the airport. The overlay should require that sensitive land uses within this 3km radius should be designed in accordance with Australian Standard AS2021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction. The policy should advise that an application on land within this overlay should be accompanied by an acoustic assessment to establish compliance with the Australian Standard.
6	68	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Aircraft Building Heights (Aircraft Landing Areas) Overlay	Appears that this overlay is has not been applied to the DC LEP area.
6	69	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Coastal Areas Overlay	DTS / DPF 2.1 – the “standard sea flood risk level” as defined is the 1% AFE (Annual Exceedence Probability) sea flood level plus an allowance to accommodate 100yrs of land subsidence. How will applicants and assessors be aware of what this figure is? PO 2.4 – will the mapping tool include 100 and 200 yr coastal retreat to enable assessment?

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6	70	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Dwelling Excision Overlay	DTS/DPF 1.1 and PO 1.2 & DTS/DPF 1.2 - conflict between policy provisions– the assessment of land division in the rural zone allocates “All” Dwelling Excision Overlay policies to apply – DCLEP need to retain the right for: <ul style="list-style-type: none"> <li>boundary realignments;</li> <li>excise of one of two habitable dwellings</li> <li>creation of 1 small allotment (1-4ha in area) to provide for an employee of the farm or the owner’s retirement. DTS/DPF 1.2(a)(c). Length of driveway handle no more than 50m is too restrictive on large farming properties.</li> </ul>
6	71	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Hazards (Bushfire – General Risk) Overlay	PO 3.3: <ul style="list-style-type: none"> <li>Support the inclusion of Minister Code policy provisions</li> <li>Question whether Ministerial Building Standard SA 008 has been finalised?</li> </ul>
6	72	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Hazards (Bushfire – High Risk) Overlay	Council supports the inclusion of Minister Code policy provisions. Supports the inclusion of additional types of development for referral.
6	73	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Hazards (Bushfire – Medium Risk) Overlay	Support the inclusion of Minister Code policy provisions.
6	74	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Key Outback and Rural Routes Overlay	Access – On-site queuing DTS/DPF 2.1 <ul style="list-style-type: none"> <li>On lodgement of applications, applicants will need to specify the length of vehicles expected to access the site</li> <li>Question why overlay only applies to western side of Tod Highway north of Wanilla?</li> <li>Applications involving new access points will need to confirm required sight distances are achieved.</li> </ul>
6	75	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Key Railway Crossings Overlay	Numerics will need updating if standards change. This also applies to the other Transport route overlays where there are numerics referenced.
6	76	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Limited Land Division Overlay	This applies to Council’s current Water Protection Zone which is proposed to be a Rural Zone with a Water Protection Overlay – this Overlay is taking away the rights of owners who under the current Development Plan can divide where: <ul style="list-style-type: none"> <li>One of two existing dwellings can be excised</li> <li>Where the property is in excess of 100ha a small 1ha lot may be created for the owner’s retirement or a relative employed on the farm.</li> </ul>
6	77	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Local Heritage Place Overlay	Due to time constraints of the Phase 2 consultation period – the inclusion of local heritage places in the consultation map viewer has not been checked.
6	78	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	State Heritage Place Overlay	Due to time constraints of the Phase 2 consultation period – the inclusion of state heritage places in the consultation map viewer has not been checked.
6	79	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Urban Transport Routes Overlay	Access – On-site queuing DTS/DPF 2.1(b) (iv): <ul style="list-style-type: none"> <li>On lodgement of applications applicants will need to specify the length of vehicles expected to access the site i.e. no greater than 6.4m in length, between 6.4m and 8.8m in length etc.;</li> <li>Question why overlay only applies to western side of Tod Highway north of Wanilla?</li> <li>Applications involving new access points will need to confirm required sight distances are achieved.</li> </ul>
6	80	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Urban Transport Routes Overlay	Access – Location (sight lines) - DTS/DPF 5.1: <ul style="list-style-type: none"> <li>Applicants will need to ensure that any new accessway is supported with adequate information in regard to sight line distances.</li> </ul>
6	81	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Major Urban Transport Routes Overlay	Does not appear to apply to DCLEP.
6	82	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Native Vegetation Overlay	Environmental Protection- DTS/DPF 1.1 (a): <ul style="list-style-type: none"> <li>Will the required declaration be in a standard form/ format of declaration?</li> <li>Question the application of the Native Vegetation over the entire Council area? Especially urban and cleared areas.</li> </ul>
6	83	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	State Significant Native Vegetation Overlay	Environmental Protection- DTS/DPF 1.1 (a): <ul style="list-style-type: none"> <li>Will the required declaration be in a standard form/ format of declaration?</li> </ul>
6	84	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	State Significant Native Vegetation Overlay	Definition - ‘Major level clearance’ and ‘Low level clearance’ should be included in the definitions.
6	85	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Prescribed Wells Overlay	Procedural Matters – Referral Support referral of listed development.
6	86	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Resource Extraction Protection Area Overlay	Refer to attached marked up map showing a suggested enlargement of that zone to encompass the DK quarries surrounding operations and not just the pit itself.
6	87	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	Overlays	Water Protection Area Overlay	Overlay boundary is to old Water Protection Zone boundary that changed in 2010. See attached map for corrections required.
6	88	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Advertisements	Table 1 – Max Size & Height Requirements <ul style="list-style-type: none"> <li>Question whether or not max areas and max height are intended to be inserted in place of “x”</li> <li>Request ability to comment on proposed areas.</li> </ul>
6	89	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Animal Keeping and Horse Keeping	PO 2.3 – Horse Keeping – “Kennel flooring constructed ...regular cleaning” Should this refer to stable flooring? Kennel flooring addressed in PO 3.1.



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6	90	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Animal Keeping and Horse Keeping	DTS/DPF 3.2 – Kennels – Recommend Kennels be sited a minimum of 2000m from a township, settlement and urban areas / relevant zones.
6	91	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Bulk Handling and Storage Facilities	DTS/DPF 1.1 - Siting and Design - Provide definition of "bulk petroleum storage" or provide detail of capacity as done with coal handling in part (c) of policy.
6	92	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 16.2 (c) - Ancillary Development - Concerns with maximum limit of 60m2 – currently max floor area is 120m2 within Council's residential and settlement zones.
6	93	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 18.2 (f) - Residential Development – Typo error (f) 3a should read (f) a.
6	94	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 18.3 – Residential Development – Figure unclear – difficult to read due to clarity of drawing.
6	95	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 21.2 – Tree planting – Each council area will need to produce a guide for suitable tree species.
6	96	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 22/1 - Rainwater tanks: <ul style="list-style-type: none"> <li>Capacity of tanks considered too small</li> <li>Council currently requires min of 11,000 litres per bedroom within the Residential Zone and 15,000 litres within Settlement Zones</li> <li>Note that Infrastructure and Renewable Energy DTS/DPF 11.2 requires minimum of 50,000 litres where a dwelling is not connected to mains water supply</li> <li>min capacity of rainwater tanks be added</li> <li>22 500 litres per bedroom within the Rural Zone, Rural Living Zone, Conservation Zone or Open Space Zone</li> <li>11 000 litres per bedroom within the Suburban Neighbourhood Zone</li> <li>15 000 litres per bedroom within the Rural Settlement Zone or Rural Shack Settlement Zone.</li> </ul>
6	97	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 22.1 (a) should be (b) – Rainwater tanks – Terminology in code is inconsistent – Definition provided for battle-axe – however policy refers to hammerhead.
6	98	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 33.5 – Carparking, access – Refers to DTS 34.3 which does not exist.
6	99	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Urban Areas	DTS/DPF 34.2 – Carparking, access – Refers to DTS 34.3 which does not exist.
6	100	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Rural Areas	DTS/ DPF 12.1 (g) & (h) - Ancillary Development - max wall height of 3m and max roof height of 5m too restrictive, particularly within rural areas and rural living zones where sheds are built to accommodate large boats, caravans, recreational vehicles etc.
6	101	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Rural Areas	DTS/ DPF 12.3 (c) – Ancillary Development: <ul style="list-style-type: none"> <li>with maximum floor area limit of 60m2 too restrictive, particularly within rural areas and rural living zones where sheds are built to accommodate large boats, caravans, recreational vehicles etc.</li> <li>these parameters should be different that the design in urban area limits</li> <li>currently in Council's Development Plan there is no limit in Rural Areas for outbuildings and in Rural Living Zones a max floor area of 180m2.</li> </ul>
6	102	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Rural Areas	DTS/DPF 22.6 – Carparking, access – Refers to DTS 21.5 which does not exist? 22.5?
6	103	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Design in Rural Areas	DTS/DPF 23.2 – Carparking, access: <ul style="list-style-type: none"> <li>Refers to DTS 21.3 which does not exist? 22.3</li> <li>many of the policy provisions in regard to residential development are not considered applicable to rural areas.</li> </ul>
6	104	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Interface between Land Uses	DTS/DPF 3.1, 3.2 - Overshadowing - Applications for dwellings and dwelling additions will need to be accompanied by shadow diagrams.
6	105	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Interface between Land Uses	DTS/DPF 4.1 & 4.6 – Activities Generating Noise – Applications for activities generating noise will need to be accompanied by an acoustic report.
6	106	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Interface between Land Uses	PO 8.1 & DTS/DPF 8.1 – Electrical Interference – Unsure how the presence of an existing fixed transmitter and receiver will be known to enable assessment.
6	107	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Interface between Land Uses	PO 9.2 – Interface with rural activities – Recommend a DTS/DPF that sensitive receivers are sited at least 500m from the boundary of a site used for intensive animal husbandry.
6	108	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Interface between Land Uses	DTS/DPF 10.1 – Interface with Mines and Quarries – Policy to also include Resource Extraction Zones.
6	109	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Land Division in Urban Areas	PO.3.1 – Roads and Access – Recommend policy be amended to read "Land division provides allotments with access to an all-weather public road".
6	110	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Land Division in Rural Areas	PO.3.1 – Roads and Access – Recommend policy be amended to read "Land division provides allotments with access to an all-weather public road".
6	111	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Land Division in Rural Areas	Include a policy provision in regard to hammerhead style allotments – Council's current plan advises driveway 'handle' being not less than 25m in width and no more than 50m in length – important policy for DCLEP council area.

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6	112	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Marinas and On-Water Structures	PO 1.3 – Navigation and Safety – Possible DTS/DPF to read “All vessels moored to on-water structures to be located within property or license boundaries”.
6	113	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Resource Extraction	Recommend additional policies be included to address site rehabilitation.
6	114	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Tourist Development	In rural areas - No policy provisions to provide guidance for tourist development within rural areas (e.g. linkages with agricultural production and processing, encourage re-use of existing buildings).
6	115	28-Nov-19	Phase 2	Local Government	Jodie Isle	District Council of Lower Eyre Peninsula	Lower Eyre Peninsula	General policy	Transport, Access and Parking	DTS/DPF 3.1 – Vehicle Access – Include (c) from an all-weather public road.
7	1	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Rural Living Zone	Policy Area 1 of the (current) Primary Production Zone be transitioned into a Rural Living Zone in the Code. This is to reflect that much of the Policy Area is already divided, the allotments are of a scale too small for farming (except hobby farms) and to align with the 2014 Strategic Directions Report.
7	2	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Significant Landscape Protection Overlay	Stronger controls to prevent wind farm development: the Significant Landscape Protection Overlay does not apply to sections of the Flinders Ranges outside of the Flinders Ranges Council area, and these areas will become Conservation Zone which does not list Wind Farms as Restricted Development.
7	3	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Infrastructure Zone	Quorn: The Community Wastewater Management System facility be changed to Infrastructure Zone.
7	4	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Community Facilities Zone	Quorn: The cemetery be changed to Community Facilities Zone.
7	5	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Infrastructure (Airfield) Zone	Quorn: The airfield be changed to Infrastructure (Airfield) Zone.
7	6	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Township Main Street Zone	Quorn: The Township Activity Centre be changed to Township Main Street Zone.
7	7	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Infrastructure (Airfield) Zone	Hawker: The airfield be changed to Infrastructure (Airfield) Zone.
7	8	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Caravan and Tourist Park Zone	Hawker: The caravan park be changed to Caravan and Tourist Park Zone.
7	9	28-Nov-19	Phase 2	Local Government	Angie Finlay	Flinders Ranges Council	Flinders Ranges	Zones and Subzones	Township Main Street Zone	Hawker: The Township Activity Centre be changed to Township Main Street Zone.
8	1	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General Feedback	Consultation Period inadequate	Limited time to review Code and provide detailed response. Phase 2 Councils should be merged into Phase 3.
8	2	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General Feedback	Training timeframes inadequate	Extra time required for training and general understanding of how the Code will apply.
8	3	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	AHD levels missing	All existing AHD levels currently in Development Plan (Caravan & Tourist Park) be reinstated into Code.
8	4	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	AHD levels missing	All existing AHD levels currently in Development Plan (coastal zones) be reinstated into Code.
8	5	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Renewable energy in Coastal areas	Significant concerns that renewable energy (wind farms and large scale solar farms) are performance assessed. Should be restricted?
8	6	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Fisherman Bay - needs new suite of policies	Fisherman Bay needs additional policies to address coastal protection measures - coastal erosion, sea and storm water flooding and management of other coastal development, overshadowing, open space, privacy and FFL/site levels. Land division should be limited given the existing high density of the township. The basis of new policy should be derived from the 'Fisherman Bay Concept Plan and Built Form Study - January 2015' prepared by Hames Sharley.
8	7	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone doesn't work. Far too dense that current Development Plan allows. Request that the zone be changed to the Suburban Neighbourhood Zone with the inclusion of TNV.
8	8	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	New polices required for allotments with dual frontage (coast + street frontage)	New policies are required to address allotments that have dual frontage (to the coast + street).
8	9	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural zone changes	Rural Zone – additional envisaged land uses to be added to DTS/DPF 1.1 - waste facility, stock slaughter works, renewable energy facilities, workers accommodation and caretaker dwellings.
8	10	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural zone changes - greenhouses	Rural Zone – DTS/DPF 3.1 - remove reference to 250m2. Keep silent so that each greenhouse is assessed as performance assessed. This is the approach taken in the Rural Horticulture Zone - we see no reason why this couldn't apply in the Rural Zone.
8	11	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural zone changes - rural industry	Rural Zone – DTS/DPF 4.1 limited industry, storage, etc. to 250m2 and on allotments of at least 20 hectares. Considered problematic and not realistic for rural areas as size is too small. Consider separate DTS and Performance Assessed criteria for floor area and allotment sizes.
8	12	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural zone changes - secondary dwellings	Rural Zone – a secondary allotment is only applicable on an allotment not less than 40 hectares. This is considered unworkable and will inhibit opportunities. Furthermore, the term secondary implies a second dwelling only, whereas PO 5.3 promotes more than one dwelling in the case of farm hands, managers residence and aging in place - the term secondary dwelling should be replaced with the term 'more than one dwelling'



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8	13	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural zone changes - tourist accommodation	Rural Zone – 100m2 limit for tourist accommodation - this should be revisited as it limits the ability for large scale tourism development. Furthermore, the phrase "in relation to the area used for accommodation" is not clear. This phrase may lead to confusion - for instance, a development that contains hostel-style rooms together with detached, self-contained tourist accommodation building. We recommend that this provision be reviewed and amended so that it is entirely clear and does not inadvertently discourage tourism development.
8	14	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural Zone changes - agricultural buildings	Rural Zone – policy outlines a total floor area of 250m <sup>2</sup> and minimum allotment size of 10 hectares. Rural agricultural farms need larger sized sheds than that suggested. As with other suggestions, a separate DTS and PA criteria for sizes and allotment sizes be considered.
8	15	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Overlays	Dwelling Excision Overlay hasn't been applied to Council area	Dwelling Excision Overlay – this has not been applied to this Council area. Existing PDC 11 allows excision policy in the Primary Production Zone. Requested that this be included. Also requested that a 'date' be added to avoid the unwarranted repetition of land divisions.
8	16	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural Zone - Land Division criteria required for boundary realignments	Rural Zone – support the retention of Councils minimum allotment sizes however seek the reinstatement of existing boundary realignment criteria. Also ask that the assessment table be updated to ensure PO 1.1 is included in the assessment of land division
8	17	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural Living	Rural Living Zone – seeks minimum allotment sizes and boundary realignment policies to be retained in the Code
8	18	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General policy	'Store' – need for inclusion in various zones	'Store' – a store (sheds not associated with a dwelling) are currently non-complying but are not references as Restricted in the Code. They are Performance Assessed with no policy guidance. Stores on vacant land are not an orderly outcome and poses a serious issue in coastal and rural regions with the proliferation of people living in sheds and leading to visual, amenity, public health (wastewater issues) and illegal changes in land use. The above approach should also be addressed in the Township Zone
8	19	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Zones and Subzones	Rural - Solar panels	Rural Zone – references to Solar 'panels' should be reviewed as the community understanding of what a panel is unknown - this term should be revisited.
8	20	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General Feedback	Public Notification	Public notification – the reference to "the site of the development is adjacent to land in a different zone" is overly onerous where the proposed development adjoins a similar use or is of a lesser intensity that a development it abuts. It is asked that appropriate exclusions to notification occur to avoid needless notification.
8	21	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General Feedback	Public notification - signage	Public notification – the need or placement of notification signs on land in rural areas is not practical or sensible and this requirement needs to be altered/refined.
8	22	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Rules of Interpretation	DTS v DPF	Question the use of DTS criteria for Performance Assessed developments, via use of the same DPF. The manner in which DTS criteria is expressed could lead to PA development applications being refused due to lack of guidance as to what variations from DTS criteria are and are not appropriate in a Performance Assessment.
8	23	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Land use Definitions	Ancillary accommodation	Support new definition. However, do not support the definition restricting ancillary accommodation not having more than 1 bedroom or room or area capable of being used as a bedroom - this is simply not practical or reasonable proposition, say for a family member (aging in place) wishing to have an ancillary study/sewing room and/or guest room for grandchildren or visitors. The definition should be amended to say not more than 2 bedrooms.
8	23	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	Land use Definitions	Tourist accommodation	Support the new definition but there is an opportunity for the Code to provide clearer land use definition and policy guidance where boutique style tourist accommodation is envisaged, so as to avoid confusion where such development often has a similar form to a dwelling in coastal, rural and landscape/scenic settings.
8	24	28-Nov-19	Phase 2	Local Government	Andrew Cole	Barunga West Council	Barunga West	General Feedback	Need time for audit before going live in April 2020	Urge the Commission to undertake a thorough audit of the Code before it goes live – this is considered critical to resolve errors, anomalies, inconsistencies, incorrect formatting and policy labelling, policy issues and running-in issues before it goes live. This includes road testing
9	1	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Consultation period inadequate	Virtually impossible to properly identify impact on Development Plan within timeframe provided. Code doc too big and no eplanning system available yet. Code document is difficult to navigate. Regional councils have limited staff and time to review and have been given the least amount of time. Requested consultation period extended with eplanning available.
9	2	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General policy	Not 'like for like'	Transition is not like for like as originally touted.
9	3	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Community engagement	Concerns community not properly engaged and not in line with community engagement charter. Lack of newspaper ads. Requested consultation period extended with eplanning available.
9	4	29-Nov-19	Phase 3	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Consultation period	Request consultation period be extended with eplanning available.
9	5	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Terminology	Terminology of zone names will confuse the community. Will complicate matter when dealing with local and interstate developers and the public. New terms are unfamiliar and have a metro-centric mindset. Revert terminology back to SAPPL.
9	6	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General policy	General Feedback	Suburban Neighbourhood Zone will drastically change the planning controls and landscape of the area. Want to revert back to Residential Zone.
9	7	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Mapping	Resource Extraction is an inappropriate zone to place over the existing Historic Mining Zone. Too many envisaged uses and completely different to what is in place. Want changed back to Historic Mining.
9	8	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	Notification of a dwelling in the Rural Zone is not appropriate. Consider removing detached dwelling from notification table.
9	9	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Mapping	Township Fringe Policy Area has been absorbed into the Rural Zone. This is an important policy area as it provides a township buffer. Current development plan provisions should be retained.
9	10	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	Dwelling is now performance assessed whereas before it was non-complying. Development of this nature would have significant negative impacts on retail precincts of Eudunda and Burra. Development of this nature should only be in conjunction with non-residential uses only. Other forms of development will now be performance assessed but are not suitable. Industry is the only restricted use.
9	11	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	Wider variety of uses and many non-complying uses now envisaged/performance assessed. Shop floor area a concern. Large shops outside of town centres are a major impact for regional centres. Review restricted table to amend shop floor back to current 80m <sup>2</sup> .
9	12	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	Within Rural Living Zone the 'accepted development' and DTS criteria do not apply to many forms of residential development within the Character Area Overlay. This will result in many instances, numbers of residential developments requiring performance assessment which will increase considerably from current Development Plan.
9	13	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	Height limits used to trigger public notification is expressed differently between zones. Needs consistency.
9	14	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	General Feedback	No restricted development in the Recreation Zone. This is totally inconsistent with development plan. This will be detrimental to the current character and intention of the zone.

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9	15	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Overlays	General Feedback	Insufficient timeframes to write, seek expert opinion and see Council consent and supply Historic Character Statements. What they should include and not include not communicated to council. Seek further time to supply information.
9	16	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Overlays	General Feedback	State Heritage Register not in Code. Assume this is an oversight.
9	17	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Concept plans	Concept plans are important strategic tools and have not been included. These are critical to ensure development is in an orderly and efficient manner.
9	18	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Compliance	Council is concerned the new system will be difficult to work out and use and many people, particularly country people will give up and just build their structure illegally. This will result in council with the task of enforcement and will strain resources.
9	19	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General policy	General Feedback	Many residential areas point to Design in Urban Areas but should point to Design in Rural Areas and wastewater provisions are needed. It is critical that wastewater is approved prior to development approval. The planning portal needs to ensure this happens.
9	20	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General policy	Onsite wastewater disposal	Reiterating that land division provisions must include room for onsite wastewater disposal.
9	21	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Renewable Energy Discussion Paper	Disappointing that the Renewable Energy Discussion Paper is on consultation until Feb 2020 and therefore feedback cannot be considered for Phase 2.
9	22	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Notification triggers	Public notification where adjacent to a different zone warrants a review, particularly if zones are not sensitive to each other.
9	23	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Notification triggers	Response or non-response of a notified development should not be the measure of the appropriateness of the development.
9	24	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Lost local policy	Removal of non-complying and many of those uses now envisaged is a concern for council and could cause distress to the community. This lost policy content has been built and refined over the years, with significant government cost investments and time in building this and goodwill from the community during the process.
9	25	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Compliance	If Council refuses an application it will have substantial money and time costs.
9	26	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Restricted Development	Would like Restricted Tables to be reviewed.
9	27	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Code amendments	Do not have a clear understanding of how Code amendments will happen. Concerned loss of policy will take years to build back and history shows when a policy is lost it is a real challenge to reintroduce.
9	28	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Appeals	Concern that DTS and DPF are identical and may cause legal disputes over the merits of a performance assessed development where the DTS/DPF criteria is not met. This has potential to give rise to arguments as to whether exceedances render a development significantly at variance with the Code if they are significant.
9	29	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Ancillary development	Appears to be a lack of accepted, DTS and performance assessed criteria for ancillary development. This policy is needed, particularly in rural communities. Assume this is an oversight. This needs to be addressed as these are generally accepted and expected forms of development subject to appropriate bulk, siting, scale, and height limitations.
9	30	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	General Feedback	Training	Council believes there will be insufficient time to be trained on the new system. This will lead to confusion, frustration and inefficiencies. Together with the resource impact on regional councils who have limited time while also performing other tasks.
9	31	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Lost local policy	Want to ensure development does not impact negatively on the region.
9	32	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Lost local policy	Code is oversimplified and one size fits all approach runs risk of less certainty and less efficiency in the system. Code loses the ability to respond to local context and lacks detail to facilitate positive development and achieve strategic planning aims built around built form, streetscape, place making and land use.
9	33	28-Nov-19	Phase 2	Local Government	Fiona Barr	Regional Council of Goyder	Goyder	Zones and Subzones	Lost local policy	Code needs further consideration to ensure it is appropriate for the needs of rural communities.
10	1	28-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Land use Definitions	Consultation period inadequate	It is virtually impossible to properly and thoroughly identify the impact on Council's Development Plan of the new Code provisions in the limited time provided in the consultation period. The Code runs to some 3,000 pages and without the benefit of the new ePlanning system by which to interrogate how the provisions fit and integrate with each other, the task of providing meaningful and detailed comment on the draft Code within the consultation timeframe is not achievable. It is pointed out that this Council has very limited planning resource and staff cannot undertake the exhaustive review of such a large and unwieldy document within the time made available. It is a very time-consuming task and, as the Code has not been presented in its intended electronic format, the search through the multiples of pages to try and locate the 'connections' between the existing Development Plan policy and how the Code will accommodate this is impractical. It is not an easy document to interpret. A thorough policy-by-policy tracking between the existing and the new has not been carried out because of the enormity of the task. Even the Department admits that the Code is still not complete and that there are errors and inconsistencies in the text and the mapping. Reliance on limited Council staff resource (in country Councils in particular) to identify these and provide corrections in the context of their own Development Plan is not realistic.
10	2	28-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General Feedback	Naming conventions	The Code introduces zone names that are, in a rural/ regional context, bewildering and are out of place with established standards of zoning commonly found elsewhere. Planning authorities, the community and the development industry are all familiar with current zone names and their intended function, so why change these for no practical planning/land use reasons? Suggested reverting back to existing well known SA Planning Policy Library names.
10	3	28-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General Feedback	Consultation version of Code	Inconsistent terminology and formatting is found throughout P & D Code. Also there are important gaps in the policy expression, e.g. variables for AHD levels, lot size/frontage and setbacks, overlay anomalies/ definitions etc. are missing. Also, the presentation of the consultation draft leaves much to be desired. Not only are there gaps in the policy data but it is also impossible to be guided through the entire document in light of: <ul style="list-style-type: none"> <li>no page numbering either the document as a whole or, alternatively, within the individual modules</li> <li>the numbering of the PO and DTS/DPF provisions within the Tables is very random</li> <li>no headers giving module name</li> <li>the confusing way in which the ordering of the zones has been carried out with multiple assessment tables and policy statements and notifications, etc.</li> </ul> Council understands that in the ePlanning world this presentation is not likely to be an issue as the computer just interrogates policy to where it is directed, but in the absence of that system it is frustrating to navigate the document efficiently or sensibly. This makes it extremely difficult to know where you are or where you need to go, and this highlights the difficulty in trying to understand the Code without the ePlanning system being available in parallel. This review process is not helped when the presentation is not consistent, nor is it coherent. Table header rows are missing in some modules.
10	4	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General policy	TNVs	There are inconsistencies in the TNV data applicable within and across the zone types, with errors and gaps that need reviewing. The Consultation Map Viewer does not bring up some of the localised criteria for lot size (land division or dwelling), setbacks and the like making it impossible for Council to determine whether its

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										variables within the respective zones are to be applied or ignored. A lot of the information is there through a random search, but it does not seem complete. This is a deficiency that undermines the extent of consultation comments that can be made.
10	5	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General Feedback	Implementation and Training	Phase 2 Councils are scheduled to be transferred to the new Code on 1 April 2020. As the interactive ePlanning system is not likely to be available until February 2020 (if then), Council does not believe that there is enough time for staff to be trained and to become familiar in the use of that system (especially as rural Councils are expected to act as an 'agent' for applicants in lodging their applications). With no training or education for users, there will be confusion, frustration and inefficiencies. On the other hand, the resource impact on smaller rural Councils for staff to be properly trained, attend workshops and the like, will be immense and will need to be balanced with other tasks and roles those officers also have. It is requested that hand-on small group format training is provided in regional areas.
10	6	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Restricted Development	It has been noted that the Restricted Development Tables for the respective zones have been slimmed down considerably and only relate, generally, to a handful of land uses/forms of development, unlike the non-complying lists in existing Development Plan zones. There is a potential resource issue for Councils particularly smaller rural Councils in that, although the Code policy framework may speak against certain types of development, in the new Code world, these will be performance assessed and not prohibited in the first instance as non-complying development. If Council refuses such development, there is then the prospect of defending the decision upon appeal to the Court. This can involve substantial time and money costs which are not currently the case. An allied concern of Council is the question whether, in the first instance, the performance assessed provisions in the Code will be robust enough to refuse development that is not favoured in a zone, e.g. a proposal for a store or warehouse in a residentially zoned area. These sorts of uses are now to become potentially possible as they are not restricted outright as they are under the non-complying regime. This issue has not been addressed by the Department but it can place significant cost pressures on local government as a whole and especially rural Councils, a cost that they do not necessary face with the current system. It is requested that Restricted Tables be reviewed with an aim of extending the range of non-envisaged development.
10	7	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Inclusion of additional 'local variations'	The key intent of the new Code is to standardise policy on a State-wide basis. This means that the provisions apply across the board to all Councils. The structure of the Code leaves little opportunity to incorporate the local policy that suits local needs. This one-size-fits-all approach results in policy gaps and the loss of local content and the potential for 'dumbing down' development outcomes, ones possibly not in the best interests of the community. It is requested that additional Local Variations be carried over into the Code.
10	8	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General Feedback	Communities understanding of e-planning	The Department needs to consider that in setting up the e-planning system that not everyone is computer literate
10	9	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Rural Aquaculture Zone	Council notes that a shop is not envisaged in the Code zone unlike the existing policy. A small retail outlet to enable the opportunity for a grower to sell seafood ought to be allowable. Also, Council's existing local addition for ensuring that a dwelling is sited at the front of the allotment with buildings associated with aquaculture located behind is not in the Code zone. Council request that the Zone be amended by allowing scope for a small shop and a policy regarding the siting of dwellings at the front of the land.
10	10	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Employment (Bulk Handling) Zone	Council notes that although a dwelling is a Restricted Development, there is an exclusion where it is ancillary to a non-residential land use. The current zone lists a dwelling as non-complying outright. Council is concerned about the potential for interface issues arising from bulk handling activities and operations. The DTS criteria applicable to various forms of development (e.g. advertisements and fencing) are broader than current policy.
10	11	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Employment (Bulk Handling) Zone	The Maitland Bulk Handling Concept Plan (Map YoP/1) sets out important policy directions as to how development ought to occur in the future. This map have not been taken over yet contains very significant policy implications that should be referenced in Code policy. Council seeks its reinstatement.
10	11	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Infrastructure (Ferry and Marina Facilities) Zone + Coastal Area Overlay	Zone name misleading in that a marina is not infrastructure in its own right. It is a land use based on a specific use and servicing and allied activities etc. and for associated public/tourist purposes, including motel, shops and eateries. The infrastructure focus in the Code zone name is inappropriate in this context. It is noted, though, that the Code policy generally caters for the range of land uses in the current zone. Council notes that the area is also subject to the Coastal Areas Overlay which involves a referral to the CPB.
10	12	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Rural Shack Settlement Zone - Black Point area	This relates to the existing Open Space Zone - Black Point Precinct 1 Code zone name inappropriate in that the dwellings at Black Point are not shacks. This term needs to be reviewed. The Code's Rural Settlement Zone is more preferable but its range of urban land uses that is envisaged is considerably broader than what is presently the case at Black Point and would not be a neat fit policy-wise. The existing types of non-complying development has been lost (especially that applying to dwellings) with the proposed Restricted Development, although listing dwellings allows for an exclusion for a detached dwelling, something not envisaged in the existing zone/precinct. Moreover, the land division exclusion seems to allow for an extra lot provided it will contain an existing dwelling which is broader than the current policy of not allowing an additional lot. The current zone is very restrictive on the range of 'urban' land uses possible with most being noncomplying. The Code zone, whilst not envisaging development beyond that of the current zone, does not make them Restricted Development outright, which means Council has to deal with inappropriate development proposals as performance assessed. This is a common point across all Code zones, one stressed above in item 5 above. But it is a particularly sensitive issue in this case because of the characteristics of and development expectations for Black Point itself. Council believes that the land use potential needs to be considerably tightened up. Council notes that the Coastal Areas Overlay does eliminate the prospect of Accepted and DTS development. Council recommends removing 'Shack' from Code zone title and replace this with a more 'neutral term or rename to 'Coastal Settlement Zone' as is currently the case. If a Coastal Settlement Zone is created, the envisaged range of land uses can then be much more limited than the proposed Code zone. Likewise, the Restricted Development list can also be expanded to reflect the aim of providing for low-key coastal living. This scenario is much more suitable for Black Point and Council recommends that this approach be pursued.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
10	13	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Rural Shack Settlement Zone - Black Point area	<p>This relates to the Coastal Settlement Zone. As with the comment above, Council believes that the zone name ought to be changed back to 'Coastal Settlement Zone'. The Code zone has a complementary policy framework as the current zone except that:</p> <ul style="list-style-type: none"> <li>no setback criteria is specified in the Code zone</li> <li>the dwelling and outbuilding parameters from the existing zone are either missing or are varied in important ways, particular the current limitation on building height where a dwelling that exceeds a total height of 4.5m is non-complying - the Code zone allows for dwellings up to 6m in height (but only applies to additions)</li> <li>land division is a Restricted Development in the Code zone but the current zone allows lots of 1,200m2 minimum</li> <li>the existing zone makes many non-residential forms of development deliberately non-complying whereas the Code zone has no policy dealing with these (even though they do not seem to be envisaged)</li> </ul> <p>In the existing zone, a shop up to 150m2 floor area may be possible, but the Code zone is silent on this prospect. Council is concerned with the loss of the local variations relating to building size, siting and height and is of the opinion that inappropriate forms of development will be possible as a result of the Code. The existing zone does not envisage these uses at all with many being noncomplying. Council is also concerned that the zone's 'Table YoP/4 - Design Guidelines for Coastal Dwellings' has not been carried over. These guidelines provide important detailed advice to those who wish to build a dwelling as to how and in what way this should be done. Council does not believe this is acceptable and will in all probability result in a 'dumbing' down of the development outcomes. The Code zone does not appear to have covered the issue of land having a dual frontage to a road and to the coast. Council is of the view that policy needs to be carried over which addresses the orientation of dwellings and outbuildings to ensure desired outcomes. This will not be the case. This highlights the importance of the design guidelines referenced above being incorporated in some fashion into the Code zone as an Overlay or Sub-zone. Council notes that the land division provisions do reflect the minimum lot size of 1,200m2 for land not connected to a CWMS. A general issue with how the Code is to apparently work, however, is to ensure the on-site wastewater treatment systems are protected from encroachment by Accepted and DTS development that may be allowed in the zone Tables. In this case, the Coastal Areas Overlay eliminates these forms of development, but (as addressed later) this is not the case in the residential-based zones. Another general observation, strengthening the point made in item 4 above, is that TNV data for lot size (as with other development parameters) is not shown on the Consultation Map Viewer.</p>
10	14	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Employment Zone	Shops are allowed up to a certain size. They are currently listed as non-complying. Consideration to be given to this be amended
10	15	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Suburban Employment Zone - need for a TNV	Suburban Employment Zone doesn't contain a TNV. Land division in the Code is 1250m2 where as it is 1500m2 in the Development Plan (light Industry Zone). It is requested that a TNV be applied to apply the local variation
10	16	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Concept Plan - reinstate in Suburban Employment Zone	Suburban Employment Zone - Council seeks the existing Concept Plans Yo/P/3 and YoP/6 to be reinstated
10	17	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Township Activity Centre Zone	<p>There are significant land use changes that have an implication for the existing Local Centre Zone in particular. For example:</p> <ul style="list-style-type: none"> <li>Local Centre Zone - all forms of industry are noncomplying as are shops over 450m2 in floor area; all forms of development are Category 1 public notification; the emphasis is on small-scale shopping and services trades and the like</li> <li>Town Centre Zone - buildings up to 2 storeys in height; local addition requiring screening by various means; all forms of development are Category 1.</li> </ul> <p>The Code zone, which applies to both existing zones, does not make a distinction between the inherent different scale of development/land use of 'local' and 'town'. The Code zone allows bulky goods outlets up to 500m2 as a DTS, buildings up to 3 levels or 12m (unless a TNV is in place - some properties in the zone have a TNV for the required height, others do not), and some development (e.g. retail fuel outlet, educational establishment, emergency services facility, hospital, hotel, light industry) will be subject to Notification.</p>
10	18	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Suburban Business and Innovation Zone	<p>There are significant land use changes that have an implication for the existing zone. The Code zone is very metro-centric and envisages a range of employment-related uses including shops up to 500m2 as a DTS, signs up to 6m in height also as a DTS and for medium density residential development and medium rise buildings (up to 3 levels/12m in height in some circumstances). This is out of place in a country town context. The current zone envisages small-scale non-residential development that is complementary to housing which may co-exist on the same land. Shops are non-complying if they exceed 150sqm in floor area, a far more modest figure than the Restricted Development Table's of 1,000m2 for a shop. The Code zone will lead to significant changes in potential development outcomes. Council seeks an additional zone to better reflect the small-scale intent of the current Mixed Use Zone</p>
10	19	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Zones and Subzones	Rural Zone - application of Dwelling Excision Overlay	The 'Dwelling Excision Overlay' has not been applied to the area covered by the existing Primary Production Zone which currently has provisions for excising an existing farm dwelling. This needs to be rectified.
10	20	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Overlays	Water Protection Area Overlay - misapplication of Overlay	Existing Water Protection Zone is not adequately mapped as a Water protection Area Overlay. Needs reviewing
10	21	29-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Overlays	Water Protection Area Overlay	Although there are no Accepted or DTS development within the Water Protection Area Overlay, which is sound, there is no reference for excluding certain undesirable land uses altogether within this Overlay in the Restricted Development Table. Council believes that a range of development types as per the noncomplying list in the current Water Protection Zone ought to be considered for inclusion.
10	22	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Zone	Public notification for dwellings	The inclusion of detached dwelling within the notification table will have significant resource implications for Council and will have little to no community interest. This is not a notifiable form of development at present. Council is unsure of the benefit or the need for undertaking this notification.
10	23	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Zone	Sufficient policies?	The Code zone also provides for greater flexibility in defining criteria for large agricultural buildings, value adding industries and warehousing/distribution activities. This may be beneficial for primary producers and be to the advantage of the agricultural industry but Council has a concern with the potential for interface issues. Will the Code provisions, taken as a whole have sufficient strength to address the sorts of impacts that these uses may have?
10	24	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Suburban Neighbourhood Zone	Wastewater provisions	Wastewater requirements for CWMS areas as opposed to land requiring on-site waste treatment need to be reflected in new lot sizes for land division and for dwellings. Variation in minimum lot area should be subject to TNV data set. Council has requirements of 450sq m and 1,200sq m minimum areas respectively. The 1,200m2 minimum for on-site treatment does not appear to have been incorporated into the Consultation Map Viewer.



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10	25	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Suburban Neighbourhood Zone	Wastewater provisions	Also, this difference is not captured for numerous forms of DTS and performance assessed development e.g. outbuildings in particularly are regularly proposed over areas of on-site waste disposal resulting in system failure. Also, land division should further consider the location of existing waste control systems.
10	26	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Suburban Neighbourhood Zone	Public notification	Notification requirements for some forms of development appear to be onerous, e.g. the site of the development is adjacent to land in a different zone (needs to be much more tightly applied rather than a wide-sweeping notification for all developments, including presumably a standard domestic shed) and land division for more than 4 lots.
10	26	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Suburban Neighbourhood Zone	Restricted Development	Why is 'Shop' (over 1,000m2) a Restricted Development and no other forms of development with potentially greater impact (e.g. industry, waste treatment intensive animal keeping)? This does not work well with 'shop' being the only land use identified.
10	27	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Suburban Neighbourhood Zone	Concept Plan	Existing Concept Plan – Map YoP/6 Port Vincent Residential –contains important policy directions guiding the future (and desired) development pattern and structural form. Council notes with interest that in the Index of Technical and Numeric Variations part 6.3 brings back reference to such plans as shown in the consultation draft. In light of this, Council believes that its own Concept Plans should be reinserted for ease of reference. PO 14.1 in the zone allows for this.
10	28	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General neighbourhood Zone	Wrong Zone for Precinct 2 - Port Vincent	This precinct is a small area located on the southern fringe of Port Victoria. The precinct's policy reference is to Concept Plan Map YoP/4 which outlines the desired access, reserve and buffer strips. The PDC only allows for development when infrastructure and services are made available. None of this is reflected in the Code zone which allows for a wide range of land use and for medium density development on lots as small as 200m2 and 300m2 for a dwelling under DTS. The current Residential Zone makes provision for lots of 450m2 or 1,200m2 where not connected to a CWMS. These criteria are not reflected as TNVs for this area. Moreover, building heights are 2 levels or 9m. Current zone limits heights to 8m. However, it is not envisaged that the density of development in this area would be so intense. The Code zone appears to be metro-centric in its policy approach and is not a neat fit to cover the existing policy for this area. This zone also allows for a full range of residential types including residential flat buildings. The potential for larger-scale non-residential development is encouraged by the Code zone. For instance, shops up to 200m2 floor area are DTS. Developments of this nature and scale are not encouraged by the present zone which has been tailored via local policy to reflect its country town context. Nor are the proposed lot size criteria are appropriate to this area. The comment previously made regarding on-site wastewater treatment applies here as well. Likewise, with the only Restricted Development being a shop exceeding 1,000m2 floor area. Why no other forms of development?
10	29	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	General neighbourhood Zone	Wrong Zone for Port Vincent Marina – Policy Area 2	This PA is a very specialised residential area that has been developed in association with the marina. The current policies do not envisage retail/commercial type uses or multi-housing options apart from detached, semi-detached or row dwellings; nor, on the whole, further land division. As highlighted in item above, the Code zone runs counter to these policies in that it envisages a wide variety of housing types, including residential flat buildings, on lots down to 200m2 (300m2 for detached dwellings) as well as a broad range of non-residential activities. On this basis, the proposed Code zone is not complementary to the objectives for this area. The lot sizes, land use types and intensity of non-residential development is inappropriate. It has been observed that the Consultation Map Viewer does not reference any AHD levels for this area which are critical. The existing non-complying list makes buildings non-complying where they do not achieve minimum site or floor level AHDs.
10	30	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Living Zone	Dwelling setbacks	Discrepancy relates to existing setback provisions being specified from boundaries to the Primary Production and the Coastal Conservation Zones which are greater than the common setbacks, 40m and 50m respectively as against the standard 20m. The Code zone has boundary setbacks of 15m for a dwelling, 25m for other forms of development. With respect to the Restricted Development Table, the same point is made as above in several items, namely, why is 'Shop' (over 1,000m2) a Restricted Development and no other forms of development with potentially greater impact? This does not work well with 'shop' being the only land use identified.
10	31	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Living Zone	Limited Land Division Overlay	The precincts within the existing zone provide policy for minimum lot size only. The Consultation Map Viewer has the correct TNVs for the variations in the size apart from Bluff Beach - TNVB shows 0.75ha whereas the existing parameter is 0.8ha - and, most importantly, for the Limited Subdivision precinct (Precinct 3) has not been included on the TNV data. This Overlay is critical to prevent further land division and must be included. It has to be also referenced in the Restricted Development table. The other issue is that the policy in Precinct 6 Port Victoria Rural Living dealing with the configuration of new lots, namely the depth of a lot should not exceed 3 x its average width is not found in the Code zone. The Code zone's Restricted Development Table needs to be amended to include a listing of 'Land Division' where within the Limited Land Division Overlay.
10	32	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Settlement Zone	Absence of design guidelines	The design focus of the existing zone is not entirely reflected in the Code zone. This is highlighted by the absence of 'Table YoP/4 Design Guidelines for Coastal Dwellings'. These guidelines provide important detailed advice to those who wish to build a dwelling as to how and in what way this should be done. Council does not believe this is acceptable and will in all probability result in a 'dumbing' down of the development outcomes.
10	33	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Settlement Zone	Wastewater provisions	Common with another point made by Council, wastewater requirements for CWMS areas as opposed to land requiring on-site waste treatment need to be reflected in new lot sizes for land division and for dwellings. Variation in minimum lot area should be subject to TNV data set. Council has requirements in the current zone of 450m2 and 1,200m2 minimum areas respectively. The TNV data on the Consultation Map Viewer does not reference the 1,200m2 minimum lot area required where land is not connected to a CWMS, which is the case with the existing settlements. The data shows 450m2 only which is misleading.
10	34	19-Nov-19	Phase 2	Local Government	Andrew Cameron	Yorke Peninsula Council	Yorke Peninsula	Rural Shack Settlement Zone	Black Point	Yorke Peninsula - This is one of Council's most critical concerns with the way the Code will apply to Black Point. It is a very sensitive area environmentally and in terms of resident expectations for future development. Firstly, the Rural Shack Settlement Zone is not an appropriate name for the reasons outlined previously by Council. This needs to be reconsidered. Secondly, the nature of the proposed Code zone policy in regard to siting and design criteria does not reflect or address the desired development outcomes that are expressed in existing PA 3. This PA comprises all local policy that has been drafted specifically to deal with the settlement's unique setting and character. This is all lost in the transition to the Code zone which is unacceptable to Council. Similar points regarding the Code zone issues as identified in item 13 above apply here. However, as stated, Black Point is a special case from a development point of view. Although the low-scale, low density objectives of the PA are found in the Code zone and there are sufficient and important differences that would require a separate Overlay or Subzone being applied to Black Point. This is especially required when it is considered that the PA's 'Table YoP/5 -Design Guidelines for Black Point' has not been carried over. These guidelines provide important detailed advice to those who wish to build a dwelling as to how and in what way this should be done. Council does not believe this is acceptable and will in all probability result in a 'dumbing' down of the development outcomes. Many forms of development have deliberately been listed as non-complying in the PA, additional to the zone's. The absence of non-residential development being classed as Restricted Development is worrying for Council in that it does not have confidence in the Code provisions for resisting such development under the performance assessed mechanism; and, in any case, this leads to an issue identified above in item 6 where Council is likely to be faced with appeals against refusals, a cost which at the moment is not present.
11	1	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	Consultation period inadequate	Reasonable opportunity not afforded to Council to provide feedback due to limited staffing & inadequate timeframe
11	2	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	Code structure	Layout of the document (being PDF document rather than electronic tool) difficult to navigate and understand for Council and community.

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11	3	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General policy	Consultation period inadequate	Other Reform documents, such as Heritage and Character and Renewable Energy Discussion Paper, have also been on consultation during Phase 2. Regional Councils don't have resources to provide analysis and considered response concurrently.
11	4	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	Inadequate community engagement	Concerns with community engagement process to-date which is at odds with the Community Engagement Charter. Concerned that most of Wakefield Regional Council community are unaware of proposed changes.
11	5	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	Too metro focused	Planning Policy: Code too Metro-focussed.
11	6	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	Terminology	Naming Conventions: Use of the term 'Suburban' is confusing for rural communities. Request to return to former names or review new zone names.
11	7	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	General Feedback	Reducing prominence of town centres: should not include policy that supports commercial and retail development outside of town centres as this will weaken centres and collaborative efforts to support.
11	8	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General policy	Design in Urban Areas	Wastewater applications: some parts of townships referred to Design in Urban Areas policies which do not include provisions for Waste Control (as in the Design in Rural Areas policies).
11	9	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	Zones and Subzones	General Feedback	Many of the Non-Complying forms of development across the Code are now DTS or PA. Concern that inappropriate development will occur, especially where approved by third parties.
11	10	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	Overlays	Dwelling Excision Overlay	Dwelling Excision Overlay has not been applied to the Wakefield Regional Council area, though currently exists in Development Plan for habitable dwellings built before 21 January 1982. Want to apply in Council area in an appropriate manner.
11	11	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	Overlays	Coastal Areas Overlay	Areas at increased risk of sea level rise, such as Port Wakefield, do not have Coastal Areas Overlay applied. Request Overlay be applied, or a TNV that requires a site and FFL at 3.5 and 3.75 AHD respectively.
11	12	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	Overlays	Hazards (Flooding) Overlay	Significant resources invested in Flood Mapping in recent years, however has not been reflected in Development Plan as yet. Concern that this is not captured in the Code.
11	13	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	Zones and Subzones	General Feedback	Some areas within townships that do not have access to the CWMS but have minimum TNV site levels too small to allow for onsite waste control disposal. TNVs will need to be amended to reflect waste control requirements, or general provisions required.
11	14	29-Nov-19	Phase 2	Local Government	Sonya Jones	Wakefield Regional Council	Wakefield	General Feedback	General Feedback	Council is generally supportive of the proposed changes within the Code seeing a clear benefit for the local community, however need to ensure that information is appropriate for rural communities.
12	1	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	General Feedback	General Feedback	The time constraints put on councils is considered totally unreasonable, especially considering the magnitude of changes to the policies. Initially councils were informed that the Planning & Design Code will be a "like-for-like" conversion of current Development Plans. What was presented to councils is completely the opposite of what was promised.
12	2	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	General Feedback	Terminology	The introduction of these unfamiliar terms will complicate matters when dealing with interstate and international developers. Revert to SAPPL terminology
12	3	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	General Feedback	Terminology	Inconsistent terminology throughout Planning & Design Code which reflects input from various individuals.
12	4	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood Zone	No assessment undertaken as to the ability of Council's infrastructure to facilitate such a density. There is a significant infrastructure constraint, especially with waste water associated with Residential development. No justification has provided as to the appropriateness of this density (9 metre frontage width / 300m2 allotments for detached and semi-detached dwellings, 200m2 allotments for row dwellings) in regional areas. Whilst on-site wastewater provisions have been provided within the general module, these are not clear and do not provide up-front information to a user especially when coming from a metropolitan setting.
12	5	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood Zone	Excessive consultation for performance assessed development within the General Neighbourhood Zone. Understanding that Practice Direction 3 allows for the discretion of the Assessment Manager, the current extent of notification will result in either further procedural appeals or excessive CAP meetings and associated approval timeframes. Additionally there will be confusion created when Level 3 certifiers issue minor variation (deemed to satisfy) approvals for development that would otherwise need to be publicly notified (and a decision of the CAP). An example is the notification of a dwelling if it is on a site of less than 300m2 or a 9m frontage. In this case the site already exists. Or additionally if a dwelling does not meet three of the design features. In such an instance a certifier could grant consent as a minor variation from deemed to satisfy or it may be a notified assessment by CAP. The system needs to be simpler, clearer to the applicant and utilise the planning merit abilities of planners. Removal of the following from the performance assessed notification table: <ul style="list-style-type: none"> <li>Buildings exceeding the maximum height (9m or two storeys) – rather look at wall height adjoining boundary.</li> <li>Land division creating four or more additional allotments</li> <li>Dwellings that do not satisfy DTS/DPF 2.1 (site dimensions), 4.1 (building height), 5.1 (front setback), 5.2 (protrusions), 6.1 (min. 900mm secondary street frontage), 7.1 (walls on side boundaries), 7.2 (side boundary setback to semi-detached and row dwellings) and 8.1 (design elements).</li> </ul> Such forms of development currently do not trigger notification under the Development Act. Refinement of 'the site of the development is adjacent land to land in a different zone' to only call up development of an impact. If relevant provisions referencing DTS provisions are sought to be retained, these provisions should reference the zone name to avoid legal argument.
12	6	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	Public Notification	Proposed amendment to any zone where residential development is envisaged - Inclusion of the following forms of development within the performance outcome table: <ul style="list-style-type: none"> <li>Retaining walls</li> <li>Swimming Pool.</li> </ul> This will minimise public notification.
12	7	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	Public Notification	Include Advertisement within Table 3 – Performance Assessed pathway ensuring association with an approved use to ensure that this does not then trigger notification.
12	8	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	Car parking requirement	Schedule 4 currently seeks to ensure that at least one car park is set behind the main facade of the dwelling with the visitor park allowed for within the driveway. The current policy does not require this to occur resulting in parking provision completely forward of the building without the need for a garage. This will then result in a demand for garaging forward of building line.
12	9	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	Ancillary Accommodation	Ancillary accommodation should not be a deemed to satisfy form of development as they are not a standard tick box assessment to which certifiers can apply merit. Coastal holiday areas in particularly are having issues with such forms of development being used as second dwellings / holiday houses /air bnbs with associated impacts on CWMS infrastructure, stormwater infrastructure and parking in peak periods.
12	10	29-Nov-19	Phase 2	Local Government	Muller Mentz	Copper Coast Council	Copper Coast	Zones and Subzones	General & Suburban Neighbourhood Zone	Wastewater requirements are not called up for numerous forms of Deemed to Satisfy and performance assessed development. Outbuildings in particularly are regularly proposed over areas of on-site waste disposal resulting in system failure. Land division should further consider the location of existing waste control systems. The call up of wastewater provisions (Infrastructure and Renewable Energy Facilities [Wastewater Services]: DTS 12.1, 12.2) for the following forms of development: Carport, Outbuilding, Verandah, Ancillary Accommodation (if retained), land division & SA housing trust development.

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12	11	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General & Suburban Neighbourhood Zones	Spa / swimming pool is not located within the performance assessed table where located within areas that are subject to certain overlays. Accordingly such development becomes 'all other development' and subject to notification / a decision of the CAP.
12	12	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General & Suburban Neighbourhood Zones	1,000m2 restricted development trigger for shops within these zones is too large and opens the door for inappropriate development outcomes when the relevant DPF outlines 250m2. Doubling the floor area of the DPF within the restricted development table is reflective of the approach taken in other zones – recommend to amend from 1000m2 to 500m2.
12	13	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General & Suburban Neighbourhood Zones	It is considered that a proposal to demolish a state or local heritage place should be notified to the community. Such forms of development have been identified as having an importance to the state and local communities and accordingly such communities should have a right to comment.
12	14	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Employment & Suburban Employment Zones	DTS 1.3 outlines 500m2 shop floor area which is double the size of the existing non-complying shop trigger within the existing development plan. Large shops outside of the town centre are a major impact for regional centres. The proposed policy is a cookie cutter approach to planning policy and fails to reflect the nuances of regional areas. Consider Amendment of DTS 1.3 of employment zone to 250m2 and procedural notification table to 250m2 for shops. Amendment of DTS 1.2 of Suburban Employment Zone to 250m2 and procedural notification table to 250m2 for shops. Amendment of Restricted Development table to amend shop floor area from 1,000m2 to 500m2.
12	15	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Change of Zone	The intent of the Mixed Use Zone was to allow for the development of existing dwellings into offices whilst still reflecting the residential character. This is not reflected within the proposed Suburban Business and Innovation Zone. The suburban neighbourhood zone (which replaces the Residential Zone) does allow for such uses, in particularly on higher order roads such as Port Road to which the Mixed Use Zone currently abuts. Replace Suburban Business and Innovation Zone with Suburban Neighbourhood Zone.
12	16	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural Zone - notification	The inclusion of detached dwelling within the notification table will have significant resource implications for regional councils and will have little to no community benefit. Within the Copper Coast swellings should be on allotments of a size of 40ha + in which case dwellings should not have an impact requiring notification. Appropriate set back parameters can be implemented in policy.
12	17	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural Zone - Rural Industry	Rural Industry – requires 20ha of land. Current Development Plan policy allows for the division of rural industries. The remaining land may not be utilised appropriately utilised or required by the operator of an appropriate industry within the rural zone. Appropriate policy is however required to ensure that such industries are only located within such areas when necessary and have an association with such areas. Rethink the need for a Rural Industry to require 20ha of land.
12	18	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural Zone - more than 1 dwelling	The draft code seeks to implement policy to allow for more than one dwelling on an allotment in certain instances. This will create difficulty when owners seek to split off such dwellings. Such policy was removed previously from the development plan as interface issues were being created – the use of the second dwelling was not associated with the primary production use of the land. Additionally the concept of ageing in place was being replaced by the need for such residents to be in close proximity to township services and facilities. Existing development plan policy seeks to restrict such development to a detached dwelling per allotment. Ensure that the dwelling exemption within the limited dwelling overlay is for a detached dwelling only.
12	19	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural - envisaged uses	A shop is listed as an envisaged form of development. This is completely inappropriate as it calls up all instances in which a shop is not associated with the primary production use of the land or may exceed the allowable floor area. Amend DTS 1.1 (s) to outline where ancillary to the primary production use. Amend DTS 1.1(x) to outline where ancillary to the primary production use.
12	20	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural - dwellings assessment pathway	In accordance with the Planning and Design Code in its current form the construction of a dwelling on land zoned Rural is considered limited development which will require a decision by the SPC. The construction of any dwelling on land in the Rural Zone (former Primary Production Zone) should be Performance Based so it can be dealt with at local level.
12	21	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural - Limited Dwelling Overlay	This is an important subzone for the Copper Coast given the proliferation of existing small primary production allotments in particularly around Kadina / Wallaroo. We are just cautious of a capture all for the restricted development trigger as a dwelling located on an allotment exceeding 40 ha is appropriate. Amend the restricted development table to outline 'dwelling within the limited dwelling overlay – Except where it is a replacement dwelling or a detached dwelling located on an allotment exceeding 40 ha.
12	22	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural - Limited Land Division Overlay	Limited Land Division Overlay - Apply the limited land division overlay across the Primary production Zone with an exclusion to restricted for realignment or should the allotment meet a minimum of 100ha in area.
12	23	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural - land division policy	Insufficient policy to assess land division. Current policy is limited one policy being: <ul style="list-style-type: none"> <li>Land division, including boundary realignments promotes productive, efficient and sustainable primary production.</li> </ul> This outcome is achieved if the minimum allotment size is met however additional merit can be applied. Accordingly we are moving from a non-complying form of development to an as of right form of development – additional policy required to ensure land is not fragmented.
12	24	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Historic Mines Zone - wrong zone chosen	Completely inappropriate zone for historic mining areas. These historic areas are inappropriate for envisaged resource extraction and associated development. Replacement of Resource Extraction Zone with appropriate zoning that is reflective of the historic mining operations and ancillary development. A new Historic Mining Zone considered appropriate. If such an approach is not available, it is proposed that staff work with the department to utilise existing zones reflective of the general character of the area, upon which a Historic Area overlay can be applied.
12	25	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Mapping	Hazards (Bushfire Regional) Overlay	Inappropriate application of overlay over existing residential areas – this will remove any such development from the deemed to satisfy pathway and further impose inappropriate policies relating to fire tanks and vehicle manoeuvring. Remove the Hazards (Bushfire Regional) Overlay over areas that are subject to existing residential development.
12	26	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Site Contamination policies	Section (d) of the DTS Criteria to be deleted. An example is the development of the Incitec Pivot site. Boundary realignments have occurred and the creation of superlots understanding that this does not then make site contamination acceptable. Not called up within the Site Contamination Discussion Paper.
12	27	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Home Industry Zone	Needs to be amended to ensure that the dwellings are the primary land use and located at the front of the allotment. Industrial elements should be located at the rear of allotments. Suggest that a TNV be provided to manage nuisances across the state. The need for on-site waste water disposal requires a large allotment size than the suggested 750m2 in addition to the industrial activities requiring larger areas to operate. Copper Coast has 2500m2 to cater for an appropriate size to cater for both land uses.
12	28	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Employment Zone - wrong zoning	Inappropriate zoning over Council's CWMS treatment plants. Amend Employment Zone to Infrastructure Zone over Council waste treatment facilities at Wallaroo, Moonta and Kadina.



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12	29	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Employment & Suburban Employment Zone	Existing landscape provisions do not provide for an appropriate streetscape outcome in particularly on major entrances to townships. Amendment width of landscaping requirements to meet Council's landscape policy.
12	30	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Employment Zone	The proposed minimum allotment size 2,500m2 will create difficulty in achieving on-site waste disposal, stormwater disposal, vehicle manoeuvring, car parking and land use. Suggest increase size to 3000m2.
12	31	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Suburban Employment Zone	The proposed minimum allotment size 1250m2 will create difficulty in achieving on-site waste disposal, stormwater disposal, vehicle manoeuvring, car parking and land use. Increase minimum allotment size to 1500m2.
12	32	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Deferred Urban Zone – wrong zone	The Special Use Zone at Wallaroo and Kadina sought to identify old waste dump sites – not envisage future development. Change to Infrastructure Zone.
12	33	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Urban Renewal Neighbourhood Zone – wrong zone	Placement of the Coastal Vista area within Concept Plan Map CoCo/14 within an Open Space Zone (rather than Urban Renewal neighbourhood Zone).
12	34	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Urban Renewal neighbourhood zone - wrong zone?	Considered that a separate zone is required that is reflective of existing policy. 50m clearance distance from the Hughes Chimney Stack further requires policy inclusion within the zone as per Concept Plan Map CoCo/14. Implications on commercial development abilities (as currently allowed for) that need to be discussed with the developer.
12	35	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood Zone - wrong zone	Existing Residential Zone - Wallaroo Shores Policy Area. Place the medium density policy area into the General Neighbourhood Zone and the remainder of the Residential Zone into the Suburban Neighbourhood Zone. Place 450m2 Site area TNV over the Suburban Neighbourhood Zone with a 15m frontage width excluding those sites adjoining the existing residential interface which require a 20m frontage width TNV.
12	36	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Otago Road, Wallaroo – coastal settlement	Otago Road has a long history of managing building heights along the western and eastern sides. There is a need to consider retaining building heights as single storey on the western side of Otago Road and two storey on the eastern side – an expectation of the community to maintain coastal views. DPTI to review AHD levels. It is understood that the areas to the west of Otago Road contain AHD in the Development Plan but is not recognised as a TNV. Building height maximum to be 4.5m above natural ground level. Existing draft policy may allow for two storey development – demonstrated by notification table. New subzone required or TNV applied for maximum height to front row.
12	37	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Rural Shack Settlement	Ensure that a dwelling is not deemed to satisfy and front and rear setback provisions are considered. Consider a new Subzone or TNV applied.
12	38	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Infrastructure (Ferry & Marina Facilities) Zone - wrong zone	Inappropriate zoning for the desired outcome of this site by the developer including the ability to retain residential development. Proposed zoning is lacking in content and puts a focus on marina and ferry terminal facilities. New Zone Required which allows for residential development in association with the wharf / tourist accommodation development. New zone to reflect existing zone policy.
12	39	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood	Residential Zone – Wallaroo Marina Policy Area (a proposed Marina Zone is requested in the Code). 300m2 allotment size and 9m frontage does not work within the Marina. Current minimum allotment size is 1500m2 and additionally a large portion of land extends into waterway Portion of land is within waterway. Minimum FFL not set. 2.75m AHD site level and 3m AHD FFL. Semi-detached dwellings do not work as deemed to satisfy form of development. Such forms of development are currently restricted to a certain number of allotments as a result of infrastructure capabilities. No rear setback provisions from marina waterway. Pontoon would become a publicly notified form of development and require a referral to the Coastal Protection board for direction (off shore structure). Dwellings within 100m of the waterway will require referral to the CPB for direction. This is not necessary if minimum site and floor levels are retained.
12	40	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood Zone - wrong zone	Inverness Way This street has significant community interest and a long standing policy framework to address building heights. These have been designed to ensure that views from Barbican Court are not obstructed. There is also a key landmark site that promotes higher built form and more intensive development. This may require additional policies or Concept Plan. There are a number of precincts within the existing Policy Area that could be merged to assist in finding a way to incorporate into the Code. The key landmark site (and minimum building height) further requires retention. Subzone of a proposed Marina Zone is requested.
12	41	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Suburban Employment Zone - new subzone requested	Existing Commercial Zone – Motor Vehicle Policy Area. This land was rezoned to allow for motor showrooms and associated uses. The removal of its intent has dangerous implications for the economic development of the Kadina Town Centre and implications on adjoining property owners. Suburban Employment Sub Zone required that only envisages such motor vehicle showroom uses. Provisions of concept plan to be imported into policy.
12	42	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Suburban Greenfield Neighbourhood Zone - wrong zone	Inappropriate zoning for a residential golf course – seeking a 45 dwelling ha gross density. Existing infrastructure is insufficient for such a density. Gross density will include the golf course land. The proposed zone further fails to implement appropriate policy for housing that fronts a road and golf course. This site requires its own zone that speaks to the golf course, associated uses, club rooms, restaurant, and tourist accommodation. Currently there is no policy restricting the golf course area from being split up for housing. In particularly the area identified for the next 9 holes. The merit to this development was the golf course – a standard residential development may not have been supported – hence the concept plan. New Golf Course Zone required and the inclusion of the existing Concept Plan CoCo/8 This Concept Plan further outlines important infrastructure upgrades which is triggered by policy within the current Policy Area. It further ensures the appropriate location of ancillary uses which we do not want spread privately elsewhere within the zone. Golf Course Zone will need to require the retention of the Golf Course. Unlike other areas we cannot just place a Recreation Zone over the golf course as Stage 2 of this development is yet to commence.
12	43	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	General Neighbourhood Zone - wrong zone or subzone?	It is proposed to change from a Tourist Accommodation Zone to General Neighbourhood. Currently requires a referral to Coastal Branch (based on policies in Zone – see in Regulations reference to policies). Not necessarily need to be in the Coastal Areas overlay but to be aware of this. Consider moving the Coastal Areas Overlay boundary slightly east to incorporate only a small section along the western allotment. Council to provide feedback as to the appropriate location of the boundary. Consider a different policy framework (to the General Neighbourhood Zone) – possible new zone or subzone. Most likely a Subzone of the Tourist Development Zone. Subzone of the Tourist Development Zone.

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12	44	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Concept Plans	Request for the inclusion of the following Concept Plans: <ul style="list-style-type: none"> <li>CoCo/5 - infrastructure needs</li> <li>CoCo/6 - landscaping needs</li> <li>CoCo/8 - dunes golf course</li> <li>CoCo/9 - Inverness Way.</li> </ul>
12	45	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Insert into Tourist Development Subzone	Shang-Ri-La Development (Moonta Bay) - Allow for the appropriate expansion of this facility in line with existing DP policy. Request with Tourism Development Subzone and apply appropriate policy
12	46	29-Nov-19	Phase 2	Local Government	Muller menz	Copper Coast Council	Copper Coast	Admin Definitions	Rural emphasis?	The code seeks to implement administrative definitions for densities that are completely orientated around metropolitan Adelaide. An example is the definition of low density at less than 35 dwelling units per hectare. This equates to allotments of 285m2 and above. Even the suburban Neighbourhood Zone speaks to low density development, which when assessed against the definition – does not correlate with the desired outcome. Implement alternative density definitions for areas outside of metropolitan Adelaide. If this requires a separate code to be developed for regional south Australia then so be it.
12	47	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Land Division in Urban Areas	How are urban areas distinguished from rural areas? Why does the code seek to allow for 20% of open space to be used for detention / inundation? Should it not be up to Council to consider what it will accept as open space considering it will be Council's decision as to whether it agrees to have the land vested? How is stormwater considered for land divisions not hitting 5 allotments? 1 into 2 can in instance have significant stormwater impacts.
12	48	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Land Division in Urban Areas	Consideration of waste storage areas need to be pulled up not only at the design in urban areas module but further within the land division in urban areas module as the division should precede the built form and consideration of waste disposal must be pulled up at the division stage.
12	49	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Land Division + Infrastructure Module	Allow provisions to allow for augmentation of Council services within land divisions and development as allowed for by current policy. In a number of instances Council's are running their own CWMS facilities (not SA Water) and a policy trigger is required in order to receive allowable augmentation – as currently undertaken by other such service providers.
12	50	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Zones and Subzones	Caravan and Tourist Park Zone	No building heights in Caravan & Tourist Park Zone. Limit building height to 2 storeys.
12	51	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Design in Urban Areas	A number of stormwater considerations within the land division in urban areas need to further be considered at a land use stage and included within the design in urban areas module. This is as the floorplate impact may not be known at the division stage.
12	52	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Car Parking Table	A dwelling no longer requires vehicular parking behind the main façade of the dwelling – which Schedule 4 worked hard to correct. This promotes wider driveways and contradicts the intention to reduce on street parking in built up areas. For residential development, ensure that at least one car park is provided behind the main façade of the dwelling.
12	53	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Car Parking Table	4 per 100m2 for a consulting room is not sufficient especially in a rural area reliant on vehicular movements. Medical Centres (a group of consulting rooms) in particularly result in the need for significant vehicular parks due to the number of doctors, staff and waiting times. Increase on site vehicular parking rates for a consulting room to 10 per 100m2.
12	54	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Car Parking Table	Ancillary Accommodation requires at least one additional car park. Such development is increasing bedrooms and results in a stand-alone building which is able to be used independently.
12	55	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Car Parking Table	Funeral homes – from experience, 1 car park per 4 seats is still not sufficient however is a more appropriate measurement to 1 per 5. The nature of such facilities is changing so as to become a chapel / function centre.
12	56	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	General policy	Car Parking Table	Motel now replaced by Tourist Accommodation – Please keep in mind that in Rural Areas, tourists are driving to such facilities – unlike in Adelaide's CBD. 1 car park per guest room plus one car park per employee required.
12	57	29-Nov-19	Phase 2	Local Government	Muller Menz	Copper Coast Council	Copper Coast	Overlays	Hazards (Flooding) overlay	The Code Transition allows for the implementation of appropriate flood mapping that has been generated as part of Council's Stormwater Management Plan. Development (including division) remains inappropriate in such areas unless such matters can be addressed. Implementation of flood mapping in accordance with Council's stormwater management plans.
13	1	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Coastal Areas Overlay	Coastal Area Overlay: Council understands that this overlay extends to the lower water mark, not the high water mark.
13	2	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Historic Area Overlay	Historic Area Overlay: Beachport has been the subject of a recent Heritage Survey. Council would like it to be included in this overlay.
13	3	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Limited Dwelling Overlay	Limited Dwelling Overlay: This overlay is not mapped in Wattle Range Council (WRC) area, yet the Council Specific Code Extract includes it. Is this an anomaly?
13	4	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Local Heritage Place Overlay	Local Heritage Area Overlay: Please note that the Beachport Heritage Survey (completed) and future Heritage Surveys of other townships within the WRC area will require that additional items be included in and represented by the Local Heritage Area / Place Overlay.
13	5	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	State Heritage Area Overlay	State Heritage Area Overlay: Council acknowledges inclusion of Penola's Heritage Items.
13	6	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Limited Dwelling Overlay	Limited dwelling Overlay: This overlay is not mapped in Wattle Range Council (WRC) area, yet the Council Specific Code Extract includes it. Is this an anomaly?
13	7	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Zones and Subzones	Caravan and Tourist Park	Caravan and Tourist Park Zone: The Southern Caravan Park is not included in this zone.
13	8	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Zones and Subzones	Conservation Zone	Conservation Zone: It is acknowledged that the Dwelling Subzone is located within the Conservation Zone and mapped as such. However, the Council Specific Code Extract (CSCE) includes 3 others (Small-scale Settlement, Aquaculture, Recreation and Visitor Experience) that are not mapped within WRC boundaries. Is this an anomaly?
13	9	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Zones and Subzones	Rural Living Zone	Rural Living Zone: Two subzones appearing in the CSCE (Animal Husbandry & Intensive Horse Establishments) are not mapped within WRC boundaries. Is this an anomaly?
13	10	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Zones and Subzones	Township Zone	Township Zone: It is understood that there are no subzones mapped within the Township Zone in WRC. However, the CSCE mentions Nairne Redevelopment & Redevelopment subzones. Is this an anomaly?
13	11	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General policy	Waste Treatment and Management Facilities	Waste Treatment and Management: Is this policy intended to be the extent of direction with regard to Waste Water Control Systems?

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13	12	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General policy	Waste Treatment and Management Facilities	Waste Water Management: Council is concerned that requirements for On-Site Waste Management (Waste Water Control Systems) have not been integrated with the Development Assessment Process (DAP). <ul style="list-style-type: none"> <li>At what stage does an applicant provide relevant plans for WWCS?</li> <li>Does Council still receive an Engineer's report?</li> <li>Do setbacks for Accepted Development include provision for septic tank location?</li> <li>How does Council regulate future development compromising WWCS, particularly if it is not a Performance Assessed Development?</li> <li>How will Council fees for connection of new and existing allotments to Council CWMS Schemes be conveyed to developers (e.g. land divisions etc.)?</li> <li>Some specific information addresses WWCS in the Residential Neighbourhood Zone (DTS/DPF 8.1). Will these matters be extended to address other areas?</li> </ul> Essentially: Could DPTI please clarify how Waste Water Management issues will interact with the DPI Act and the P&D Code and at what stage of the DAP a referral to an Environmental Health Officer will take place, if at all?
13	13	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Mapping	Technical and Numeric Variations	Index of Technical and Numeric Variations: How are Part 6.4 (Minimum Allotment Sizes), Part 6.5 (Minimum Allotment Frontage Sizes), Part 6.6 (Building Heights - Metres), Part 6.7 (Building Heights - Levels) interpreted? Is there any way of linking this information to actual zones, subzones, sites etc. so that it may be applied directly resulting in the TNV Overlay becoming more transparent?
13	14	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Does the Clock stop when referring a DA to CAP?
13	15	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Will there be an alternative for Staged Development approvals?
13	16	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: When will training be provided to local government staff in rural areas?
13	17	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: How does Council process Community Group DA fee waivers?
13	18	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Could clarification be provided with regard to signage content / placement for the public notification process?
13	19	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: As an application is only defined as "lodged" once fees are paid, does the 5 days to verify that the application is valid occur after fees have been paid?
13	20	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Why is there no longer a requirement to submit a copy of the CT as part of the lodgement process? What is in place to safeguard against easements being built over or encumbrances being ignored?
13	21	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Are Private (Planning & Building) Consultants (as Accredited Authorities) or DPTI required to notify Council of approved developments that Council has not assessed?
13	22	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	Overlays	Coastal Areas Overlay	General Comment / Query: How does Council's Southend Coastal Adaptation Strategy (and future Coastal Adaptation Strategy for Beachport) interact with / be included in, the Coastal Overlay?
13	23	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: How will Council be advised when existing buildings / structures have been demolished so that Council records may be updated, and accuracy of Section 7 searches may be retained?
13	24	29-Nov-19	Phase 2	Local Government	Michelle Lynton	Wattle Range Council	Wattle Range	General Feedback	General Feedback	General Comment / Query: Concerns are raised that Council infrastructure (footpath, water table, kerb, side entry pits etc.) may be impacted given that crossovers will no longer be required to be referred to Council's engineer for comment and/or permit under the new system. This is particularly relevant where development is privately certified. How will this be addressed?
14	1	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	General Feedback	General Feedback	Note that it is tedious to attempt to find how the new system is different from the old in terms of assessment, as the current arrangement of zone policies, overlays, general requirements and numerical and technical variations all must be referenced. Trying to compare old and new policies without a working mapping tool and various missing elements has resulted in an incomplete re view of the new system. Undertaking consultation on this basis where there are many new criteria for assessment which have not been highlighted, leaving it for Councils to individually discover new policy or where existing policy has been omitted, is unsatisfactory and not consistent with the Community Engagement Charter. The general public would generally have no idea of what is contained within the new system and holding a poorly advertised public meeting to allow for comment is not consistent with the tenets of meaningful engagement.
14	2	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Native Vegetation	As with all areas of the state outside Metro Adelaide, all Accepted Development in urban zones is subject to the Native Vegetation overlay. This effectively removes any development from the Accepted class except internal modifications, Solar PVs and demolition. Thus all urban development in rural areas is "Deemed to Satisfy" or "Performance Assessed". Generally all Deemed to Satisfy development requires compliance with Native Veg overlay DTS 1.1. DTS 1.1 requires a declaration from the applicant stating proposal will not involve clearance of native veg or that clearance is subject to exemptions. Otherwise a report under Regulation 18(2)(a) i.e. native veg clearance report prepared by an approved person must be provided. Performance assessed development calls up all NV overlay provisions for assessment. In particular PO 1.1 and 1.2. PO 1.1 allows Council to determine if development avoids or results in only minimal NV clearance. In the majority of cases, this would apply in Wudinna. However where NV is present, Council must determine the impact. PO 1.2 refers to types of vegetation to be cleared but is poorly worded and difficult to interpret. It generally would be outside the expertise of a Council planner doing assessment to make these determinations. Comment: Where NV clearance would occur due to development, the onus for requiring compliance with NV legislation now rests with local councils as it is linked to the DA process. Previously, approval for clearance was a separate process under the Native Vegetation Act. The matter of there being no Accepted Development class within non-metro areas is perhaps an unintended consequence of the blanket application of the NV overlay. As this does not apply to the Rural Zone it appears an oversight. It would be preferable to exclude towns and zoned urban areas from the NV overlay or otherwise revise the wording to remove the blanket application of the NV overlay.
14	3	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Hazard (Bushfire – Regional)	The bushfire overlay applies to the entire Council area except for limited existing built up areas of Wudinna, and some smaller settlements. Overlay intends to provide suitable access to firefighting vehicles and to locate building to minimise threat of bushfires. Affects deemed to satisfy development in many zones. Similar to some bushfire provisions in Development Plan.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
14	4	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Airport Building Heights (Regulated)	This overlay implements existing Concept Plan Wud/1 Airport Building Heights into the P and D code. The colours of the overlay are very close together and difficult to read, however this might change with the on line version of the code which is likely to have the numerical values associated with the colours. It is assumed they all correlate with the current plan. The overlay is called up in assessment of development in the Employment Zone and Business Neighbourhood Zone (old Industry Zone and Mixed Use Zone) which is where it currently applies in the Development Plan. However, two types of development listed as accepted in the Employment Zone which may occur in the current "no structures" area; tanks and shade sails, do not reference Airport Building Heights (Regulated) Overlay. This should be amended as any structure in this area may impact the flight path.
14	5	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	State Significant Native Vegetation	State Significant Native Vegetation Overlay affects some Rural Zone land. Can't find any policies related to this overlay in the Code. This appears to be an omission from the Code.
14	6	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Water Resources	Water Resources Overlay affects areas comprising "Lake Yaninee" and generally a band of land southwest of the Eyre Highway from Wudinna to north of Waramboo. Not sure how these areas are defined or the base data they rely upon. The mapping provided would not be exact and there would be no distinguishing ground features which delineate the areas affected. The overlay policies were not included in the Wudinna policy set. Overlay in overall P and D code has a range of polices affecting development and has referral requirements for a number of development types.
14	7	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Building Near Airfields	Building Near Airfields Overlays covers an area 6.5-7km from the Wudinna Airport. Overlay policies not included with Wudinna policy set P and D Code refers to outdoor lighting, bird attracting activities. Restricts the following relevant activities where an airport has commercial or military flights (not currently affecting Wudinna): b. horticulture; c. intensive animal husbandry; d. showground; e. waste management facility; f. waste transfer station. This has some consequence if the airport starts operating commercial flights.
14	8	29-Nov-19	Phase 3	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Mapping	Employment Zone	Employment Zone. The concept plan in the recent DPA is not carried over to the new plan and there is no policy vehicle it appears to implement a concept plan. This is an omission of existing policy.
14	9	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Mapping	Building Height TNVs	Max building height and building height (stories) affects residential land northwest of Highway in Wudinna. Not able to tell what the height restrictions and no. of stories are as numerical and technical overlay values are not provided in consultation material. There does not appear to be existing building height restrictions in current Wudinna Plan. Query as to requirement for additional policy. Two storey height limit TNV has been applied as the residential area will be Suburban Neighbourhood Zone. TNV is a DTS so higher buildings would be perf assessed.
14	10	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Mapping	Minimum Lot Size TNV	Affects Rural Living land and residential zoned land in Wudinna. Values have not been provided so they can't be checked. Currently Res zone requires allotments to be minimum of 800m. RL zone required a minimum allotment size of 1 hectare but an average allotment size of 2.5h over a whole plan of division excluding road. Not able to tell if this is carried over. 800m2 TNV for residential and 1ha TNV for Rural Living have been applied.
14	11	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Mapping	Minimum Frontage Size	A minimum frontage size Technical and Numeric variation affects the Residential Zone. This is 15m in the plan. Unable to confirm the value at the moment. There is not minimum frontage size variation for the RL Zone notwithstanding there is a 50m frontage requirement in the current plan. There should be a TNV for the RL zone to pick up this frontage requirement. Min Frontage TNV 15m has been applied to Residential Zone. No TNV for Rural Living Zone.
14	12	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone at Wudinna is fairly consistent with current policies in existing Commercial Zone, although zone becomes essentially light industry rather than commercial. Similar zone intent. Note shop restriction is lifted from 250m2 maximum to 1000m2. As very few shops in rural areas are over 1000m2 there is realistically no restriction on shops in employments zones. May well have impact on town centre zones.
14	13	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Employment Zone	Appears to be a Suburban Employment Zone at Wudinna is fairly consistent with current policies in existing Commercial Zone, although zone becomes essentially light industry rather than commercial. Similar zone intent. Note shop restriction is lifted from 250m2 maximum to 1000m2. As very few shops in rural areas are over 1000m2 there is realistically no restriction on shops in employments zones. May well have impact on town centre zones. Note that shops up to 1000m2 are allowed for in the Employment Zone whereas previously shops over 60m2 were non-complying. This may have an impact upon the viability of centre zones by encouraging the relocation of existing shops to potentially cheaper land. Many additional assessment criteria in comparison with existing policy.
14	14	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Business Neighbourhood Zone	Current Mixed Use Zone has changed to Business Neighbourhood Zone. A major change is that Motor Repair Station is now a Restricted Use whereas it was previously an envisaged use in the MU Zone. An anomaly is the restriction to 500m2 for shops whereas Employment zones can have shops up to 1000m2. The issue with shops in non-centre zones needs more thought for smaller towns.
14	15	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Overlays	Native Vegetation Overlay	Rural Zone. Deemed to Satisfy criteria for all listed developments except for carport excludes NV overlay. Appears an omission or error (Might be a recognition that NV assessment should not apply to developed farmland – this needs to be broadened to other zones in the rural area.) It is noted that farming not subject to NV overlay – the only accepted use in Rural Zone – Therefore Council need not be involved if farming is to be undertaken on previously uncleared land, or land on which regrowth has occurred. Currently, suitably processes for veg clearance exist in the NV Act and these should be relied upon rather than requiring Councils without suitable expertise to implement the NV Act.
14	16	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Rural Zone	There is allowance for excision of an allotment containing an existing dwelling or an approval. Allotments size comes from Rural Land Division General Development Policy – Reference to Technical and Numeric Variation overlay in respect to land division size. Can't find detail re allotment sizes. Dwelling Excision Overlay is being applied. Limited Land Division Overlay applies, so no TNV required.
14	17	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	General policy	Land Division in Rural Areas	PO 5.1 reference in the General Module for Land Division in Rural Areas to minor land division: Land division proposing an additional allotment under 1 hectare in area provides or supports the provision of open space. This is unclear. There are currently no OS requirements for small land division except for contribution for smaller lots. Is this a reference to OS contribution? This should be clarified as it is not practical for a small scale land division to provide open space.
14	18	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Recreation Zone	Nearly all development in the Recreation Zone is code assessed and subject to notification – no restricted development. Existing zone has long list of non-complying uses. Setback provisions are different – new zone is generic 50m whereas current zone has 20m setback. This is a DTS provision and need not be adhered to.



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14	19	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Suburban Neighbourhood Zone	<p>As a general observation, development generally is subject to a much expanded range of assessment criteria. In regard to the assessment of a dwelling in the Wudinna Suburban Neighbourhood Zone, the following additional criteria will have to be satisfied:</p> <ul style="list-style-type: none"> <li>• Site coverage less than 50% - no current restriction in Wudinna. Tendency for large sheds and outdoor undercover areas to provide shade in a harsher climate make this restriction onerous.</li> <li>• Connection to water, sewer systems or standalone – rainwater storage: Now an allowance for standalone systems where rural council may seek to have all new development connected to community wastewater schemes.</li> <li>• Windows of 2m2 facing street.</li> <li>• Habitable room facing the street</li> <li>• Area of site to be landscaped</li> <li>• Trees, number and size per dwelling.</li> <li>• Rainwater tank required to collect runoff from 60% of roof to service toilet and laundry. Not appropriate or practical in low rainfall areas.</li> <li>• Carparking space dimensions.</li> <li>• Development should not impair solar access to adjoining dwellings as at 21 June.</li> <li>• Development should not impair solar access to outdoor open space – need shading plans to determine these things.</li> <li>• Area for bins and pathway to bins – very fine detail of individual lot design required here.</li> <li>• Site contamination issues – no change of land use or land use change is less sensitive. Otherwise an environmental audit is required. This is a massive overkill and impractical to try to enforce – yet it is a deemed to satisfy criteria.</li> </ul> <p>In all there are approx. 30 different deemed to satisfy criteria for assessing a dwelling in a residential zone. Many additions relate to non-planning matters. Generally, it would appear that meeting all the various DTS criteria will leave many people giving up on the process. Councils will then have to assess in accordance with performance assessment criteria (which are just as numerous and onerous).</p> <p>Errors:</p> <ul style="list-style-type: none"> <li>• In reading through the tables and referring back to general development guidelines there were a number of incorrect heading references and reference to missing DTSs.</li> <li>• Current 80m2 and 120m2 shed size allowances not carried through.</li> <li>• Re Deemed to Satisfy provisions for Carport and sheds there is an incorrect references to DTS 17.1 and 17.2 in Design in Urban Areas. Should be ref to DTS 18.1.</li> <li>• Other references appear to be for dwellings and not relevant to sheds and carports. This section needs a review for accuracy.</li> </ul>
14	20	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	General Feedback	General Feedback	<p>Comment: It is likely that there are more errors which are likely to be discovered when the new system is operational. There should be a means to easily correct the code where technical errors are discovered or difficulties in application of the code through practice arise without having to go through a laborious code amendment process.</p>
14	21	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Rural Living Zone	<p>Deemed to Satisfy in the Rural Living Zone excepts development subject to NV overlay – then refers to NV overlay DTS 1.1 as a criteria.</p>
14	22	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Rural Settlement Zone	<p>Note that NV overlay is not an exception for DTS development for Rural Settlement Zone. RL may be an error. Correct reference to NV DTS 1.1 omitting DTS 1.2 reference (which doesn't exist). Reference to all overlay policies whereas these were more specifically defined in other zones.</p>
14	23	29-Nov-19	Phase 2	Local Government	Stewart Payne	Wudinna District Council	Wudinna	Zones and Subzones	Township Activity Centre Zone	<p>Similar in intent to existing – dwellings are not restricted (currently non-complying) – only industry is restricted. This is a sensible amendment removing a policy anomaly that was overly restrictive. However this represents one of many “changes by stealth” introduced by the new system and only discoverable by thorough study.</p>
15	1	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Conservation Zone	<p>In many cases, the current policy allows for the replacement of a detached dwelling in the River Murray Flood Zone and certain Policy Areas within the River Murray Zone. The proposed Conservation Zone removes this exception and represents a significant shift in the policy approach applied in these specific circumstances. MRLGA thus seek the reinstated of policy which permits the replacement of existing detached dwellings in-line with current policy controls. This could be via a modified Dwelling Subzone.</p>
15	2	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Rural Shack Settlement Zone	<p>Rural Shack Settlement Zone should be considered for application over River Murray shack areas.</p>
15	3	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Rural Shack Settlement Zone	<p>Dwellings in Rural Shack Settlement Zone / shack areas should be performance assessed.</p>
15	4	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	River Murray Flood Plain Overlay	<p>MRLGA seeks clarity from DPTI on the rationale for the use of the River Murray Protection Area as opposed to current 1956 flood mapping contained in Development Plans.</p>
15	5	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	River Murray Flood Plain Overlay	<p>MRLGA seek the reinstatement of the 1956 flood level (e.g. demarcation of the extent) within the River Murray Flood Plain Overlay as an additional element. This will provide clarity and remove reliance on mapping held by individual Council's.</p>
15	6	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	River Murray Flood Plain Overlay	<p>MRLGA suggest existing townships a (including Renmark), urban areas and Caravan Parks (e.g. Paisley, Loxton, Waikerie, Renmark and Berri etc), within the flood levee protection area should be excluded from the flood mapping.</p>
15	7	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Mapping	Flood Plain Mapping	<p>MRLGA suggests working with DPTI and DEW to determine both the accuracy and currency of 1956 flood plain mapping and to introduce elements of exposure and vulnerability. In doing so, consider the inclusion of new mapping to address identified flood risk arising from the 1974 flood. This will provide greater understanding of flood characteristics and potentially delineate between areas of risk, in turn facilitating development across the flood plain.</p>
15	8	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Conservation Zone	<p>MRLGA request the removal of Tourist Accommodation in the Visitor Experience Subzone” from the Conservation Zone’s restricted development classification.</p>
15	9	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	River Murray Flood Plain Overlay	<p>Given the shift of a number of developments from non-complying to performance assessed, it highlights the importance of having comprehensive policy guidance on what forms of development are appropriate and how they should be designed etc. Mid Murray in particular have comprehensive policy on retaining walls, jetties, mooring facilities etc. which should to be replicated and complemented with other policies relating to tourism and farming / horticulture.</p>

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15	10	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	AHD information	MRLGA request to insertion of a TNV to address known minimum AHD levels.
15	11	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	River Murray Flood Plain Overlay	MRLGA request DPTI to exclude the River Murray Flood Overlay Area from townships and urban areas.
15	12	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	Hazards (Acid Sulfate Soil)	MRLGA seeks to confirm the basis of mapping and review frequency.
15	13	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Overlays	Hazards (Acid Sulfate Soil)	MRLGA seeks clarity for a review of the currency and accuracy of this mapping.
15	14	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	River Murray Flood Plain Overlay	The Flood Resilience policy in the River Murray Flood Overlay is supported, however, there is concern how a planning authority can appropriately manage the proliferation of pumps under DTS 7.3.
15	15	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Conservation Zone	Approach is inconsistent, for instance, a petrol filling station is performance assessed and a dwelling is restricted, question why a petrol filling station is performance based? Request DPTI address these inconsistencies
15	16	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	Zones and Subzones	Conservation Zone	Policy is too coastal based and does not address the riverine environment. Request DPTI to update Conservation Zone policies to also have regard to riverine environments.
15	17	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	General policy	Climate Change	MRLGA recommend reinstating the hazard risk minimisation Performance Outcome for all zones where personal or public safety may be an issue and add a reference to future hazards. E.g. "Habitable buildings designed and sited to manage the risks of natural hazards on personal and public safety and property."
15	18	29-Nov-19	Phase 2	Local Government	Tim Smythe (CEO)	Murraylands and Riverland Local Government Association	Multiple (Murraylands and Riverland)	General policy	Climate Change	Recommend a consistent approach to identifying the impact of climate change on future risks be applied to all bushfire and flood hazard overlays."
16	1	29-Nov-19	Phase 2	Local Government	Paul Mickan	Barossa Council	Barossa	General policy	Assessment Pathways	<p>Recommend the following forms of development have an accepted or DTS pathway, and if performance assessed, are not subject to notification (e.g. if adjacent a different zone):</p> <ul style="list-style-type: none"> <li>Retaining wall</li> <li>Fence</li> <li>Post and wire fence</li> <li>Deck</li> <li>Windmill</li> <li>Flagpole</li> <li>Detached incinerator</li> <li>Tree house or cubby house.</li> </ul> <p>It is recommended that all acts and activities listed in Schedule 4 are explicitly referenced in each zone in the Code to address instances where they require development approval, together with rational assessment pathways and decision making authority taking into account the scale of development –i.e. identify them as either Accepted, Deemed-to-Satisfy or Performance assessed. As an example, it seems unreasonable for a deck of 500 m height to be exempt from approval, but one of just 100 mm higher at 600 mm to then 'jump' to the other end of the assessment spectrum, where intervening triggers might be applied whereby a less onerous assessment pathway might apply depending on height and setback from boundaries for example.</p>
17	1	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	General Feedback	Consultation process	The limited consultation period within which Council and the community have had to review and comment on the draft Code has also impacted upon Council's ability to thoroughly review and consider the proposed changes. As a result, there is still a level of uncertainty within our local community as to how the future assessment of applications under the Code may impact upon the form, character and appeal of our Council area.
17	2	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	General Feedback	Consultation process	An important component of this are the controls upon development within the historic core of the Robe township. Whilst it is understood that this important area of the town will be covered by the Historic Area Overlay the Department has only recently released the draft Historic Area statement which is critical in outlining the appropriate scale, form and appearance of new development within this area. Council's Heritage Advisor is finalising their review of the new heritage provisions and the draft Historic Area Statement. I anticipate that Council will be able to forward on these comments to the Department in the coming week. As such we seek a minor extension to the consultation period to allow those comments to be finalised and submitted.
17	3	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Historic/Heritage Overlays	Council has met with the National Trust of South Australia and is extremely concerned with any weakening of the protections afforded to heritage buildings and the character of areas across the state that are protected through Contributory Items. The key reason that people choose to live and visit Robe is because of the historic village feel and the environment. Tourism is the key growth area of our economy and contributes significantly to the South Australian economy. Council does not want a rushed decision to result in poor outcomes that cannot be reversed once enacted.
17	4	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	General Feedback	Consultation process	We also need to make you aware that the unreasonable timeline has meant that Council has not been able to engage with or seek the views of our community to the proposed Code.
17	5	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Character Area Overlay	A Character Area statement for the Character Area Overlay is yet to be prepared by the Department. Council request that the statement be prepared with the assistance of Council to ensure the retention and enhancement of the existing character of the historic core of the Robe township within the Character Overlay area.
17	6	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Character Area Overlay	Council recommend further consideration be given to the inclusion of the current Town Centre Zone within the Character Overlay area.
17	7	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Zones and Subzones	Recreation Zone	Amend the Recreation Zone, or apply a separate sub-zone, to allow for the future development of dwellings and tourist accommodation associated with the Robe Golf Course as currently permitted within Open Space Zone Recreation Precinct Area 4.
17	8	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Zones and Subzones	Township Activity Centre Zone	Maximum building height of two storeys/nine metres be applied to the Township Activity Centre Zone to align with the established height limit and current Development Plan restrictions.

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17	9	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	General Feedback	General Feedback	Concerns are raised that Council infrastructure (footpath, water table, kerb, side entry pits etc.) may be impacted given that crossovers will no longer be required to be referred to Council's engineer for comment and/or permit under the new system.
17	11	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Significant Tree Overlay	Norfolk Island pines along the foreshore and Smillie Street to be mapped and included within the Significant Tree overlay.
17	12	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Native Vegetation Overlay	The Native Vegetation Overlay appears to apply to the entire Council area. This results in the unreasonable limitation of Accepted development within most zones.
17	13	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Coastal Areas Overlay	The Coastal Overlay extends to include several commercial and residential properties along Mundy Terrace and Smillie Street. It is unclear as to what mapping or information has been used to determine the extent of this overlay in this area.
17	14	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Mapping	Technical and Numeric Variations	The current Coastal Marina and Settlement Zones incorporate specific Finished Floor Levels (FFL's) for development to account for future sea level rise. This does not appear to have been incorporated within the draft Code.
17	15	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Zones and Subzones	Rural Settlement Zone	The current Settlement Zone has a minimum allotment frontage of 20 metres which does not appear to be reflected within the Technical and Numerical Variations section of the draft Code.
17	16	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Zones and Subzones	Suburban Neighbourhood Zone	The reference to PO 17.1 and 17.2 in the Suburban Neighbourhood Zone for Ancillary Dwellings in Table 3 and for carports, verandahs and outbuildings (garages) within Tables 2 and 3 should be changed to PO 16.1 and 16.2.
17	17	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Hazards (Bushfire – Urban Interface)	It appears that the Hazards (Bushfire – Urban Interface) has been incorrectly applied to the entirety of the Robe township.
17	18	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Hazards (Bushfire - medium Risk) Overlay	Consideration should be given to the removal of the Medium Bushfire Overlay from the southern end of the Residential Zone and portions of residential area at Long Beach.
17	19	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	Overlays	Limited Dwelling Overlay	Consideration should be given to removing the Limited Dwelling Overlay from the Rural Zone as this will result in new dwellings being a restricted form of development which is not reflective of the current policy intent.
17	20	29-Nov-19	Phase 2	Local Government	James Holyman	District Council of Robe	Robe	General Feedback	Next Steps	Council remains committed to working with the Department in the implementation of the new Code and planning system. We see value in the intent of the Government with the new Act and Code but Council urges you to extend the consultative period to allow appropriate consideration and feedback on the Code from not only Council but also our community. We must ensure the best outcome for South Australia and this is best achieved with diverse views from proper engagement across our communities. Should any clarification of the above be required please contact myself or Council Planning staff to discuss.
18	1	27-Nov-19	Phase 2	State Government Board	Felicity Lewis (Presiding Member)	Adelaide and Mount Lofty Ranges (AMLR) Natural Resources Management Board	Adelaide Hills; Mount Barker	General Feedback		The Board supports natural resource related overlays (native vegetation, water resources, etc.), Conservation Zone that provides for a more consistent treatment of conservation parks across the state, and embedding water sensitive and green infrastructure design principles for new developments.
18	2	27-Nov-19	Phase 2	State Government Board	Felicity Lewis (Presiding Member)	Adelaide and Mount Lofty Ranges (AMLR) Natural Resources Management Board	Adelaide Hills; Mount Barker	General Feedback		The Board notes that information relating to some environmental legislation (the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and the <i>National Park and Wildlife Act 1972</i> ) are not reflected in the overlays or the SA Planning Atlas. We encourage DPTI to consider including this information in the Atlas where it will not be a legal impediment, but can inform and educate users about potential regulatory barriers upfront, rather than environmental assets being perceived as 'blocking development'.
19	1	28-Nov-19	Phase 2	Federal Government Agency	Charles Mangion (Director, Land Planning & Regulation)	Department of Defence	Multiple	General Feedback		Code specific comments: <ul style="list-style-type: none"> <li>• Building Near Airfields Overlay</li> <li>• Defence Aviation Area Overlay</li> <li>• Aircraft Noise Exposure Overlay.</li> </ul> Other issues raised: <ul style="list-style-type: none"> <li>• Defence Presence in South Australia</li> <li>• Urban Encroachment</li> <li>• Aircraft Noise</li> <li>• Building Height Restrictions</li> <li>• Tall Structures</li> <li>• Public Safety</li> <li>• Extraneous Lighting</li> <li>• Bird Strike</li> <li>• Turbulence / Windshear</li> <li>• Training Area Noise and Vibration.</li> </ul>
19	2	28-Nov-19	Phase 2	Federal Government Agency	Charles Mangion (Director, Land Planning & Regulation)	Department of Defence	Multiple	Mapping	Application of Zoning	Defence requests that the Code adopt a consistent zoning for all Defence sites within SA through either a new 'Defence Land Zone' or through the application of the Commonwealth Facility Zone as used in Phase Edinburgh and Cultana (Phase 3). This would relate to Woomera Range (Phase 1), Murray Bridge Training Area, Port Wakefield Proof (Phase 2), and Keswick, Warradale and Woodside Barracks (Phase 3). This may also apply to Osborne Naval Shipyard. Would need consideration of how much of the activity within these sites is actually removed from the SA planning system currently through Commonwealth control.
19	3	28-Nov-19	Phase 2	Federal Government Agency	Charles Mangion (Director, Land Planning & Regulation)	Department of Defence	Multiple	Overlays	Building Near Airfields Overlay	Suggests inclusion of: <ul style="list-style-type: none"> <li>• CASA lighting maps (as exists for Edinburgh in current Dev Plans)</li> <li>• Birdstrike maps</li> </ul> Essentially wants further incorporation of NASF in the Overlay.
19	4	28-Nov-19	Phase 2	Federal Government Agency	Charles Mangion (Director, Land	Department of Defence	Multiple	Overlays	Defence Aviation Area Overlay	Further policy detail required - expand to inclusion of temporary structures (i.e. cranes) as well as over height vegetation etc. to be more in line with Defence regulations



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
					Planning & Regulation)					
19	5	28-Nov-19	Phase 2	Federal Government Agency	Charles Mangion (Director, Land Planning & Regulation)	Department of Defence	Multiple	Overlays	Aircraft Noise Exposure overlay	Seeking specific reference to ANEF system and AS 2021 in order to provide guidance on how to assess development within the Overlay, and how the Overlay is prepared. Ensure that the ANEF contour shown in the Overlay is the most up to date (it was taken from development plan, assuming this is ANEF 2022?).
20	1	28-Nov-19	Phase 2	State Government Board	Ian Harvey (A/Chief Executive)	Green Industries SA (formerly Zero Waste SA)	Multiple	Overlays	New 'Waste and Recycling Overlay'	Waste and recycling services should be viewed as an essential service like other utilities. A waste and recycling overlay would offer a level of visibility similar to other utility topics. Overlay provisions could apply to different tiers of recycling and waste management in line with the systems provided by local government and support the safe and convenient movement of materials from buildings to waste and recycling collection points including vehicle access by different vehicles.
20	2	28-Nov-19	Phase 2	State Government Board	Ian Harvey (A/Chief Executive)	Green Industries SA (formerly Zero Waste SA)	Multiple	General policy	Site waste and recycling requirements	Changes are suggested to a range of Code provisions to address recycling, segregation of waste, overhead clearance for truck to lift bins, and similar refinements if a waste and recycling overlay is not prepared. The changes involve amendments to 3 general development policy modules: (a) Design in Urban Areas (b) Design in Rural Areas and (c) Housing Renewal.
21	1	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	General Feedback		Code specific comments: <ul style="list-style-type: none"> <li>• Hazard (Flooding) Overlay</li> <li>• Prescribed Surface Water, Water Resources and Watercourses Overlays</li> <li>• Referrals</li> <li>• Native Vegetation and State Significant Native Vegetation Overlays</li> <li>• River Murray Flood Plain Overlay</li> <li>• Animal Keeping and Horse Keeping General Provision</li> <li>• Rural Zone.</li> </ul> Other issues raised: <ul style="list-style-type: none"> <li>• Conservation Zone Clarity re Linkages to SPPS</li> <li>• Policy lost in transition</li> <li>• Cumulative impacts of development.</li> </ul>
21	2	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	General Feedback		It is recommended that the code should include references to the relevant SPP, to improve the connection between the two planning tools and reinforce the requirements of the code.
21	3	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	New Threatened Species Overlay	There should be a general requirement for any development to avoid or minimise impacts on biodiversity. Although the introduction of the two native vegetation overlays will give some benefit to reducing development impacts on biodiversity, it is noted that the code is generally light on mentions of species or habitat outside of native vegetation, conservation or coastal overlays or zones. It is important that biodiversity is recognised as being of value in almost every location, and therefore it is recommended that more code policies consider how to protect and enhance biodiversity. A threatened species overlay would be a useful addition for developers to appreciate where impacts on key habitats or species could be avoided.
21	4	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	General policy	Land Division in Rural Areas General Policy Land Division in Urban Areas General Policy	Although the introduction of minimum landscape areas on new developments, and provision of deep soil areas for tree root zones are a welcome step, it is questionable as to what long term benefit they might provide. If there is no requirement to retain them post development approval, how will the code improve the current rate of canopy decline? Incentives may be an option to encourage landholders to invest in long term biodiversity gains.
21	5	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	RAMSAR Wetlands Overlay	The Board welcomes the introduction of the water overlays which give proponents a spatial reference to the referral triggers for water affecting activities, water allocations and dams. The addition of the Ramsar wetland overlay is also a good addition, although the policy transition appears to have unnecessarily strengthened existing and adequate provisions from development policy.
21	6	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Rural Zone	The existing Rural Zone policies focused on: <ul style="list-style-type: none"> <li>• the particular character of this area,</li> <li>• the land use activities envisaged there and the proximity to the River Murray and its tributaries and;</li> <li>• the need to protect these assets through good design and construction management.</li> </ul> In transitioning this area to the code overlays and zoning hierarchy the land falls within the rural zone, which does not clearly connect the land use to its surrounding environment, and has many variations across the state. This is just one example of where generic zoning has resulted in some relevant policies from existing development plans not being transitioned.
21	7	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	General policy		Although it is recognised that the Code may not be the appropriate tool for consideration of cumulative impacts, there are areas of the code where cumulative impacts could be mentioned. By not including this in the code, it relies on regional plans to address the SPP principle that "Policy framework should be able to respond to emerging challenges and cumulative impacts identified by monitoring, benchmarking and evaluation." Specifically SPP4 Biodiversity lists one of its purposes as "assessing the cumulative impacts of development on biodiversity, including spatial, temporal and incremental impact."
21	8	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Hazards (Flooding)	The 'Planning and Design Code Consultation online Map Viewer' does not include a reference layer to clearly show the boundaries of the 1956 River Murray floodplain. At present, the 'River Murray Floodplain Overlay' includes the 1956 floodplain plus the buffer. Recommend adding the 1956 floodplain boundary into the mapping system – either connected to Flooding overlay or River Murray overlay.

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21	9	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Prescribed Surface Water, Water Resources and Watercourses overlays	Desired outcome statements related to the take or use of water do not align with the purpose of the referral. There is also a need to include the natural flow paths of watercourses, in moving water across landscapes and meeting ecological needs. Suggest amending the desired outcome to broaden the context and include the context of the watercourses and their function.
21	10	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Prescribed Water Resources	The Prescribed Water Resources Overlay appears to be missing a referral for dams. AMEND Referral table to include dams.
21	11	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Prescribed Water Resources	Existing SAPPL policy protecting watercourses has not transitioned to the relevant overlay – Water Resources Overlay. The guidance requires a minimum 20m strip of land from the top of existing banks on either side of a watercourse as a buffer, to exclude livestock, development or modification and to allow room for revegetation to reduce runoff and improve the aquatic environment. This can help protect watercourses from impacts of many land uses on surface water runoff. AMEND to include the SAPPL policies.
21	12	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Referrals	Part 9	Reference to River Murray Protection Area Overlay is confusing as it is not an overlay in the code. Suggest removing this reference from Part 9.
21	13	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Referrals	Part 9.2	Commercial forestry – incorrect reference to the NRM Act – should be 127(5)(ja) not 127(3). AMEND reference to NRM Act.
21	14	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Native Vegetation and State Significant Native Vegetation	The Native Vegetation and State Significant Native Vegetation Overlays are a welcome addition to the planning tools. However it is noted that the code continues to reference species, habitats and fauna in traditionally expected areas such as under these overlays, in the conservation zone and coastal overlays. Species, habitats and fauna are considered in all aspects of development and the use of just the term 'native vegetation' in the native vegetation overlay could limit the understanding of the desired outcome. AMEND Desired outcome to broaden the scope and include items not always considered as NV – grassland, samphire etc. The Native Vegetation Overlay Desired Outcome mentions revegetation but the POs do not. Suggest amending Performance outcomes so that revegetation or enhancement is included.
21	15	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	River Murray Flood Plain Overlay	River Murray Flood Plain Overlay DTS/DPF 5.6 – There is a requirement that facilities for the collection of effluent from moored vessels are not located within the 1956 Murray River Flood Plain – how is that possible?
21	16	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Overlays	Animal Keeping and Horse Keeping	Currently farmers establish confinement Feeding areas (CFAs) as a dry times drought measure for feeding livestock. This is particularly important to preserve vegetative cover in paddocks and in doing so, minimise wind erosion risk. As NRM Boards we support this practice as it assists to prevent large scale land degradation from overgrazing. Confinement Feeding Areas require specific animal husbandry management due to the animal being housed in close proximity. Previously some local government areas required farmers to obtain a permit to establish a confinement feeding area and some did not. A good reference for best practice establishment can be found at: <ul style="list-style-type: none"> <li>Managing Sheep in dry times</li> <li>Stock Confinement areas.</li> </ul> Confinement feeding areas should be permitted under the Animal Keeping Overlay so long as these are not established and maintained as permanent feedlots and are used as a measure for management of livestock when there is not likely to be sufficient vegetative cover in paddocks. This may be most summers in some parts of the state.
21	17	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Rural Zone	How will intensification in land use in this zone be measured and controlled? Will regional plans define acceptable levels of landscape change? The rural zone could be supplemented with a primary production overlay to provide the protection allowed in the present primary production zone. At present all primary production land is presented as equal, whereas this sector does not characterise its land in this way. Regional plan or improved code policy to consider landscape changes? Consider amending how primary production land is valued – perhaps this is best left for regional codes to consider?
21	18	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Suburban Neighbourhood	It is noted that this zone has been applied across the state to many small regional towns which are not well developed or well matched to the nature of this urban zone. Suggest reconsidering the urban centric nature of some zoning applications.
21	19	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Conservation Zone	The use of the term 'contemplate' is unclear. Suggest that a clearer definition is needed to consider: <ul style="list-style-type: none"> <li>What this will mean for parks considering tourism. Should a Park Management Plan also be clear about where tourism would not be a suitable development?</li> <li>The new style of MPs is more theme based and less prescriptive, when combined with a vague mention of tourism in a MP could this cause issues with unsolicited proposals for development?</li> <li>Are the considerations for interface issues equally addressed for stakeholders living or managing a business fringing a park?</li> <li>Even with a 50m buffer, could a tourism development on park, unintentionally restrict existing rural activities?</li> <li>Would the existing land user outside the park have sufficient consultation and/or recourse?</li> </ul>

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21	20	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Conservation Zone	The small number of restricted developments appears to allow a variety of developments which would not be appropriate in this zone e.g. industry, renewable energy facilities etc. Suggest reconsidering how the conservation zone is supposed to protect parks and what activities should be excluded or restricted.
21	21	28-Nov-19	Phase 2	State Government Board	Dianne Davidson (Presiding Member)	South Australian Murray-Darling Basin Natural Resources Management Board	Multiple	Zones and Subzones	Conservation Zone	It is noted that the application of this zone to protected areas is inconsistent in online mapping, it is hoped that this will be addressed prior to phase 2 going live in April 2020.
22	1	29-Nov-19	Phase 2	State Government Agency	Rodney Harrex (Chief Executive)	South Australian Tourism Commission				<b>NOT FOR PUBLICATION</b>
23	1	29-Nov-19	Phase 2	State Government Board	Allan Holmes (Presiding Member)	Coast Protection Board	Multiple	Zones and Subzones	Conservation Zone	Offshore islands protected under the <i>National Parks and Wildlife Act 1972</i> or <i>Wilderness Protection Act 1992</i> should be zoned "Conservation".
23	2	29-Nov-19	Phase 2	State Government Board	Allan Holmes (Presiding Member)	Coast Protection Board	Multiple	Mapping	Significant Landscape Protection Overlay	The proposed Significant Landscape Protection Overlay is not mapped on Kangaroo Island and possibly elsewhere. The spatial application of current policy settings that protect coastal landscapes of high scenic quality needs to be reflected in the Code.
23	3	29-Nov-19	Phase 2	State Government Board	Allan Holmes (Presiding Member)	Coast Protection Board	Multiple	General policy	Finished floor level requirements	'Coastal hazard risk minimisation policy' does not apply to land outside of the Coastal Areas Overlay, e.g. Port Pirie, Fisherman Bay. This is particularly concerning with respect to flood hazard risks. Existing flood hazard policy (e.g. Development Plan General Section provisions and building site and floor level requirements at zone level), should be transitioned.
23	4	29-Nov-19	Phase 2	State Government Board	Allan Holmes (Presiding Member)	Coast Protection Board	Multiple	Zones and Subzones	Rural Shack Settlement Zone	Existing policy settings that enable relocation of specific shack sites (e.g. Black Point) need to be clearly articulated in the Code - the Rural Shack Settlement Zone may need refinement.
23	5	29-Nov-19	Phase 2	State Government Board	Allan Holmes (Presiding Member)	Coast Protection Board	Multiple	Zones and Subzones	Dwelling Subzone	The proposed "Conservation Zone – Dwelling Subzone" should only apply to coastal areas where existing local policy settings identify specific land parcels or precincts for residential development (e.g. Lower Eyre Peninsula Development Plan, Coastal Conservation Zone Precinct Specific Provisions 22-34). Broader application of the Subzone (e.g. the entire Adelaide Plains Council coastline as proposed) is inconsistent with the Conservation Zone and Coastal Areas Overlay, and may lead to unreasonable development expectations.
24	1	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	General Feedback	General Feedback	<ul style="list-style-type: none"> <li>Urban-centric Terminology.</li> <li>Consistent Zoning for National and Conservation Parks.</li> <li>Performance-Assessed Development in Conservation Zones - particularly the use of the word "contemplated" in describing Tourist Accommodation as a restricted development in the Conservation Zone.</li> <li>Native Vegetation Approvals.</li> <li>Commercial Forestry and Biodiversity Carbon Plantings.</li> <li>Protection of Threatened Species and other Planning Enhancements.</li> </ul>
24	2	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Zones and Subzones	Suburban Neighbourhood	Some changes in terminology under the Code are Adelaide-focused and unfortunate. The Zoning for rural townships will be 'Suburban Neighbourhood' (previously 'Residential'). 'Sub-urban' presupposes the existence of an urban centre, and in these case there is none. Use of this title outside of Adelaide and its satellite cities is erroneous. The Board recommends the use of 'residential' be retained to describe residential zones.
24	3	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Zones and Subzones	Rural Shack Settlement	The current 'Coastal Settlement' Zone will translate to 'Rural Shack Settlement'. The change to 'Rural Shack' Settlement is not supported by the Board. Coastal living zone would be a more appropriate term.
24	4	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Zones and Subzones	Conservation Zone	Consistent Zoning for National and Conservation Parks - Recognising that "under the current planning system parks are zoned many different things in Development Plans", the KI NRMB is very pleased that the Code enables a consistent approach to park zoning such that "all of our parks will be included in a Conservation Zone". We therefore find it regrettable that online maps have been made available under consultation to "view the proposed zonings" that show Kangaroo Island's parks with their existing zonings albeit under Code labelling, i.e. in large part as 'Rural'. The proposed zoning shift to 'Conservation' has not been reproduced in these online maps. This has caused unnecessary confusion within the local community and we have raised this matter with our departmental contact.
24	5	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Zones and Subzones	Conservation Zone	Performance-Assessed Development in Conservation Zones: The KI NRMB notes with concern that Tourism Accommodation in the Conservation Zone is restricted, subject to being in an area proclaimed under the <i>National Parks and Wildlife Act 1972</i> / <i>Wilderness Protection Act 1992</i> , and is contemplated by the relevant 'management plan' prepared in accordance with that Act. The use of the term "contemplated" invites subjective and contestable opinions. In order to meet the Code's Drafting Principle: to be "clearly worded, concise and easily understood, and provid[ing] consistency in interpretation and application", we believe that provision (or not) for Tourism Accommodation should be clearly stated in management plans.
24	6	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Overlays	Native Vegetation and State Significant Vegetation	The KI NRMB agrees that the integration of planning and native vegetation approvals through the application of Native Vegetation and State Significant Native Vegetation Overlays should deliver a clearer and more streamlined assessment process. Too often native vegetation assessment is perceived by developers and landowners as an unforeseen and unwelcome bureaucratic imposition subsequent to the planning approvals process. This move will bring awareness of the issue to the core of the planning approval process.
24	7	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Land use Definitions		We note that under the Code, the state Forestry policy module is being updated to include "the use of commercial forestry plantations for carbon sequestration". We believe this is an opportune moment to amend this definition and include a further definition for biodiverse plantings which do not constitute genuine commercial forestry. We suggest that the definition of Commercial Forestry could be narrowed along the lines: single or limited species plantings using non indigenous or non-locally provenanced species planted in a regular linear planting design, for the primary purpose of commercial-scale harvesting or carbon sequestration. Biodiverse Plantings could be defined in terms of being multi species plantings using locally provenanced species planted in a random or scattered manner approximately reflecting natural distribution, for the primary purpose of one or more of: the provision of ecosystem services to agriculture and the wider community, biodiversity conservation, or carbon sequestration.

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24	8	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	Zones and Subzones	Primary Production Zone	Biodiverse Plantings could be limited such that native vegetation constitutes no more than 30% of a property in the Primary Production Zone, except where: <ul style="list-style-type: none"> <li>plantings are for the primary purpose of biodiversity conservation of threatened or endangered species whose existing habitat is demonstrably under represented and can be shown to have occurred on the property,</li> <li>land additional to the 30% can be objectively demonstrated to not have high capability for farming and horticulture.</li> </ul> The conditions (a) to (c) noted above as applying to commercial forestry on Kangaroo Island might also be requirements for Biodiverse Plantings exceeding the 30% limit. This would permit landowners to grow appropriate stands of native plants on other than prime agricultural land in order to sequester carbon as well as deliver agricultural benefits, without triggering a change of land use and the consequent requirement for planning approvals.
24	9	29-Nov-19	Phase 2	State Government Board	Andrew Heinrich (Presiding Member)	Kangaroo Island Natural Resources Management Board	Kangaroo Island	General policy		Further examples of good and sensible enhancements of the State Principles of Development Controls in the KI Development Plan that the KI NRMB believes should continue to guide development on Kangaroo Island include: <ul style="list-style-type: none"> <li>Landscaping should include the planting of locally indigenous species.</li> <li>Development should preserve and enable the management of sites of heritage, cultural, scientific, environmental or educational importance.</li> <li>Buildings and structures to accommodate tourists and associated activities should have a minimum setback of 100 metres from [roads etc.] unless it can be demonstrated that a lesser setback would assist in avoiding areas of high value remnant native vegetation.</li> <li>Marine aquaculture development should: <ul style="list-style-type: none"> <li>be ecologically sustainable,</li> <li>not significantly obstruct or adversely affect areas of outstanding visual, environmental, commercial or tourism value,</li> <li>be sited, designed, constructed and managed to minimise interference and obstruction to the natural processes of the coastal and marine environment.</li> </ul> </li> <li>Land-based aquaculture ponds should be sited and designed to: <ul style="list-style-type: none"> <li>prevent any overflow that would enable the species being farmed to enter any watercourse, drainage line or other water body,</li> <li>minimise the need for intake and discharge pipes to traverse sensitive coastal or riparian environments,</li> <li>Development should ensure that pipe inlet and outlets are located to minimise the potential risk of disease transmission.</li> </ul> </li> </ul>
25	1	29-Nov-19	Phase 2	State Government Agency	Kathryn Bellette (Director, Strategy and Assessment)	Environment Protection Authority				<b>NOT FOR PUBLICATION</b>
26	1	29-Nov-19	Phase 2	State Government Agency	John Schultz (Chief Executive)	Department of Environment and Water				<b>NOT FOR PUBLICATION</b>
27	1	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General Feedback	General Feedback	Code is excessively large and complex. Training and flow charts required to assist Industry understand and use the new system.
27	2	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Traffic, Access and Parking / Design in Rural Areas	Design restrictions around driveway/entrance widths on sites less than 20m, and over 20m, being applicable to infill developments are again being applied to regional and rural areas, which appears to be totally unnecessary, especially as many rural and regional roadways may not have fully formed concrete kerb & drainage channels. These restrictions will reduce the number of applications using the DTS approval process.
27	3	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	The Design Code requirements on sites less than 12m wide limit garages under the main roof to a single width. Where the applicant may require two car garage uncover, the design could introduce a tandem car parking designs, however with a 10m maximum restriction on boundary wall construction the tandem garage is not possible.
27	4	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	As set out above where tandem garages are not possible the restriction in garage doors widths on site less than 12m will severely impact on standard designs and community expectations to house both cars under cover.
27	5	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Front façade design requirements such as front facing entry doors and minimum windows sizes, stifles architectural design and flexibility creating standardized designs that may not blend in with the character of surrounding homes not matter what era.
27	6	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Code increases the sizes of garages above Australian Standards. The costs to industry to change standard designs, display homes etc. is unwarranted. Planning policy and objectives for increased private garages, should be clearly articulated to industry and the general public?
27	7	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Variation in open space requirements for dwellings mean that there is significant variation in open space requirements (e.g. between 300m2 site and 301m2 site).
27	8	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Waste bin storage area 3m <sup>2</sup> + the required 800mm access walkway, can't be located in front of the dwelling, won't fit down the side of the dwelling with 900mm set-backs, the only remaining space is in the open space area.
27	9	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Residential accommodation finished floor level to be 300mm above top of kerb
27	10	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Tree planting requirements - The impact such trees have on Adelaide's expansive soils and the structural implications around the failure of concrete footings (designed in accordance with the Building Code of Australia) and the erected building, appears to have been overlooked or not clearly articulated or referenced within the Design Code.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
27	11	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Land Division in Urban Areas	The requirements relating to the filtration of stormwater runoff on "one" residential infill development of 5 >19 dwellings within the "Land Division Urban Areas" policy guidelines, is "excessive and totally unnecessary".
27	12	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	The requirement to have all rainwater tanks on residential sites plumbed to all toilets, laundry and other outlets is excessive and unnecessary over existing requirements. The requirement also is at odds in regional areas where rainwater is the preferred potable water used for drinking, cooking etc. over very hard mains water. This requirement unless amended reduces the opportunity for Deemed to Satisfy requirements.
27	13	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	General policy	Design in Rural Areas	Stormwater drainage target requirements that 80% of the roof area must drain to the rainwater tanks adds considerable costs in drainage schemes particularly around infill developments, and is not justified, and may cause flooding, especially as the Building Code now has mandated overflow provisions for eaves gutters.
27	14	28-Nov-19	Phase 2	Development Industry Representative Group	Stephen Knight (Executive Director)	Housing Industry Association Ltd (SA Branch)	Multiple	Overlays	General Feedback	Overlays result in too many applications requiring lengthy and costly approval processes. Overlay requirements should be reviewed to exempt particular development classes, particularly residential classes of development commensurate with objectives of GRZ and NRZ.
28	1	29-Nov-19	Phase 3	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Multiple	General policy	General Feedback	Advocates for a strategic approach to regional retail centre and supermarket locations - does not support places that accommodate uncapped retail development outside the mainstreet or centre of towns. The flexible zoning of activity centres and mainstreets should be confined to the town's actual main street to drive investment and growth in core areas rather than the periphery of towns. Calls for consistency between Township Activity Centre and Main Street zones and not apply suburban level zoning in regional areas.
28	2	29-Nov-19	Phase 2	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Renmark Paringa	Zones and Subzones	Suburban Activity Centre Zone	In the mainstreet area of Renmark, a portion of the Suburban Activity Centre Zone should be changed to Suburban Employment Zone.
28	3	29-Nov-19	Phase 3	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Pt Augusta	Mapping	Amend application of zoning	Existing Neighbourhood Centre Zone at Pt Augusta is remote from the mainstreet and is proposed to transition to a Suburban Activity Centre Zone - suggest this should be changed to the Suburban Neighbourhood Zone pending further review.
28	4	29-Nov-19	Phase 2	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Berri Barmera	Mapping	Amend application of zoning	In Berri, land proposed to be Township Activity Centre Zone should be changed to an employment zone.
28	5	29-Nov-19	Phase 3	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Mt Gambier	Mapping	Re-zoning of section of land in Suburban Neighbourhood Zone	The existing District Centre Zone at Mount Gambier is transitioning to the Suburban Activity Centre. This includes vacant centre land which should be reconsidered as the General Neighbourhood Zone.
28	6	29-Nov-19	Phase 3	Industry Representative	Colin Shearing (Chief Executive Officer)	South Australian Independent Retailers	Multiple	General policy	Restricted Development trigger - shops	Reduce restricted trigger for a shop from 1000m2 to 500m2 in employment and neighbourhood zones, which would be more consistent with current non-complying triggers.
29	1	29-Nov-19	Phase 2	Infrastructure Provider	Liz Brierley (Head of Asset Management)	South East Australia Gas Pty Ltd (SEA Gas)	Multiple	Overlays	Strategic Infrastructure Gas Pipelines Overlay	Insufficient in managing risk to public safety for land in the vicinity of high pressure natural gas pipelines. Code will afford less consideration to pipeline risk than existing processes. Would like to propose more specifically defined overlays that recognize the requirements for pipeline safety under the South Australian <i>Petroleum and Geothermal Energy Act 2000</i> (PGE Act). Amended policy and mapping example provided.
30	1	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Consultation Process	Timeframes: Whilst we recognise that DPTI is presently bound by Parliament to deliver the code, in full, before 1 July 2020, we are concerned that there is limited time for the industry to test and familiarise themselves with the system.
30	2	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Consultation Process	Resourcing: The request for rural and regional councils to be provided with additional time and resources to assist with transition to the PDI Act and code is not, in our view, reflective of a desire to stymie development or to prevent the implementation of the code, but rather, reflects the limited resources of rural and regional councils who do not have the same resources as their urban counterparts.
30	3	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Next Steps	Resourcing: It is important to recognise the need to review the funding arrangements, on an ongoing basis, to enable the effective implementation of the code. In saying this, we acknowledge that this issue is not limited to local government and it is our understanding that current funding to DPTI for the reform work provided by treasury is limited to July 2020. We strongly advocate that given the nature of these changes to our planning system, that business as usual resources from 1 July 2020 may not be sufficient and we support DPTI in advocating for more resources post 1 July 2020. As the introduction of the new planning system has brought many unresolved strategic planning issues to the fore, we strongly advocate the need for ongoing financial and physical resources to be made available to DPTI post 1 July 2020.
30	4	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Next Steps	Resourcing: We have, and will continue to have, a planning system in South Australia that has a high level of involvement from the legal sector. It is likely that, if the system is not resourced sufficiently, the community and the development industry will bear the financial burden of any system failure through legal challenges. This could, potentially over time, create barriers to development occurring as intended by the planning reforms, PDI Act and code.
30	5	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Next Steps	Resourcing: An option to address the resourcing issue is the implementation of a testing period from 1 April 2020 to 1 July 2020. During the 'testing period', dedicated on-ground educational resources could be provided for Phase 2 councils to ensure that they are fully prepared for the implementation of the code on 1 July 2020. If considered, this has the capacity to increase confidence around the new planning system and may avoid 'lags' in the full, efficient and effective transition to it.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
30	6	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	ePlanning	E-Planning: The new e-planning system will require additional educational resources in some Phase 2 councils where there is limited staffing and limited readiness for electronic assessments. Should Phase 2 of the code commence in April as expected; rural and regional councils will need detailed information as to the content and the makeup of the e-planning portal, ahead of time, in order to properly prepare for its use and operation. We strongly advocate for both Councils and DPTI to work in partnership to ensure that information is shared in order for Councils in particular to be business-ready to deliver assessment services from 1 July 2020. It is imperative that any training program is scheduled well ahead of time, particularly given the availability of staff within the development sector during December, January and February.
30	7	29-Nov-19	Phase 2	Development Industry Representative Group	Elinor Walker (President)	Planning Institute of Australia	Multiple	General Feedback	Next Steps	Errors and Anomalies: PIA is cognisant that DPTI have not had the luxury of time, nor resources so as to ensure that the versions of the code currently on public exhibition are entirely error-free. We would strongly advocate for DPTI to be able to make the appropriate amendments before the Code is live, so that any errors or anomalies in policy or mapping do not allow undesirable development outcomes to be approved. We appreciate DPTI's efforts to communicate amendments to mapping and identified errors. We respectfully submit that if alterations to the code are required, that they are be delayed until the end of the relevant consultation dates. If alterations are made, they should be accompanied by clear information detailing the extent of the changes made, so as to avoid confusion from landowners, developers, accredited professionals and the community more broadly. Should DPTI distribute a 'What we heard' report on the outcomes of consultation on the code, we recommended that it include a 'what we will do' response which covers amendments to the code and their purpose. We advise this in context of minimising confusion and providing clarity to the sector.
31	1	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Rules of Interpretation	Application of Policies to Classes of Development	It would appear that a proposed development that has a series of elements is to be placed on public notification the vast majority of times, even if the element of non-conformance is minor in nature. There needs to be an ability for the planning authority to be able to consider whether a development, or an element of the proposal, is of a minor nature and public notification is not required.
31	2	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Rules of Interpretation	Policies - Desired Outcomes and Performance Outcomes	If a proposal meets a DPF then the proposal should be considered to meet the relevant PO. The wording in this section does not provide certainty.
31	3	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Concept Plans	Too many existing Structure Plans and Concept Plans in the Development Plans have been removed. These plans provide spatial guidance for development of land that policy text either can't provide or due to the slimming down of policy content in general is unable to provide. Often the spatial elements in such plans have been the outcome of negotiations between developers/landowners and local/State government. It is acknowledged some such plans are out of date – they should be revisited. In the Residential Neighbourhood Zone the following policy exists. This should be in all Zones: "PO 11.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within the Concept Plans Technical and Numeric Variation Overlay. DTS/DPF 11.1 None are applicable."
31	4	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Demolition	Demolition should be Accepted in all Zones with the exception of a local or State heritage item or area or in the Historic Area Overlay. It is Accepted in the Urban Renewal Zone.
31	5	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Public Notification	In most Zones development will need to go on public notification where the site of the development is adjacent land to land in a different zone. It is considered this should only apply when the adjoining zone is of a different type (e.g.: industry next to residential, or residential next to coastal).
31	6	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Public Notification	A very high proportion of 'performance assessed' developments will require public notification due to definition of adjacent land. For the purposes of public notification adjacency should only apply to sites in a different Zone type, not just a different Zone.
31	7	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Accepted Development	A retaining wall <=1m in height should be Accepted in all Zones. A retaining wall <=1.5m in height where not visible from public space should be DTS.
31	8	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Accepted Development	Home Industry - As per the Development Regulations this land use should be Accepted in all residential type zones
31	9	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Boundary wall DTS	In most residential type zones there is an ability to have a maximum of 10m of wall on a boundary. The Design in Urban Areas General Development Provision DTS 23.1 policy will mean more garages will need to be stacked with a minimum length of 11m. If this is the garaging / wall on boundary outcome that is sought then there is inconsistency between the two.
31	10	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Deemed-to-satisfy - Group dwellings	As a common form of residential development, particularly in infill locations, group dwellings should be able to be DTS. In most residential type Zones such development will be performance assessed.
31	11	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Centres and retail	There is lack of Centre policy in the General Development Provisions. There is an abandonment of the Centres hierarchy that is fundamental to the spatial arrangement of urban form in towns and cities. Given the size of towns in the Phase 2 area this is more of an issue for the Phase 3 PD Code.

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31	12	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Retirement facility	Retirement villages are not considered in all residential type zones.
31	13	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Fence	In many Zones fencing is not listed as Accepted or even DTS. Fences that are 2.1m in height alongside (behind the dwelling façade) and rear boundaries should be Accepted in all residential type Zones.
31	14	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Industry in Neighbourhood Zones	Industry, particularly General Industry and Special Industry, should be Restricted in all residential type Zones.
31	15	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Site Coverage in Neighbourhood Zones	Site Coverage is a metric that is not required when you have site area, setbacks, and private open space metrics. In recent years there have been a few zones created that have deliberately removed site coverage as a policy element as it is superfluous.
31	16	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Advertising	Advertising signs for land divisions, particularly larger estates (50 + lots), have the need for signs that are typically 6 x 3m in size and are elevated around 2.5m off the ground to minimise graffiti. Such signs often have to go through a public notification process, but rarely get refused. They are often a temporary use (<5years). Insert policy into residential type zones that enables one sign (as per comment) for every 500m of road frontage.
31	17	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Setbacks	In major greenfield and infill locations there should be the ability to determine dwelling setbacks that are different from the Zone provisions.
31	18	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	All township, retail, employment	In the DTS table in the Township Mainstreet Zone there is the following policy: "Temporary change of use to a sales office within an existing building for no more than 2 years." This policy should be other centre and commercial type Zones.
31	19	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Extent of TNVs - minimum lot sizes	Whilst there is a reduction in the number of Zones giving the appearance that there is more consistency in policy across the State, the numeric variations means there is still a very substantial differences in what can occur within various residential type Zones. Minimum lot sizes should apply at the Zone level.
31	20	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Deferred Urban Zone	Deferred Urban Zone: Land Division that creates an additional allotment should not be Restricted. There has been a policy in place for many years that enables allotments of a minimum of 4ha in to be created. Change wording to "Land division that does not create additional allotments less than 4hectares in size, other than for the purpose of providing public infrastructure."
31	21	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	General Neighbourhood	General Neighbourhood Zone DTS 1.2 – There are some forms of dwellings (e.g.: Fonzie flats) that don't meet the criteria of those listed as being acceptable. Add "dwelling(s)" to the list in DTS 1.2.
31	22	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	General Neighbourhood	General Neighbourhood Zone DTS 2.1 - If a row dwelling is acceptable on a 200sqm allotment then a group dwelling or a dwelling within a residential flat building can also be acceptable on a similar sized allotment. Change DTS 2.1 (v) to "200sqm".
31	23	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood PO 1.5 – Development that is of a higher density should be allowed. There have been award winning projects in estates such as Blakes Crossing and Playford Alive where the density is above 100dw/ha. Amend PO 1.5 so that limited amounts of 2 / 3 storey high density residential development can occur.
31	24	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood PO 2.1 / 2.2 – For these policies to work there must an obligation on the infrastructure authorities and Councils to plan for urban development in conjunction with the development industry at a more detailed spatial level than occurs at present.
31	25	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood DTS 4.1 – The provision of a 1.5ha open space requires all of the open space provision of a 12ha parcel of land. This policy should not apply to land division applications where the subject land is less than 15ha in size.
31	26	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood DTS 7.1 – So there is some consistency across Councils (one of the aims of the planning reforms) one tree per allotment should be the minimum that is required. If a developer wants to provide more than that should be their prerogative. Amend DTS 7.1 to read "One street tree per allotment."



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						Australia (SA Branch)				
31	27	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood PO 8.1 - This Zone is for areas that are being created. There is no need for buildings to complement nearby buildings. Amend PO 8.1 by deleting the following words "... and complement the height of nearby buildings."
31	28	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood	Greenfield Suburban Neighbourhood PO 13.1 – If the rear boundary is abutting a laneway then the rear setback should be able to be 0m for 2 levels.
31	29	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Housing Diversity Neighbourhood	Housing Diversity Neighbourhood 1.2 – All forms of dwellings should be occurring in this Zone. Add "dwelling(s) to list in DTS 1.2
31	30	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Housing Diversity Neighbourhood	Housing Diversity Neighbourhood 2.1 - Development that is of a higher density should be allowed. There have been award winning projects in estates such as Blakes Crossing and Playford Alive where the density is above 100dw/ha. Amend DTS 2.1 to enable high density development that is 2 / 3 storeys high.
31	31	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Housing Diversity Neighbourhood	If the rear boundary is abutting a laneway then the rear setback should be able to be 0m for 2 levels.
31	32	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	The policies in this Zone will mean there is very little additional development occurring. The allocation of this Zone should be severely limited in a spatial sense.
31	33	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	50m2 for a shop or consulting room or office is only just more than the home industry trigger of 30sqm in the Development Regulations. A trigger of 100sqm is considered suitable.
31	34	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	DTS 3.1 Part (c) – with the 10m requirement is far more than is necessary. 8m was a standard front setback for many years.
31	35	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	Many dwellings on corner allotments in this Zone are around 2m setback not 4m. Amend DTS 4.1 to 2m not 4m.
31	36	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	In (e) there should be a provision to deal with gable end walls as occurs in many other Zones.
31	37	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	DTS 8.1 (b) – There should be an ability to have lots that need on site waste water systems to be less than 1200sqm as there are now solutions that enable lots to be around 900sqm (subject to percolation testing).
31	38	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	Amend label to 10.1 – This DTS is seemingly incorrectly labelled DTS 24.1. Under what circumstances can a residential flat building be more than 2 storeys high? PO 2.1 DTS 2.1 say no more than 2 storeys.
31	39	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood	Public notification – Remove (c). There seems to be inconsistency with (c) and (e). If you are proposing say three group dwellings then (c) seems to require notification yet (e) only requires notification for four + dwellings.
31	40	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Rural Living Zone	DTS 3.1 – There are many rural living allotments that are less than 50m wide. A more nuanced approach would be to have the frontage of a new allotment to be no smaller than 10% less than the average frontage of the nearest 10 allotments in the Zone.

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31	41	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Business and Innovation Zone	The list of anticipated uses should include residential flat building.
31	42	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Business and Innovation Zone	PO 3.2, 3.3 and DTS 3.2 – It would appear that residential has a higher priority than non-residential in this commercial type Zone. This is at odds with DO 1. Amend DTS 3.2 to the following: “Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a residential zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.3 will apply, or where this boundary is the primary street boundary)”.
31	43	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Business and Innovation Zone	PO 3.4 – There needs to be clear guidance in the policy when there is no consistent streetscape. Presumably DTS 3.4 (b) will be adequate.
31	44	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Main Street	DTS 1.1 – Given PO 2.4 envisages residential then surely DTS 1.1 should have dwellings listed.
31	45	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Main Street	PO 2.1 – A main street should have height and mass as it is a more urban environment. Reword PO 2.1 to the following: “Buildings that sensitively frame the main street and public spaces.”
31	46	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Suburban Main Street	PO and DTS 3.2 – It would appear that residential has a higher priority than non-residential in this centre type Zone. Amend DTS 3.2 to the following: “Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a residential zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.3 will apply, or where this boundary is the primary street boundary)”.
31	47	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Township Zone	PO 2.2 – The policy should be more positive about two storey development being acceptable. Amend wording to the following: “Buildings contribute to a low rise (one and two storey) character.”
31	48	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Township Zone	DTS 3.1 – There should be an ability to have lots that need on site waste water systems to be less than 1200m2 as there are now solutions that enable lots to be around 900sqm (subject to percolation testing).
31	49	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Township Main Street Zone	DO1 – With a larger town the word local might be less than the entire town. Development should be serving the entire town. Replace the word “local” with “township”.
31	50	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Township Activity Centre Zone	PO and DTS 1.1 – Dwellings and residential flat buildings should be able to be developed in the Zone. Add dwelling and residential flat building to the list in DTS 1.1.
31	51	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Urban Activity Centre Zone	DTS 1.4 – Dwellings should be able to be located behind non-residential on the ground floor as well as being above.
31	52	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Urban Activity Centre Zone	PO 2.4 – Parking should generally be located behind buildings in order to assist with meeting PO 2.6. Amend PO 2.4 to encourage parking to be located behind buildings in the Zone.
31	53	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Zones and Subzones	Urban Activity Centre Zone	Port Adelaide Centre Sub Zone Should not be within Phase 2 Code
31	54	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Affordable Housing	Affordable housing policy should be able to be used outside of overlays if applicants choose.
31	55	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of	Multiple	Overlays	Affordable Housing	DTS 3.1 – The 20% decrease in site area should be 40%. The metrics being provided will not create a situation where the increase in development yield offsets the cost of delivering affordable housing. This means you will have a situation where the development is providing the subsidy for affordable housing whereas this is a society wide issue and as such must be paid for by society.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
						Australia (SA Branch)				Amend wording in DTS 3.1 to 40%.
31	56	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Building Near Aifields	DTS 1.2 DTS 1.2 – effectively creates a very large area of sterilization around airports. A 3km buffer around an airport measuring 2km x 1km amounts to approximately 46km <sup>2</sup> . The State cannot afford such wastage. Delete agriculture and conservation area from the list of restricted land uses in DTS 1.2.
31	57	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Character Overlay	Many Development Plans had Design Guides for historic areas (e.g. Table Ga/3 Infill Development Guidelines) which provide a graphical approach to guiding proposed development. This is considered to be a far superior method than text policy which provides too much flexibility. Introduce the design guidelines for various areas that existed in the current Development Plans.
31	58	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Character Overlay	Post WWII areas have not been considered to have character or heritage protection requirements, other than specific buildings. To introduce policy such as 1950/60s Housing Trust without there being a thorough debate about the benefits and costs is considered to be unacceptable.
31	59	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Coastal Areas	PO 3.1 PO 3.1 – anticipates that no development will necessitate the implementation of protection measures. Surely, there will be instances where protection measures are warranted in order to deliver a much needed piece of infrastructure, for example, a boat ramp or a marina. Amend PO 3.1 as follows: “Development will not necessitate unreasonable protection measures against coastal erosion, sea or stormwater flooding, sand drift or the management of other coastal processes.”
31	60	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Coastal Areas	PO 3.3 – implies that the developer of a facility that requires coastal protection will fund all ongoing management and maintenance. Many facilities will generate community benefits that warrant a broader management/ maintenance cost base. Amend PO 3.3 as follows: “Necessary coastal protection measures may be the subject of binding agreements to cover the cost of future construction, operation, maintenance and management measures and will not: (a) have an adverse effect on coastal ecology, processes, conservation, public access and amenity; (b) require commitment of public resources including land; and (c) present acceptable risk of failure relative to potential hazard resulting from failure.”
31	61	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Hazards	There are too many (8) hazard overlays. Simplification is required particularly with regard to bushfire. Reduce number of hazard overlays.
31	62	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Historic Area Overlay	The Statements have not been provided as part of the consultation version of Phase 2 PD Code. Without them it is impossible to provide comments on the suitability or otherwise of the Overlay policies. This part of the PD Code must be provided for consultation purposes immediately.
31	63	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Major Urban Transport Routes	Many of the deemed-to-comply requirements regarding access in the Major Urban Transport overlay are overly onerous and would rarely be met by developments (if at all in some cases). Whilst it is understood that there is then a process for Performance Assessment (when deemed to comply requirements are not met), there it is considered likely that referral agencies will simply view the DTS requirements as still being the target outcomes to meet the POs for each element and resist deviation from them (applicants and their advisors struggle with referral staff often being too focussed on ticking a box rather than 'engineering' a practical yet safe solution). This has the potential to set the 'goal posts' for access arrangements very high (particularly given most of the DTS requirements are in excess of the requirements of the relevant Australian Standards or Austroads' guidelines – which would generally be a more appropriate benchmark for DTS requirements). The access spacing, sight distance and queuing provisions are all conservatively high and should be amended.
31	64	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Major Urban Transport Routes	The sight distance requirements need further detail on how they are measured. There are numerous different ways of measuring sight distance (for instance, setback from the roadway adopted – 2.5 m, 3m or 5m; height that it is measured from - driver eye height, object height or level of road etc.). A whole additional sight distance requirement is not considered necessary when typically the Austroads' guides are considered to be the benchmark for assessing this element.
31	65	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Major Urban Transport Routes	There is reference to the creation of new public 'junctions' in some locations. Fairly minor comment but the term 'junction' is not referred to in the Australian Road Rules or Road Traffic Act; they should refer to 'intersection' instead.
31	66	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	River Murray Flood Plain	To require water pumping infrastructure (DTS 7.4), jetties and pontoons (DTS 7.6) to be designed precisely as defined in the relevant Figures (Figures 1-4, not 2-6) presupposes identical conditions are experienced at every point along the River and that there will be no evolution in the quality of materials used on such structures in the future. This is unrealistic and needs to be tempered with some flexibility. In fact, the figures, if used at all, would be best represented as one way of addressing the design requirements of jetties and pontoons and water pumping infrastructure. Amend DTS 7.4 as follows: “Water pumping infrastructure is designed and constructed generally in accordance with Figure 1.” Amend DTS 7.6 as follows: “Jetties and floating pontoons are designed and constructed in general accordance with Figure 2 to 4 and: (a) have length of around 8m measured from the riverbank at normal pool level; (b) have a width of approximately 1.4m in the case of a jetty (or gangway width in the case of a floating pontoon); and (c) the dimensions approximately 3m by 6m, in the case of a floating pontoon depending on the proximity of other river structures.”
31	67	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Sloping Land Overlay	PO 4.1 – Retaining walls of more than 1.5m in height occurs on plenty of estates that are not on sloping land. To minimise retaining walls to a total of 1.5m is ridiculous. Where retaining walls are visible to public spaces they should be kept to maximum of 1m height (if more height needs to be dealt with then additional separate retaining walls should be provided).

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31	68	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	State Heritage Area	PO 2.1 should only relate to buildings of heritage value. There are likely to be buildings in a State Heritage Area that are not required to be retained (ie: they have no identified heritage value), however this provision appears to catch all buildings. Amend PO 2.1 as follows: "For buildings or structures of identified heritage value, those buildings, structures and any other elements are not demolished, destroyed or removed in total or in part unless either of the following apply: (a) a portion of any building and/or structure has been determined to not contribute to the heritage value; or (b) the structural condition of any building and/or structure, represents an unacceptable risk to public or private safety and results from actions and unforeseen events beyond of the control of the owner and is irredeemably beyond repair."
31	69	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	State Heritage Area	The alteration or addition to a building of identified heritage value should address the design having regard to whatever is an appropriate response to the context of that building. Amend PO 2.1 as follows: "Additions and alterations to buildings, structures and any other elements, contribute to the heritage values by: (a) extending into the existing roof space or to the rear of the building; and/or (b) distinguishing between the existing and new portion of the building using compatible design elements including (but not limited to) recessed facades, use of negative joints, separate roof forms and linking structures; and/or (c) providing sufficient setback of built additions and alterations where taller than the existing heritage structure."
31	70	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	River Murray Tributaries	Procedural Matters: Land division creating more than 4 allotments in a residential /township type Zone is an expected land use and should not require referral to the Minister responsible for the River Murray Act. Delete (d) from the PM list.
31	71	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Overlays	Water Resources	While we make no comment in respect of the POs and DTSs within the Overlay, the question of definition of what constitutes a watercourse (and to a lesser extent, a flood plan or wetland) is significant to the impact of this overlay.
31	72	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Advertisements	PO 1.2 – Advertisements in the public realm cannot always be attached to existing infrastructure. A locality may not have any suitable structures. Amend PO 1.2 as follows: "Where possible, advertisements in the public realm integrated with existing structures and infrastructure."
31	73	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Advertisements	PO 3.1 – This PO appears to prevent third party advertising. If the advertisement relates to a lawful use on the subject site then it is not third party advertising. Review intent of PO 3.1.
31	74	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 7.1 – A retaining wall less than 1m in height as not been defined as development in the Development Act. This DTS should be in the Accepted list. Retaining walls where visible from public space should generally be 1m in height. Where not visible from public space should be 1.5m in heights. Where a greater height needs to be dealt with a second separate retaining wall should be built. Shift DTS 7.1 text to the Accepted list. Amend DTS wording as per comment.
31	75	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	PO 9.1 – Whilst not overly relevant to many areas in Phase 2, buildings greater than 4 storeys being proposed in an area which has typically been a single storey environment will always be creating a new character. The wording in PO 9.1 is unwarranted in this scenario. Amend PO 9.1 so that development only needs to respond to the context when an existing character is being sought to be retained.
31	76	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 9.5 – Limiting materiality to a – c will add costs that are unnecessary. More solid/long lasting materials should only be required at ground level where interaction with people and machine/vehicles is expected. Limit requirements of a – c to ground floor only.
31	77	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	PO 10.1 – A 4 x 4m space for a tree in front of buildings where the street setback is 3m will impact negatively in a number of ways. In more urban areas of towns trees have typically been provided in the road reserve. To bring this policy in place has the potential to fundamentally change the fabric of main streets which is unnecessary. Delete as this policy should not be required in areas where 4 or more storeys are envisaged.
31	78	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 20.3 – Clarification is needed on a – c. Are all aspects required or just one? Add the word "or" at the end of a and b.
31	79	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	The soft landscaping requirement means that for a typical 450sqm lot the amount of soft landscaping required (90sqm) is greater than the area required for private open space (60sqm) and the front yard (approximately 24sqm – on the basis the front setback is complied with). Given some of the front and rear yards will have paving this will have the impact of reducing (by 20 +sqm) the amount floor space that can be built. This will have a fundamental negative impact on the value of the allotment. It is understood the issue trying to be resolved with this policy is to avoid front yards that are totally paved. Delete DTS 21.1 (a) and keep (b).

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31	80	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 22.1 - Why bring BCA issues into planning policy with rainwater tanks. Keep requirements in the BCA.
31	81	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 22.3 – The technical aspects of the proposed policy will result in engineering solutions that are more costly and inappropriate. Greenhill Engineers have met with DPTI staff to discuss this issue and are in the process of providing a solution. DPTI staff to work with UDIA and their representative to determine an appropriate policy.
31	82	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	Universal design features have significant cost impacts and not all occupants need them. They should only be required for a limited number of dwellings where the residential flat building has more than 20 dwellings. Amend PO 28.5 as per comment.
31	83	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	DTS 33.5 – The 1.5m separation should only be required for dwelling walls with habitable room windows.
31	84	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Design in Urban Areas	Table 1 – Outdoor Open Space - The definition of private open space in Part 8 of the PD Code has a minimum dimension of 1.8m, yet Table 1 has various minimum dimensions. This inconsistency needs resolution. Amend Table 1 so that minimum dimensions are as per the definition (1.8m).
31	85	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Infrastructure and Renewable Energy	PO 2.2 – The need for buffers to surrounding land is unnecessary in a number of instances. Buffers may be appropriate adjacent to urban areas, existing residences, parks and conservation areas and possibly along major public roads but should not be necessary in most circumstances. Amend PO 2.2 as follows: “Substations, pumping stations, battery storage facilities, maintenance sheds and other ancillary structures incorporate vegetated buffers around the perimeter to reduce adverse visual impacts when viewed from adjacent land containing sensitive land uses, such as a residence, in close proximity to the common boundary.”
31	86	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Infrastructure and Renewable Energy	PO 4.3 – This provision is inconsistent with 2.3 and 5.1 in that it seeks clear space around storage facilities and also seeks revegetation to reduce visual impact. Reconcile the contradiction between provisions.
31	87	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Interface between land uses	PO 3.1 – Is particularly onerous in areas of higher densities and heights. Some tempering of the rigidity of the requirement to access winter sunlight should be made in anticipation of the transition of this provision into the Phase 3 PD Code. Amend PO 3.1 as follows: “Overshadowing of windows of habitable rooms of adjacent residential premises (including supported accommodation and residential care facility; student accommodation and retirement facility) managed to enable access to direct winter sunlight.”
31	88	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Interface between land uses	PO 3.2 – As for PO 3.1, this provision needs tempering for use in Phase 3 PD Code. Amend PO 3.2 as follows: “Development enables some direct winter sunlight to access the primary open space of adjacent residential premises (including supported accommodation and residential care facility; student accommodation and; retirement facility) to achieve an acceptable level of amenity in the following: (a) ground level private open space; and/or (b) ground level communal open space; and/or (c) upper level private balconies.”
31	89	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Interface between land uses	As for PO 3.1, this provision needs tempering for use in Phase 3 PD Code. Amend PO 3.2 as follows: “Development enables some direct winter sunlight to access the primary open space of adjacent residential premises (including supported accommodation and residential care facility; student accommodation and; retirement facility) to achieve an acceptable level of amenity in the following: (a) ground level private open space; and/or (b) ground level communal open space; and/or (c) upper level private balconies.”
31	90	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Interface between land uses	PO 4.2 - 4.5 – Noise nuisance should be suitably managed rather than minimized to provide greater flexibility in solutions to noise issues. Amend PO 4.2-4.5 by removing the word ‘minimized’ and replacing with ‘suitably managed’.
31	91	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Interface between land uses	PO 6.1 – Light spill should be managed rather than eliminated. Amend PO 6.1 as follows: “External lighting positioned and designed to limit unreasonable light spill so that it does not adversely affect the amenity of an adjacent sensitive land use or a zone primarily intended to accommodate sensitive land uses, excepting that required for safety.”
31	92	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Land Division in Urban Areas	PO 1.1 – The prevailing context should only apply as a factor for consideration when the Zone is seeking to maintain a character. It should not apply to Zones that are seeking change and / or to have a new character.
31	93	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Land Division in Urban Areas	PO 3.5 – Not all roads need cycle lanes. Amend PO 3.5 so that cycle lanes are provided where necessary on collector and arterial roads.



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31	94	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Land Division in Urban Areas	DTS 5.2, 7.1, 7.2 – further comments to be provided by Greenhill engineers
31	95	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Mineral Extractiion	PO 1.1 – Very few mining operations do not materially impact the landscape. It is unreasonable to expect minimal damage. It is, however, entirely reasonable to require the reclamation of disturbed areas. Amend PO 1.1 as follows: “Mining operations that provide for the progressive reclamation of disturbed areas.”
31	96	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Open Space and Recreation	DO 1 – The DO should identify the range of functions to which open-space could be put and the range in size appropriate to the different open space functions. Amend DO 1 as follows: “Pleasant, functional and accessible open space and recreation facilities provided at State, regional, district, neighbourhood and local levels for active and passive recreation, visual amenity gathering spaces, vegetation, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space.”
31	97	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Open Space and Recreation	PO 1.1, 2.1-2.3, 3.1, 7.3, 8.1, 8.2, 8.3 – Each of these POs will only be relevant in particular circumstances. This should be addressed by acknowledging that limited relevance. Amend PO 1.1, 2.1-2.3, 3.1, 7.3, 8.1, 8.2, 8.3 by providing the following prefix to each outcome “Where relevant,”.
31	98	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Open Space and Recreation	PO 4.1 – Stormwater can play a positive role in open space development, creating visual interest and informal recreational opportunities. The dual use of 1:100 flood zones for recreational purposes should be encouraged. Amend PO 4.1 as follows: “Manage the impacts of stormwater management systems on the usability of public open space and recreation facilities and encourage dual use of such spaces.”
31	99	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Open Space and Recreation	PO 4.1 – Stormwater can play a positive role in open space development, creating visual interest and informal recreational opportunities. The dual use of 1:100 flood zones for recreational purposes should be encouraged. Amend PO 4.1 as follows: “Manage the impacts of stormwater management systems on the usability of public open space and recreation facilities and encourage dual use of such spaces.”
31	100	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Private open space	<u>Note</u> – this quotes the residential liveability module which only exists in Phase 1 outback code. Many non-apartment dwellings are now provided with site areas of 55m2 to 120m2. These are the equivalent of apartments on the ground and should therefore have open space standards similar to apartments. Amend Table 1 as follows: <ul style="list-style-type: none"> <li>• “Site area &lt;300m2 to become 120m2-300m2</li> <li>• Apartments to become Apartments and Dwellings on sites &lt;120m2”</li> </ul>
31	101	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Site contamination	DTS 1.1 – This section appears to render any parcel that ends up in the overlay area undevelopable without a full SCAR report, unless it was previously residential. This then gives relevant authorities a large amount of power where it previously hasn’t been afforded. In many instances, site history reports will suffice to demonstrate the risk is low. Going the next step to a full SCAR is a significant expense. Remove requirement under DTS 1.1 to provide audit report in first instance.
31	102	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Transport, access and parking	PO 1.1 – The existing transport system may be inadequate in its performance, it may require upgrading irrespective of a proposed development or may need to be extended to serve a recognised area of growth. These shortcomings are not the fault of an individual proposal and should not be a mechanism to deny approval. Amend PO 1.1 as follows: “Development integrated with the existing transport system and designed to manage its potential impact on the functional performance of the transport system, while recognising that the existing performance of the transport system should not limit the ability to undertake development explicitly contemplated by the zone.”
31	103	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Transport, access and parking	PO 3.5 – This provision is excessive and should be removed. Delete PO 3.5
31	104	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	General policy	Transport, access and parking	DTS 5.1 – Transport, Access and Parking Table 1. This table promotes carparking standards that are well beyond widely accepted standards for particular land uses. Even though these are DTS criteria, some changes are appropriate. Amend Table 1 as follows: <ul style="list-style-type: none"> <li>• “1.5 spaces per 2 bedroom dwelling</li> <li>• 2.0 spaces for 3+ bedroom dwellings</li> <li>• 5.0 spaces per 100m2 for gross leasable shop floor area.”</li> </ul>
31	105	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Admin Definitions	Density	Firstly, the definition of high density appears to be in error. Secondly, the numeric standards are too low and convey an inappropriate message about density to the community. Amend definitions as follows: <ul style="list-style-type: none"> <li>• “Low density: up to 40 dwellings per hectare</li> <li>• Medium density: 40-200 dwellings per hectare</li> <li>• High density: greater than 200 dwellings per hectare.”</li> </ul>
31	106	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Admin Definitions	Tangent Point	Clarification required as to whether the kerb of the road pavement or the cadastral boundary is the line in the diagram.
31	107	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Referrals	Extent of referrals	Under the Development Regulations there are currently 36 referral triggers to State Agencies, where 25 of these referral triggers allow the Agency to have the power of ‘Direction’. There are currently 11 referral triggers where the Agency can only provide advice to the Relevant Authority who must have ‘Regard’ to this advice. Under the current system there is a lack of guidance and direction on what Referral Agencies can comment on and the Relevant Authority (i.e. Council / SCAP) is accountable for defending an appeal against the decision.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
31	108	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Referrals	Power of Referral Authorities	Whilst we support the Referral Authority limiting their comments to matters for which the referral was made and we support referral authorities being accountable to defend determinations that have been directed by that authority, we are concerned with both the potential increase in the number of referrals that will be required under the new system and the 'veto' power of Referral Authorities that now have the power of 'Direction' for the expanded referral matters. The PD Code incorporates a large number of 'Overlays' with a significant spatial extent requiring an expanded number of referral triggers. For example, the new 'Traffic Generating Overlay' has a significant spatial extent and includes a large number of triggers for referral to the Commissioner of Highways for a variety of different land uses of varying size and composition. This is expected to significantly increase the actual number of referrals required to Agencies, who now have the power to 'Direct' a Relevant Authority in relation to a determination on the application.
31	109	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Referrals	EPA referrals	Part Nine (9) of the PD Code also introduces required referrals to Agencies including the Environment Protection Authority (EPA). This part of the Code incorporates a referral to the EPA for a change in use of land to a sensitive use or more sensitive use as follows: "A change to a more sensitive use of land (including following its subdivision) at which site contamination exists or may exist as a result of a class 1 potentially contaminating activity listed in a Practice Direction (including site contamination caused by such an activity conducted on adjacent land, or on other land identified on the SA Planning Portal that is known to impact the subject site)." AND "A change from: (a) a non-sensitive use to a sensitive use; or (b) from a sensitive use to a more sensitive use on land at which site contamination exists or may exist as a result of a class 2 potentially contaminating activity listed in a Practice Direction (including site contamination caused by such an activity conducted on adjacent land, or on other land identified on the SA Planning Portal that is known to impact the subject site)." A referral is not however required if a site contamination audit report under Part 10A of the <i>Environment Protection Act, 1993</i> has, within 5 years of the application, been prepared in relation to the land. Accordingly, unless a site contamination audit has been prepared, any application involving a change in use to a sensitive land use where Class 1 or 2 contamination may exist on or within 60 metres of the site (adjacent land) will require referral to the EPA. This has the potential to significantly increase the number of referrals to the EPA beyond prevailing arrangements. Further, given the EPA will have power of 'Direction' as a Referral Agency it is anticipated that the EPA may direct a relevant authority to refuse an application, unless a site contamination audit is prepared demonstrating that the site is suitable for its intended purpose. This has the potential to add considerable time and cost to the development assessment process for applications for a more sensitive land use.
31	110	29-Nov-19	Phase 2	Development Industry Representative Group	Pat Gerace (Chief Executive)	Urban Development Institute of Australia (SA Branch)	Multiple	Referrals	EPA referrals	We are concerned that the power of 'Direction' afforded to referral Agencies will effectively make an Agency a 'quasi' planning authority with the power to veto any determination of the Relevant Authority. Each Agency will therefore effectively act as a separate authority – effectively requiring multiple approvals from multiple authorities for the one development application. The power of 'Direction' also provides significant power to Agencies to 'leverage' their authority to achieve outcomes beyond the purview of the referral. To challenge a referral Agency would also involve considerable time (6-12 months) and money (\$50K- \$100K) for an applicant to initiate an appeal through the Courts. In most cases, this time and cost imposition would be beyond the threshold of feasibility of most development projects which would limit the real opportunity for an applicant to appeal and overturn a determination of a Referral Agency. Further, an applicant appealing to the Environment Resource and Development (ERD) Court would be challenging the weight of evidence and authority of a State Agency, which is likely to also limit an applicant's appetite to seek a successful resolution through the courts.
32	1	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Land use Definitions	Definitions	Supports the inclusion of a definition for 'telecommunications facility' in Part 7 of the Code.
32	2	29-Nov-19	Phase 2	Industry Representative	Matt Baade	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Development classification	Considers that no zone should identify 'telecommunication facility' as a restricted form of development and supports that fact that none of the zones in Phase 2 does so.
32	3	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Development classification	Telecommunication facilities should be specifically identified as 'accepted', 'deemed-to-satisfy' or 'performance assessed' in Code zones. Many zones do not mention this form of development and thus defaults to 'all other code assessed development' in zone Table 3 where all of the provisions of the Code can be called upon for assessment purposes. This is not considered appropriate for essential infrastructure.
32	4	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Rules of Interpretation	Policy interpretation	Policy should not inadvertently impact telecommunication facilities through blanket coverage, such as terms like 'building height'. It is most likely that TNV and building height requirements are not intended to apply to telecommunication facilities, as it often used in conjunction with building levels. Such criteria are important as they are often used as a trigger for public notification. While a building height limit might not be intended to capture infrastructure, the draft Code does not make this clear and could be an avenue for confusion and argument (as per previous case law on this topic). In many zones building height limits cannot realistically be applied to telecommunication facilities as they are often too low (i.e. 3 storeys / 9 metres). Telecommunications facilities should be explicitly excluded from such policy.



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32	5	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Overlays	Application of overlays	Overlays should not be called upon to assess telecommunications facility unnecessarily, recognising the need for essential infrastructure even in sensitive areas. Only about half of the overlays are considered relevant to telecommunication facilities including: hazards, airfields and heritage / character issues. However, due to the default position in many zones where telecommunication facilities are captured as 'all other code assessed development', too many irrelevant overlays might be considered. The preference is to list telecommunication facility in either Table 2 or Table 3 in each zone with careful consideration of the relevant overlays that apply.
32	6	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Envisaged classes of development	Telecommunication facilities should be a contemplated use in more zones - only the Employment Zone currently lists such development as an envisaged/desired use. 'Telecommunications facility' should be listed in other zones as a desired / anticipated use and included in Table 2 or Table 3 (see submission for zone list – 27 zones in total). All the remaining zones should also include telecommunications facility in Table 3.
32	7	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Public notification	Review public notification requirements for a telecommunications facility so that it is only required when absolutely necessary or under certain circumstances. <u>Note:</u> The submission includes suggested directions for a number of zones where notification should not be required or only required in certain circumstances.
32	8	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Overlays	Application of overlays	Concerned that the requirements in some overlays (generally heritage and character types) do not recognise telecommunication facilities as essential infrastructure.
32	9	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	General policy	Policy interpretation and application	Policy in the Code that encourages structures to be 'sited unobtrusively' or 'below hilltops and ridgelines' is not a realistic requirement for telecommunication facilities, particularly in rural areas. <u>Note:</u> requirements of this type are found in - Conservation Zone, Coastal Waters and Offshore Islands Zone and the Rural Shack Settlement Zone.
32	10	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Envisaged classes of development	Advises that under the current development policy regime, residential zones envisage a limited range of non-residential development that 'serves the local community' or similar. Residential Code zone policy (e.g. PO 1.3 and 1.4 in the General Neighbourhood Zone) is less generic and may undercut the provision of essential infrastructure.
32	11	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Envisaged classes of development	PO 1.2 in the Residential Park Zone is specific about the types of permanent structure envisaged which could exclude telecommunications facilities.
32	12	29-Nov-19	Phase 2	Industry Representative	Ray McKenzie (Manager)	Mobile Carriers Forum (a division of the Australian Mobile Telecommunications Association (AMTA))	Multiple	Zones and Subzones	Policy interpretation	There is little policy in the Residential Neighbourhood Zone about non-residential development, including the restrictions observed in the General Neighbourhood Zone. It is not clear whether there is an intention to exclude telecommunications facilities from the Residential Neighbourhood Zone and, if that is the case, then such facilities must be more easily accommodated in the General Neighbourhood Zone to provide telecommunications coverage across residential areas.
33	1	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	General Feedback	Amendment process	Timeframe for submissions.
33	2	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	Zones	All neighbourhood, community and rec zones	Schools/educational establishments anticipated in a Zone should be listed in Table 3 of that Zone and the applicable policies i.e. including the Neighbourhood, Community and Recreation Zones. This would also reduce the amount of public notification associated with appropriate school development.

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33	3	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	mapping	Application of zones	Schools should be in Activity or Neighbourhood Zones where adjacent land is zones this.
33	4	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	Overlays	Heritage and character overlay	Open space/recreation areas associated with schools/educational establishments should be identified as appropriate where demolition may occur within the Historic Area Overlay, given the significance of the land use in most neighbourhoods and the legitimate need for associated open space.
33	5	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	General	Interface between land uses	Code provisions should reflect that schools/educational establishments have peak noise periods and this should be expected in all Zones where schools are envisaged.
33	6	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	Zones and subzones	Policy amendment	Any policy limiting the scale of a school/educational establishment to a "local level" should be removed.
33	7	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	Procedural matter	Appeal rights	Appeal rights for proponents of school/educational establishment development and no appeal rights for objectors to such development is supported.
33	8	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	Procedural matter	Relevant authority	The preservation/creation of a mechanism for SCAP to be the assessing authority for substantial school/educational establishment development is requested to provide independence in the assessment process and parity with government schools.
33	9	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	Catholic Education South Australia and the Association of Independent Schools in South Australia	Multiple	General	Policy amendment (parking)	Carparking rates for secondary schools including ability to have drop off and pick up off-site.
34	1	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	Zones and Subzones	Residential Park Zone	Zoning that currently applies to Olympic Dam Village (Special Living) has 'construction camp' as listed as complying development. This is not replicated in the Residential Parks Zone and performance assessment will be required.
34	2	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	Zones and Subzones	Residential Park Zone	Residential parks are defined under the Residential Parks Act 2007. BHP does not believe Olympic Dam Village (ODV) operates as a Residential Park and should not be imposed with the same requirements of a commercially operational residential park.
34	3	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	Zones and Subzones	Residential Park Zone	The minimal allowances for permanent dwellings and lack of dwelling definition of the Residential Park Zone reduces BHP's ability to provide future accommodation options that include provisions and design elements required to provide for and support an inclusive and diverse workforce at Olympic Dam Village. Recent engagement with the Roxby Downs community (completed by BHP) regarding the provision of accommodation for Olympic Dam staff and contractors indicate a clear preference of the community for modern permanent workers accommodation village rather than that of one which is temporary in nature or that promotes more transient living facilities such as described in the Residential Park definition.
34	4	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	Zones and Subzones	General Neighbourhood Zone	BHP: The Residential Zone of the Roxby Downs Development Plan identifies workers accommodation as being part of the desired character of the zone and is further supported by Zone PDC's. Current greenfield sites identified within the existing Roxby Downs Residential Zone have the potential to be developed for workers accommodation should an expansion of Olympic Dam mining operations require. Provisions within the General Neighbourhood Zone of the P&D Code do not appear to provide the same potential.
34	5	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	Land use Definitions	Workers Accommodation	BHP believe the workers accommodation definition identified within the P&D Code defines temporary accommodation in a manner that is not consistent with BHP requirements for accommodating Olympic Dam staff and contractors. This definition provides accommodation requirements that do not distinguish between a permanent mining facility requiring year round operation and seasonal requirements for the likes of shearers and fruit pickers.

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34	6	29-Dec	Phase 2	Industry (Mining)	Emily Perry (Head of Corporate Affairs)	BHP (SA)	Multiple	General policy	Transport, Access and Parking	Car parking rates have increased for Workers Accommodation. The requirement for car parking does not reflect the FIFO nature of a large number of the BHP workforce nor the transport support services (e.g. buses) provided by BHP to support workers travelling the Olympic Dam operations. These parking provisions are seen as an unfair imposition placed on the mining industry as a whole where remote mining facilities only have FIFO operation as an option and accommodation villages do not integrate with an associated township such Olympic Dam Village with Roxby Downs.
35	1	29-Nov-19	Phase 2	Development Industry Representative Group	Will Frogley (Director, Policy and Communications)	Master Builders Association of SA	Multiple	General policy	Design in Urban Areas	General Development Policies – Design in Urban Areas tree planting activities (PO 21.2 & DTS/DPF 21.2). Use of "detached dwelling" vs "dwelling" in classification tables Reference to "design and siting" in general development policies
35	2	29-Nov-19	Phase 2	Development Industry Representative Group	Will Frogley (Director, Policy and Communications)	Master Builders Association of SA	Multiple	General policy	Design in Urban Areas	The good work of positive initiatives such as ePlanning must not be overshadowed by subjective, overly descriptive, and arguably unnecessary code requirements. Housing must remain affordable for the average South Australian. Some of the minimum benchmarks for 10 day turnaround on applications – such as increased landscaping, stormwater retention, garaging and parking requirements – would substantially increase the cost of builds.
35	3	29-Nov-19	Phase 2	Development Industry Representative Group	Will Frogley (Director, Policy and Communications)	Master Builders Association of SA	Multiple	Zones and Subzones	Home Industry Zone Residential Park Zone	Home industry zone and residential park zone list dwelling in classification tables whereas other zones list detached dwelling.
35	4	29-Nov-19	Phase 2	Development Industry Representative Group	Will Frogley (Director, Policy and Communications)	Master Builders Association of SA	Multiple	General Feedback	General Feedback	Typos / errors in classification tables
35	5	29-Nov-19	Phase 2	Development Industry Representative Group	Will Frogley (Director, Policy and Communications)	Master Builders Association of SA	Multiple	General policy	Design in Urban Areas	Tree planting requirements. Three major concerns with this requirements: a) The effect tree planting activities will have on approved and existing structures within the nominated allotment. b) The construction costs required to ensure footings meet adequate performance standards for new builds. c) The establishment and maintenance of the tree once building work is complete. Adding one tree on site could incur as much as a 20% increase to the overall construction cost of the footing. There is a high chance that conditions related to tree planting activity (and others) for domestic works will not be audited by the relevant authority, effectively making them null and void should the applicant chose to ignore their obligations. It may be beneficial for the department to include engineering data on soil classes within the P&D Code, as well as consultation with all sectors of the industry (including arborists), to produce a fully informed document. The inclusion of an overlay map highlighting appropriate areas to replenish or enhance the states tree canopy may be more practical than a "one size fits all" approach.
36	1	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	<ul style="list-style-type: none"> <li>Best Practice Policy Outcomes</li> <li>Loss of Policy</li> <li>Errors, Omissions and Inconsistencies</li> <li>Hazards and Climate Change</li> <li>Process Issues.</li> </ul>
36	2	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Current engagement process on the Draft Code has not fully enabled constructive engagement with either local government or local communities and council members. Have not been provided with the opportunity to be engaged and to influence the local policy content.
36	3	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Insufficient period of time to consider the substantial and complex draft Code and prepare a comprehensive, robust and professional response within 2 months.
36	4	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Policy conflicts with State Planning Policies in relation to Principles of Good Design, lack of recognition of Contributory Items within Local Heritage areas and the management of conflicts between urban infill and existing stormwater infrastructure.
36	5	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	General Policy	LGA was supportive of the Design Guidelines - Design Quality and Housing Choice prepared by ODASA and the Principles of Good Design included in the Guidelines. To be effective, these Guidelines and Principles need to translate into the Planning and Design Code to enable them to form part of the assessment process.
36	6	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	The LGA supports the 'digital by default' approach - however, local government has not had the opportunity to access the online planning system. Draft Code should have commenced when the online system was completed and operational to enable live testing and to provide practitioners and the community with an understanding of how the draft Code
36	7	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Paper based draft Code on consultation is difficult to navigate and understand and does not support a high degree of transparency. The structure of the Code (Overlays and TNVs) adds a further degree of complexity to the system for practitioners and the community.
36	8	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Aspects of the new system introduce grey areas that risk the process of applying for development approval becoming more confusing, costly and time consuming.

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36	9	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Rules of Interpretation	General Feedback	Risk: Interpretation of draft policies will vary across Councils.
36	10	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	System should capture a range of data to inform the development of future policy and drive the planning system based on strategic objectives.
36	11	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	Historic Area Overlay	All Heritage and Historic Conservation Zones and Contributory Items should be transitioned into the first generation of the Planning and Design Code, including corresponding demolition and design controls. Councils have worked with their communities to include local heritage items, conservation zones and Contributory Items within their Development Plans.
36	12	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	General Feedback	With regards to Contributory Items transitioning to Local Heritage Places, 1. The Heritage in Transition - Practitioners Guide dated August 2019 is flawed, contrary to Burra Charter, undermines the legislative criteria and will have the effect of greatly limiting the number of places which meet the criteria 2. Concerned with the requirements for all statutory consultation associated with Local Heritage DPAs to have been completed by 30 June 2020 3. The costly heritage assessment investigations and preparation of the DPA needing to be finalised by December 2020.
36	13	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Fragmented community and stakeholder engagement (particularly engagement with Councils), lack of rigor and analysis in policy development, short and always changing timeframes and the absence of a clear plan to achieve the adoption of the Code by July 2020.
36	14	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Oversimplified policy in the code runs the risk of creating less certainty and less efficiency in the system, notwithstanding negative impacts on the ground. The draft Code has taken a one size fits all approach that loses the ability to respond to local content and lacks the detail to facilitate positive development and achieve strategic planning aims around built form, streetscape, place making and land use.
36	15	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Draft Code and consultation process has not achieved the Goal and Principles established by the Expert Panel or the planning reform objectives of the local government sector.
36	16	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Expert Panel be asked to assess the current reform approach, the draft Code and consultation approach against the Expert Panel's Goal and Principles and provide advice to the Minister on improvements to the current approach.
36	17	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Support a continued collaborative approach with local government to address the errors, omission and inconsistencies in the draft Code prior to implementation.
36	18	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Concern with loss of policy that is bespoke to a local context.
36	19	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Rules of Interpretation	General Feedback	Support the logical format of the Code structure
36	20	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Administration definitions and Land Use Definitions	General Feedback	Support improved land use and administrative definitions in the Code although a number could be refined. Positive that the definitions live in the code which will make it easier for them to be updated over time.
36	21	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Rules of Interpretation	General Feedback	Support for removal of the non-complying category for more flexibility to approve certain development where it is appropriate.
36	22	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Rules of Interpretation	General Feedback	Support stated basis for restricted development.
36	23	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of	Multiple	Zones and subzones	General Feedback	Consistent minimum lot sizes in Rural Zones is positive for most rural councils, more certainty for community and builders.

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						South Australia (LGASA)				
36	24	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General policies	General Feedback	Support for general policy on WSUD, urban greening, green over, pollution reduction targets.
36	25	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	The draft Code has entirely excluded large amounts of existing considered, effective policy and policy tools successfully applied under current Development Plans.
36	26	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	While consistency is support, the draft Code has adopted an oversimplified, one size fits all approach without local nuance or policy detail to appropriately guide and support positive development outcomes.
36	27	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Spatial application of zones has drastically changed planning controls in many areas and if implemented has potential to drastically change the landscape of those areas.
36	28	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Code contains numerous errors, omissions, and instances of imprecise language that compromise the effective application of policy.
36	29	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Concern with the loss of significant policy detail, as well as highly effective policy tools such as concept plans and structure plans, that has been developed and refined over many years and represents a significant investment of both public money and the time and expertise of councils and local government, as well as the goodwill of communities and stakeholders involved in the policy development process.
36	30	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	No information about how future amendments will be prioritised or assessed. Councils fear the overnight loss of years of robust policy development, which may take many years more to be reintroduced, if at all.
36	31	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Concern with the loss of Concept Plans – Concept Plans for greenfield development areas and rural towns that reflect a long-term growth strategy to guide decision making, or in established brown field areas critical identification of crucial future strategic infrastructure and development form to guide proper and orderly planning outcomes.
36	32	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Design in Rural Areas General Policy	Missing policy – policy to manage the visual impact or horticultural netting covers used in primary production, especially on scenic routes important for amenity, character and tourism value.
36	33	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Peri-Urban Zone	Adelaide Hills: Loss of award-winning land division policy for Country Living that effectively manages complex land use issues in the Greater Adelaide food bowl.
36	34	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Rural Zone	Missing policy – Important policy differentiation between land division and boundary alignment in Rural Zones.
36	35	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Interface between Land Uses General Policy	Missing Policy – Policies across the State relating to hierarchy of commercial centres that address commercial activity and land use interface.
36	36	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Neighbourhood Zone	Concerned with policy in the generic Neighbourhood Zone, which provides for shops as an envisaged use that may be up to 1,000m2 in locations where they would be non-complying in many cases under the current Development Plan.
36	37	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	City Park Lands Zone	In the Adelaide Parklands, 11 Policy Areas have been consolidated to 2 subzones with no clear evidence base for the rationalisation.



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36	38	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	General Feedback	It is recommended that Desired Character statements be included as a supplementary element of the Code.
36	39	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Hazard Overlays	It is recommended that existing policies relating to significant trees, acid sulphate soils, flooding and other hazard amongst others be included (use existing wording rather than introduce new wording and challenges)
36	40	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	General Feedback	Code should retain important geographically specific policy in Development Plans in new subzones.
36	41	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	Historic Area Overlay	There is no policy to guide the application of the Historic or Character or Heritage Overlays.
36	42	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	General Feedback	Identify current Contributory Items in the Historic Area Overlay
36	43	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	Overlay	Include Scenic Routes Overlay with supporting policy to manage visual impact.
36	44	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Concern with the lack of engagement with Councils and incorrect spatial application of zones: recommend collaboration with local government to revisit where zones are spatially applied in the Draft Code.
36	45	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Concern with errors in the draft Code including inaccurate cross-references, missing tables, and blank tables.
36	46	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Feedback	General Feedback	Lack of evidence of strategic analysis in the policy decisions reflected in the draft Code, the lack of robust policy detail that enables quality development outcomes and the level of uncertainty introduced by the general, non-specific nature of many policies. The lack of detail does not provide sufficient guidance to assess an application on its merits.
36	47	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	General Feedback	Recommend that policy for non-residential uses are expanded significantly as there is insufficient policy to refuse any land uses or built form that has not been envisaged - this increases the risk of inappropriate development within sensitive locations.
36	48	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Land Division in Rural Areas General Policy	Include WSUD provisions relevant to land division in the Land Division Module of the Code and move those not relevant to land division to the Land Use/Design General Policy Modules. These requirements should apply to all land uses not just residential. Include WSUD policy to Traffic and Car Park General Policy module.
36	49	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Zones and Subzones	Recommend that all performance (environmental) standard policy is noted in all modules (e.g. WSUD)
36	50	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Rural Zones	Recommend that reference to the Wastewater Code be included to ensure allotments are developable with provision for appropriate onsite wastewater treatment.
36	51	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Peri-Urban Zone	Replace the Peri-Urban Zone with the Rural Zone which is more appropriate for working primary production areas such as Barossa Valley and Mount Lofty Ranges with associated overlays such as the Mount Lofty Ranges Catchment (Area 2) and Character Preservation District Overlay.
36	52	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of	Multiple	Zones and subzones	General Feedback	Include appropriate subzone policy where TNVs do not adequately address nuanced development outcomes sought in particular localities or precincts.

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						South Australia (LGASA)				
36	53	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	General Feedback	Include an additional zone that accommodates site specific structure planned major development to support existing projects.
36	54	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Tourism Development General Policy	More policy guidance for Tourism Accommodation applications in all zones where it is envisaged.
36	55	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Hazards (Flooding) Overlay	The draft Code lacks relevant mapping or refers to outdated flood mapping in the metropolitan and regional areas of the State, creating real risks of inappropriate development being approved via the Deemed to Satisfy pathway. The only applicable policy to mitigate flood risk is clearance above Top of Kerb in the street, which is problematic if there is no kerb or the site is below the street level. Include policy mechanisms to enable current hazard mapping and data to be used in development assessment.
36	56	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Coastal Areas Overlay	Coastal hazard risk minimisation policy does not apply to land outside of the Coastal Areas Overlay e.g. Port Pirie, Fishermans Bay. This is particularly concerning with respect to flood hazard risks.
36	57	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Overlays	Aircraft Noise Exposure Overlay	Airport Noise Overlay and Building near Airfields Overlay Policy and general protections for the Airport are inadequate and undo previous improvements to the assessment of development near and/or affected by an Airport and its operations. The removal of reference to the AS2021 without including the up-to-date ANEF contour means that assessment outcomes will not be like for like compared to the current system.
36	58	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	General Feedback	Public notification and assessment Will be more onerous under the Code – for example, a carport which is subject to the Character or Native Vegetation Overlay will move from Accepted or DTS to Performance Assessed. In addition, many types will fall into 'All other Code Assessed Development' which means hundreds of policies must be reviewed to see which apply.
36	59	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Urban Activity Centre Zone	Centres and Shops In some zones where commercial and retail development is envisaged, there is an absence of DTS and or PO criteria. In addition, in many zones floor area restrictions for shops are provided. The same level of restriction is not provided for other commercial developments such as offices or consulting rooms. Rather than a floor area maximum, Zones such as the Business Neighbourhood Zone, Employment Zone, Rural Horticulture Zone, Suburban Employment Zone, Urban Corrido Zones, Urban Neighbourhood Zone, Urban Renewal Neighbourhood Zone, could provide detailed assessment provisions to guide the appropriate size of commercial and retail development. Alternatively, assessment criteria could be included that provides for greater allowances where an existing building is proposed to be used for a commercial or retail use. Or an Overlay could be provided that demonstrates a hierarchy for commercial and retail development in the State.
36	60	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Employment Zone	Employment Zone: There is no policy for the appropriate size of a bulky goods outlet or a shop, ancillary to an industry use within the Employment Zone. Additional assessment policy should be provided that specifies circumstances and factors to be considered for development that exceeds a DTS/DPF max floor area.
36	61	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Suburban Employment Zone	Suburban Employment Zone: There is no procedural notification table.
36	62	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Urban Activity Centre Zone	Urban Activity Zone: There is no procedural notification table.
36	63	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	General Policies	Interface between Land Uses General Module	Interface between Land Uses: DTS/DPF 2.1 – Includes acceptable hours of operation between M-Friday and Saturday but does not include any hours for Sunday.
36	64	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Rural Zone and Peri Urban Zone	Primary Industry: There is limited policy objectives and intent expressed within the Rural Zones and the Peri Urban Zone - each of the zones would benefit from additional policy statements which differentiate between each zone and the general modules to assist in the interpretation of each Zone.
36	65	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of South Australia (LGASA)	Multiple	Zones and subzones	Public Notification	Primary Industry: In the notification table, PO development where the site of the development is adjacent to land in a different zone must be notified - this is onerous.
36	66	29-Nov-19	Phase 2	Local Government	Stephen Smith (Planning Reform Partner)	Local Government Association of	Multiple	Zones and subzones	Public Notification	Primary Industry: Where notification tables list detached dwelling, the trigger is incomplete.



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						South Australia (LGASA)				
37	1	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	General Feedback	General feedback - Size of Code	There is general difficulty in understanding the proposed changes given the size of the documents.
37	2	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	General Feedback	General feedback - FAQ document	The 'frequently asked questions' document has been useful in understanding the process of what is proposed.
37	3	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	General Feedback	General feedback - Planning Portal	The proposed Planning Portal to access possible development proposals is considered positive.
37	4	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	General Feedback	General feedback - Legislation compatibility	It is recommended ensuring the Code is compatible with two pieces of new legislation (the new Biosecurity and Pastoral Acts).
37	5	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	Zones and Subzones	Minimum allotment sizes	There is concern around the ongoing fragmentation of land caused by the division of land to accommodate rural properties. This has the resultant effect of increasing land values beyond reasonable financial accessibility of farmers to buy and add to farm holdings, as well as introducing weeds, pests, and additional bushfire risks. Submission suggests that there should be minimum allotment sizes for the Rural Zone within each council, and that it is understood that this is the current situation and that there will be no change. It is suggested that this needs to be communicated to councils and other interested stakeholders.
37	6	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	Land use Definitions	Grazing definition	It is noted that in the draft Code there are also definitions of cropping and low intensity animal husbandry, but not grazing. The submission seeks further clarification on these land use definitions as well as the zone definitions.
37	7	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	Land use Definitions	Containment feeding	Many livestock producers utilise containment feeding as a strategic farm management activity, involving the confining of livestock to a small area where they are fed a total ration, and usually short-term in nature as opposed to permanent feedlots. It is suggested that containment feeding may need to be included as an acceptable "low intensity animal husbandry" activity, and ensuring that restrictions are kept to a minimum.
37	8	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	General policy	Interface between Land Uses General Policy	It is suggested that policy be included in the Code regarding interface management between broad-acre agriculture and horticulture/viticulture activities.
37	9	29-Nov-19	Phase 2	Industry Representative	Alison Amber	Livestock SA	Multiple	Zones and Subzones	Commercial forestry, carbon planting and biodiverse planting	There are concerns regarding the impact of forestry on broad-acre farming, including the resultant loss in valuable agricultural land, the effect on water availability for agriculture, the increased numbers of feral pests and overabundant native species. Ag KI (the peak agricultural organisation on Kangaroo Island) seek that the proposed Rural Zone continue to be used only to produce food and fibres, with other zones in Kangaroo island providing opportunity for carbon planting, biodiverse planting and wide-scale planting.
38	1	25-Oct-19	Phase 3	General Public	Hannah Richards	n/a	n/a	General policy	Climate change	It is important to consider climate change and the measures that can be taken to reduce the effects of climate change on communities. As such, I would like to see a clause that prevents large trees from being removed by developers. Large trees provide a significant amount of shade and therefore cool the areas around them. This can be seen clearly from urban heat maps. It would also be good to see a requirement for a specified proportion of green space at each new property, which would contain grass and/or native plants. With regard to the construction of individual buildings, it would be good to see the use of greywater recycling used for toilet flushing etc. and additional requirements for insulation which would reduce reliance on heating and cooling.
39	1	28-Nov-19	Phase 2	General Public	Anonymous	n/a	n/a	Zones and Subzones	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are not easily accessed and find the on line version of the draft Code confusing and difficult to understand.</li> <li>Significant omissions and mistakes noted in the overlay maps and zone</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of Biodiversity.</li> <li>Native Vegetation-Support lodgement of development application after contact with Native Vegetation Council (NVC)</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing. <ol style="list-style-type: none"> <li>Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> </ol> </li> <li>Tree shortages - I Support more accurate valuations on mature tree benefits. For example, Dr Jennifer Gardner of Waite Institute is involved in Waite Arboretum trees being valued – on the basis of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide.</li> </ol>
40	1	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	General Feedback	General Feedback	More zones, overlays and provisions being added as the consultation period progresses making it difficult to comment.
40	2	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	General Feedback	General Feedback	Rural communities have been given just 8 weeks to respond, with owners of properties in historic conservation zones only advised a full month after consultation.
40	3	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	General policy	Biodiversity policy	Lack of alignment with State Planning Policies in relation to biodiversity.
40	4	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	General policy	General Feedback	Too much reliance on deemed to satisfy policy to approve readily available low risk minor development will not incentivise innovative design.
40	5	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Overlays	Biodiversity policy	The overlays fail to adequately reflect the biodiversity state planning policy with large policy gaps.
40	6	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Zones	Conservation Zone	Issue with the wording contemplated as it is vague and open ended. Concerns that tourist accommodation will then be considered without public scrutiny.

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40	7	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Overlays	Historic Area Overlay	Replace the current demolition controls relating to contributory items in a Historic Areas Overlay to ensure no item can be demolished unless: (a) Part of the item to be demolished or removed does not contribute to heritage value, character and desired character. (b) The condition of the item is structurally unsound and substantial rehabilitation work is require that's unreasonable. (c) The substitute does not diminish the level of contribution.
40	8	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Zones and Subzones	General Feedback	Include more subzones to take into account important, unique, local characteristics
40	9	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Overlays	Regulated Trees	Needs to include: (a) Reference to indigenous trees local to area and important habitat value for native fauna as criteria for retention. (b) Reference for significant trees that form part of a wildlife corridor and importance to biodiversity. (c) Retention test for significant trees should be preserved rather than where they make an important visual contribution. (d) Test for significant trees all other remedial treatments and measures have been determined to be ineffective.
40	10	29-Nov-19	Phase 2	Solicitor	Melissa Ballantyne	Environmental Defenders Office (SA)	Multiple	Overlays	Historic Areas Overlay	List contributory items in the Overlay and include public notification provisions. Clarify what are acceptable changes and include pictorial guides.
41	1	28-Nov-19	Phase 2	General Public	Joanna Huxtable	n/a	Kangaroo Island	General Feedback	General Feedback	Inadequate public consultation. The consultation code is difficult to understand. Need numerous public information sessions in each regions / area to help. There needs to be a second draft code released for consultation.
41	2	29-Nov-19	Phase 2	General Public	Joanna Huxtable	n/a	Kangaroo Island	General Feedback	General Feedback	The wording used in the Code is often ambiguous. Clear outcomes are needed to ensure the environment and habitats can be protected.
42	1	29-Nov-19	Phase 2	General Public	Yuri Poetzl	n/a	Onkaparinga	General Feedback	General Feedback	1. The Code is confusing, vague and at times contradictory. 2. It seems the code also can be altered with no notice by ministerial discretion. Is that really acceptable as due process? 3. Transitioning existing tree protection policy doesn't instil confidence that old growth will be protected. 4. Development in conservation zones is unacceptable. 5. Public notification on public land is lacking. 6. Little in the Regulations to compel developers to include existing vegetation within proposals - clause should be added to protect existing significant/ regulated trees and avoid tree damaging activities: Policies related to significant and regulated trees should be strengthened. 7. Questions whether sufficient time has been allocated for consultation, processing of submissions and refinement of Code content.
43	1	29-Nov-19	Phase 2	General Public	Pip Masters	n/a	Kangaroo Island	General Feedback	General Feedback	Future sea level rise impacts need to be included in policy: Detailed flood mapping should be identified.
43	2	29-Nov-19	Phase 2	General Public	Pip Masters	n/a	Kangaroo Island	Zones and Subzones	Conservation Zone	The importance of a comprehensive assessment of the impacts of development needs to be strengthened. The current State Government is reliant on the SCAP process to identify whether a development will have a negative impact on the environmental values rather than assess this for them selves (FCNP AWC tourist development as an example) therefore more stringent requirements are needed to assess this to ensure the desired outcome is met. Currently the assessment is extremely inadequate and reliant on an EIS process which is carried out over a short period of time and limits impact assessment to threatened species rather than ecological processes. It does not consider the impact of sequential developments which result in the death by a thousand cuts. The process also puts greater weight on short term human values and profits rather than looking into the long term future, i.e. protecting natural resources for future generations. This is particularly important in our conservation and wilderness parks which protect the last remaining intact ecosystems. The development plan needs to include a requirement for a comprehensive environmental assessment to be undertaken over a long period of time, or using long term data sets, which will identify if the development will degrade the environment and ecological processes, taking into account cumulative impacts of multiple developments. Development in wilderness should be non-complying. Development in intact ecosystems in a conservation zone should be non-complying. Why are so many of the conservation reserves on Kangaroo Island mapped as rural living including the Gosse lands, and parts of the Dudley and Simpson Conservation Parks? This needs to be rectified assuming it is a mapping error, otherwise a public consultation process is needed.
44	1	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Overlays	Native Vegetation Overlay	NCSSA supports the following changes that are proposed in the Code: • The proposed new Native Vegetation Overlay, which will provide a formal link between the land-use planning and native vegetation protection regimes. We believe this will lead to a more co-ordinated implementation of current legislative settings and awareness-raising regarding existing obligations, and policies for encouraging more 'green infrastructure' in new developments, particularly by including requirements for trees in the Deemed-to-Satisfy assessment pathway. • Encouraging the establishment of new tree canopy is critical for cooling our city in a warming climate, as well as providing a range of other benefits.
44	2	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Mapping	Conservation Zone	Conservation zone mapping errors need to be addressed prior to finalisation
44	3	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Zones and Subzones	Conservation Zone	Conservation Zones – development should be restricted (i.e. tourist accommodation) and only considered where it is specifically authorised (rather than 'contemplated') by the relevant management plan, as well as the inclusion of a 'public good' test whenever tourist accommodation in a park or reserve is being assessed.
44	4	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Zones and Subzones	Conservation Zone	Suggests "Conservation Zone – Wilderness Protection Subzone" that includes all of South Australia's fourteen declared Wilderness Protection Areas, which mirrors the high level of protection from development afforded these areas under the <i>Wilderness Protection Act 1992</i> .
44	5	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	General Feedback	General Feedback	Would like to see a more fulsome implementation of the State Planning Policy for Biodiversity, specifically through: • The inclusion of references to biodiversity, or the full meaning and attributes of biodiversity, in key zones and overlays and the new general provisions (see specific suggestions in this submission). • The creation of an overlay that identifies the critical habitat of threatened species and ecological communities (i.e. a 'Critical Habitat Overlay' as described on page 17 of this submission). • Stronger policy in relation to renewable energy to ensure further clearance of native vegetation for solar farms is avoided. • Stronger protection for regulated and significant trees, recognising that retaining existing tree canopy is not only important for biodiversity but is of highest priority given our changing climate.
44	6	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Zones and Subzones	Rural Zone	Summary of changes sought to Rural Zone: • Policy for Zone and/or relevant overlays ensures solar farms are sited and designed to avoid adverse impact on native vegetation specifically and biodiversity more generally.
44	7	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Overlays	Native Vegetation Overlay	Summary of changes sought to Native Vegetation Overlay (NVO): • Amend Desired Outcome 1: to 'Protect, retain and restore areas of native vegetation, habitat and the significant biodiversity associated with and present in areas of native vegetation'. • Redraft PO 1.3 and DTS 1.3 to clarify and harmonise, ensuring that the purpose is to separate inappropriately intensive land uses from the boundaries of all native vegetation areas, not just those included in the State Significant Native Vegetation Overlay (SSNVO). • Include a definition of 'minor' clearance that ensures an objective test is applicable for determining what is 'minor' clearance in PO2.1 for land division. Also, clarify why the term used in PO2.1 is 'minor' and not 'low level clearance' as used in SSNVO DTS / DPF 1.1.

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44	8	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Overlays	State Significant Native Vegetation Overlay	Summary of changes sought to State Significant Native Vegetation Overlay (SSNVO): <ul style="list-style-type: none"> <li>Reconsider name of SSNVO, suggest change to 'Reserves and Heritage Agreement Native Vegetation Overlay', since the overlay is spatially derived from tenure and administrative categories, not a biodiversity inventory of state significance.</li> <li>Include all reserves containing native vegetation, including Game Reserves, Recreation Parks and Regional Reserves, where applicable, as well as areas we suggest adding to the Conservation Zone i.e. Native Forest Reserves, Crown Land dedicated as Conservation Reserve and private conservation areas in our national Reserve System.</li> </ul>
44	9	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Overlays	New overlay request	Summary of change sought to better implement SSP4 - Biodiversity: <ul style="list-style-type: none"> <li>Develop and implement a Critical Habitat Overlay that includes likely critical habitat for threatened species and ecological communities listed nationally and at the state level.</li> </ul>
44	10	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	Overlays	Regulated Trees Overlay	Summary of change sought to Regulated Tree Overlay: <ul style="list-style-type: none"> <li>Redraft PO 1.2 to "Regulated and significant trees should be preserved, particularly if they are indigenous to the locality, important habitat for native fauna, part of a wildlife corridor of a remnant area of native vegetation and/or are important to biodiversity of the local area" (noting that other changes may be suggested in our subsequent 'Phase 3' comments)".</li> </ul>
44	11	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	General policy	Infrastructure and Renewable Energy Facilities	Summary of change sought to Infrastructure and Renewable Energy Facilities general provisions: <ul style="list-style-type: none"> <li>Redraft DO 1 to add "... is environmentally and culturally sensitive (particularly by avoiding native vegetation clearance and impacts on biodiversity more generally)...".</li> </ul>
44	12	28-Nov-19	Phase 2	Community Organisation	Julie Peacock	Nature Conservation Society of SA	Multiple	General policy	Land Division	Summary of change sought to Land Division in Rural Areas: <ul style="list-style-type: none"> <li>Redraft DO 1 to add 'biodiversity habitat' in (c).</li> <li>Redraft PO 1.1 to clarify expression 'prevailing context of the locality'.</li> <li>Redraft 9.2.3 to avoid inappropriate concentration of allotments alongside reserves established to conserve natural coastal environments, native vegetation, and other sensitive environments.</li> </ul>
45	1	29-Nov-19	Phase 2	General Public	Jill Woodlands	n/a	Norwood, Payneham and St Peters	Mapping	General Feedback	The process needs to be simplified to access the relevant maps/overlays as confusing.
45	2	29-Nov-19	Phase 2	General Public	Jill Woodlands	n/a	Norwood, Payneham and St Peters	Overlays	Significant Trees	<ol style="list-style-type: none"> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies. The regulated trees overlay policy should include: <ul style="list-style-type: none"> <li>Reference for regulated trees in general as indigenous to the local area and important habitat for native fauna as critical for considering retention.</li> <li>Reference for significant trees as indigenous to the local area, important habitat for native fauna, part of a wildlife corridor and important to maintenance of biodiversity being criteria for retention.</li> <li>Retention test "Significant Trees should be preserved" rather than "where they make an important contribution to local character and amenity".</li> <li>Test for significant trees of "all other remedial treatments and measures have been determined to be ineffective".</li> </ul> </li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>The Significant and Regulated tree provisions need to be aligned as part of Biodiversity and Climate Change Policies.</li> <li>Planning for all rural zones should include considerations of Biodiversity.</li> <li>Include the following definition of biodiversity in all key overlays and zones; the variety of all living things; the different plants, animals and micro-organisms, the genetic information they contain and the ecosystems they form. Biodiversity is usually explored at three levels – genetic diversity, species diversity and ecosystem diversity. These three levels work together to create the complexity of life on earth.</li> </ol>
45	3	29-Nov-19	Phase 2	General Public	Jill Woodlands	n/a	Norwood, Payneham and St Peters	Overlays	Native Vegetation Overlay	<ol style="list-style-type: none"> <li>Native Vegetation- I support lodgement of development application after contact with Native Vegetation Council (NVC).</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing. <ol style="list-style-type: none"> <li>Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> </ol> </li> <li>Tree shortages – I support more accurate valuations on mature tree benefits. Refer to the valuation work at the Waite Institute with tree attributes constituting the valuation consisting of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.</li> <li>Suggest review of draft Code refer to standards and valuations above.</li> <li>see <a href="https://www.melbourne.vic.gov.au/SiteCollectionDocuments/Tree-valuations.DOC">https://www.melbourne.vic.gov.au/SiteCollectionDocuments/Tree-valuations.DOC</a></li> <li>In rural zoning areas encouraging perimeter plantings of drought resistant trees provides shelter for stock, lowers ground temperatures and reduces erosion.</li> <li>Review the methods used for demolition. Development sites are being levelled - suggest incentives for developers and demolishers to retain and/or plant.</li> <li>Larger trees be required as part of the landscaping plan for any urban consolidation development of higher rise housing</li> </ol>
46	1	29-Nov-19	Phase 2	General Public	Jane Mary Preston	n/a	Holdfast Bay	Overlays	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are not easily accessed and find the on line version of the draft Code confusing and difficult to understand.</li> <li>Significant omissions and mistakes noted in the overlay maps and zone.</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of biodiversity.</li> <li>Native Vegetation-Support lodgement of development application after contact with Native Vegetation Council (NVC)</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing. <ol style="list-style-type: none"> <li>Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> <li>Tree shortages – I support more accurate valuations on mature tree benefits. Refer to the valuation work at the Waite Institute with tree attributes constituting the valuation consisting of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.</li> </ol> </li> </ol>

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47	1	28-Nov-19	Phase 2	General Public	Lynda Yates (submission 1 of 2)	n/a	Holdfast Bay	Zones and Subzones	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are not easily accessed and find the on line version of the draft Code confusing and difficult to understand.</li> <li>Significant omissions and mistakes noted in the overlay maps and zone.</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of biodiversity.</li> <li>I support more accurate valuations on mature tree benefits. Refer to the valuation work at the Waite Institute with tree attributes constituting the valuation consisting of species, size, location, environmental benefits.</li> <li>Biodiversity must be considered in all Rural Zones.</li> <li>Remove 'merit' assessment in conservation zones particularly for renewable energy.</li> </ol>
48	1	28-Nov-19	Phase 2	General Public	Robyn Trott	n/a	Mitcham	General policy		Concerned that the Code does not provide enough for protection for the environment, trees, or historical areas, and favours developers.
49	1	29-Nov-19	Phase 2	General Public	Beverley Maxwell	n/a	Kangaroo Island	Zones and Subzones	Conservation, Native Vegetation etc.	<ol style="list-style-type: none"> <li>Consultation inadequate.</li> <li>Kangaroo Island undertook mapping related to the impacts of climate change therefore there should be an overlay of the climate change mapping for KI.</li> <li>Incorrect mapping of conservation areas as Rural Zone.</li> <li>Doesn't support tourist accommodation in Conservation Zone.</li> <li>There is no overlay indicating the presence of threatened species or critical habitats which would indicate potential restrictions on development in those areas. Also areas under Heritage legislation while on private land should be indicated as Conservation given the restrictions that are in place regarding developments and vegetation clearance disturbance.</li> <li>How does the new code relate to the plans that have been developed quite recently with extensive resident and landholder participation and consultation. Changes to the Planning and Design Code are very important and I wished to participate in the process but I felt very ill-equipped to address the issues due to the short time and limited opportunity to understand the changes that are planned.</li> </ol>
50	1	27-Nov-19	Phase 2	Community Group	Patsy Johnson	Friends of Para Wirra	Multiple	Admin Definitions	General Feedback	Definition of the term 'contemplate' is required for us to have any understanding of the interaction between Park Management Plans and the Code in Conservation Areas.
50	2	27-Nov-19	Phase 2	Community Group	Patsy Johnson	Friends of Para Wirra	Multiple	General Feedback	General Feedback	Difficult to comment effectively given tight timeframes, errors in Draft Code and difficulty in navigating.
50	3	27-Nov-19	Phase 2	Community Group	Patsy Johnson	Friends of Para Wirra	Multiple	Overlays	Critical Habitat	Natural assets of the Conservation Park and adjacent habitat would be better protected by the creation of additional overlays (i.e. Critical Habitat Overlay)
51	1	28-Nov-19	Phase 2	General Public	Chris Beardsley	n/a	n/a	Zones and Subzones	Conservation Zone	Land should not be zoned rural.
52	1	28-Nov-19	Phase 2	General Public	Joanna Wells	n/a	Mitcham	Overlays	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are not easily accessed and find the on line version of the draft Code confusing and difficult to understand.</li> <li>Significant omissions and mistakes noted in the overlay maps and zone.</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of biodiversity.</li> <li>Native Vegetation-Support lodgement of development application after contact with Native Vegetation Council (NVC)</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing. <ol style="list-style-type: none"> <li>Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> </ol> </li> <li>Tree shortages – I support more accurate valuations on mature tree benefits. Refer to the valuation work at the Waite Institute with tree attributes constituting the valuation consisting of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.</li> </ol>
53	1	28-Nov-19	Phase 2	General Public	Lynda Yates (submission 2 of 2)	n/a	Holdfast Bay	Zones and Subzones	Conservation Parks, National Parks etc.	See submission 47.1 above
54	1	28-Nov-19	Phase 2	Community Group	Cynthia Pyle	St. Agnes Bushwalking and Natural History Club	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	St. Agnes Bushwalking and Natural History Club supports the submissions of Conservation Council SA and (NEHECA) North East Hills Environmental Conservation Association Inc regarding the Planning and Development Act. If this act is passed, it will severely reduce the opportunity for the community to prevent development that threatens trees and will increase the approval of unsuitable development.
55	1	28-Nov-19	Phase 2	General Public	Devali Devasagayam	n/a	Unley	Overlays	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are not easily accessed and find the on line version of the draft Code confusing and difficult to understand.</li> <li>Significant omissions and mistakes noted in the overlay maps and zone.</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of biodiversity.</li> <li>Native Vegetation-Support lodgement of development application after contact with Native Vegetation Council (NVC)</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing. <ol style="list-style-type: none"> <li>Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> </ol> </li> </ol>



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										10. Tree shortages – I support more accurate valuations on mature tree benefits. Refer to the valuation work at the Waite Institute with tree attributes constituting the valuation consisting of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.
56	1	28-Nov-19	Phase 2	General Public	Jenny Cavallaro	n/a	n/a	Zones and Subzones	Conservation Parks, National Parks etc.	The conservation of native areas enshrined in law is an imperative pursuit and these areas need to remain protected to stop the loss of our unique biodiversity. Rezoning these areas as 'rural' is breaking the law and is an unacceptable short term exploitation of areas that belong to everyone into the future. Further to this, the public is not sufficiently informed, or given appropriate time and access to discussion and negotiation with the experts or the wide ranging advisors needed for such an important 'reform'. This an unacceptable process for a project that has a bias of rational self-interest for a few to gain by taking what belongs to the many. I ask that this project is delayed until wider consultation and wider negotiations are made with all stake holders. I also ask for a genuine and inclusive response to this email.
57	1	29-Nov-19	Phase 2	General Public	Maurice Roche (submission 1 of 2)	n/a	n/a	Zones and Subzones	Conservation Parks, National Parks etc.	National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not rezoned Rural.
58	1	29-Nov-19	Phase 2	General Public	Simone Hunter	n/a	Holdfast Bay	Zones and Subzones	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The relevant mapping and overlays in Conservation Zone are difficult access and I find the on line version of the draft Code confusing and difficult to understand, for a person who has no experience in working through these texts.</li> <li>Significant omissions and mistakes in the overlay maps and zone are concerning.</li> <li>The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>I support that a revised, clearer and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'.</li> <li>The Conservation Zone should not have merit assessed for alternative energy facilities – this use apart from where physically contemplated in a park management plan should be restricted. It currently is identified as a suitable development in the Conservation Zone, but not in the Significant Landscape Character overlay.</li> <li>Align the Significant and Regulated tree provisions as part of biodiversity.</li> <li>Planning for all rural zones should include considerations of Biodiversity.</li> <li>Native Vegetation-Support lodgement of development application after contact with Native Vegetation Council (NVC).</li> <li>NVC advice to advocate designing with a view to retention, not removal before designing.</li> <li>(a) Offsets for NV removal; note revegetation does not substitute for mature tree replacement mallee trees for example which take 100s of years to grow – how should these be valued re hydrological aspects?</li> <li>(b) Greybox Gum trees are an endangered species – should be included as a tree worthy of retention.</li> <li>Tree shortages I support more accurate valuations on mature tree benefits. For example, Dr Jennifer Gardner of Waite Institute is involved in Waite Arboretum trees being valued – on the basis of species, size, location, environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the trees values for urban plantings provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.</li> <li>Also Commission's attention is drawn to the City of Melbourne for inspiration</li> <li>I support the recommendation for a review of draft Code referring to standards and valuations above.</li> <li>see <a href="https://www.melbourne.vic.gov.au/SiteCollectionDocuments/Tree-valuations.DOC">https://www.melbourne.vic.gov.au/SiteCollectionDocuments/Tree-valuations.DOC</a></li> <li>In rural zonings, area, encouraging perimeter plantings of drought resistant trees provides shelter for stock, lowers ground temperatures and reduces erosion.</li> <li>Review the methods used for demolition. Development sites are being cleared of buildings and all vegetation and demolition firms charge more if retention of trees is required. Suggest incentives for developers and demolishers to retain and/or plant.</li> <li>Larger trees be required as part of the landscaping plan for any urban consolidation development of higher rise housing.</li> </ol>
59	1	29-Nov-19	Phase 2	General Public	Andrew Allanson	n/a	n/a	Zones and Subzones	Conservation Parks, National Parks etc.	Submission raises concerns that the new planning code proposes to rezone national parks as 'rural', and also the potential for this to be a disastrous watering-down of protection for the little remnant vegetation that SA has left. All National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not be rezoned Rural.
60	1	29-Nov-19	Phase 2	General Public	Penny Morgan (submission 1 of 2)	n/a	Streaky Bay	Zones and Subzones	Conservation Parks, National Parks etc.	Submission raises concerns that the new planning code proposes to rezone national parks as 'rural', and also the potential for this to be a disastrous watering-down of protection for the little remnant vegetation that SA has left. All National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not be rezoned Rural.
61	1	29-Nov-19	Phase 2	General Public	Penny Morgan (submission 2 of 2)	n/a	Streaky Bay	Zones and Subzones	Conservation Parks, National Parks etc.	See submission 60 above
62	1	29-Nov-19	Phase 2	General Public	Tim Jury	n/a	n/a	Zones and Subzones	Conservation Parks, National Parks etc.	Submission raises concerns that the new planning code proposes to rezone national parks as 'rural', and also the potential for this to be a disastrous watering-down of protection for the little remnant vegetation that SA has left. All National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not be rezoned Rural.
63	1	29-Nov-19	Phase 2	General Public	S. Petit	n/a	Prospect	Zones and Subzones	Conservation Parks, National Parks etc.	<ol style="list-style-type: none"> <li>The pretend consultation process is farcical and unbecoming to a State Government: <ol style="list-style-type: none"> <li>Not enough time is given to examine hundreds of pages of gobbledegook</li> <li>It is one of the busiest times of year for rural populations</li> <li>Two websites present two different lots of information</li> <li>The information uses inappropriately leading language throughout</li> <li>No attempt has been made to present the information fairly, so that it is understandable to the general population</li> <li>No detail is given showing clearly the changes and their impacts.</li> </ol> </li> <li>Performance assessment in Rural areas will be detrimental to primary production and conservation</li> <li>The code will not result in sustainable development.</li> <li>Habitat and biodiversity have been ignored.</li> <li>Conservation parks should not be zoned Rural.</li> </ol>
64	1	29-Nov-19	Phase 2	General Public	Joanne Baulderstone	n/a	Mitcam	Zones and Subzones	Conservation Zone, consultation	<ol style="list-style-type: none"> <li>The Code is large and insufficient time to review it.</li> <li>Difficulty being able to access the online mapping tool (often layers such as native vegetation layer were not available, notably when looking at native vegetation property in DC Tatiara.</li> <li>No time to assess detail of the Code to see whether there could be negative impacts on native vegetation and biodiversity.</li> <li>Mapping and overlays in Conservation Zone are not easily accessed and online version is confusing and difficult to understand</li> <li>Significant mistakes and omissions in maps and zones.</li> <li>Seek a revised, clearer and accurate version of the Code be peer-reviewed and accessible to the public for comment before being activated.</li> </ol>
65	1	29-Nov-19	Phase 2	Community Group	Ross Oke	Goolwa to Wellington LAP	Multiple	Zones and Subzones	Misapplication of Zone	Concern a number of conservation reserves and national parks and wilderness areas are to be rezoned 'rural'. All all public lands set aside for conservation of biodiversity should be appropriately zoned as 'conservation' and not 'rural'.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
66	1	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Assessment Pathways & Public Notification	Conservation Zones	The Minister or Government should not be allowed to have power to fast track accommodation (or other) developments in Protected Areas. There should be public consultation and opportunity for submissions.
66	2	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Conservation Zone	Conservation Zones	The Conservation Overlay (Zone) should have 2 categories: a High Conservation Area which contains all Conservation Parks, Conservation Areas and National Parks, Wilderness Areas, Coastal Reserves, Native Forest Reserves and another for conservation in other 'parks'. More development types should not be permitted with no right of appeal in the High Conservation Overlay/Zone areas & the other area should be Impact Assessed Restricted Pathway & subject to reference to the relevant Management Plan.
66	3	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Conservation Zone	Conservation Zones	The Conservation Overlay (Zone) should have 2 categories: a High Conservation Area which contains all Conservation Parks, Conservation Areas and National Parks, Wilderness Areas, Coastal Reserves, Native Forest Reserves and another for conservation in other 'parks'. More development types should be restricted with no right of appeal in the High Conservation Overlay/Zone areas.
66	3	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Procedural matters	Conservation Zone	Assessment and referrals should be provided adequate timeframes, including opportunities for public comment open and transparent
66	3	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	State Significant & Native vegetation Overlays & Conservation Zone	Assessment Pathways	Concerns about Native Vegetation Overlay and the 'risk based approach' based on the 'level of clearance proposed'. Native vegetation clearance should not be provided for in any Conservation area.
66	4	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Conservation Zone	Definitions	The proposed conservation code overlay contains vague words that can have different meanings include 'contemplate' quality' and 'ecologically sustainable' - these need to be defined.
66	5	29-Nov-19	Phase 2	Community Group	Cathy Potts	Friends of Kaiserstuhl conservation park	Multiple	Conservation Zone	Assessment Pathways	Needs to be special requirements for applications for accommodation developments on Land in Protected Area Systems with conservation as the priority given lack of biodiversity and greenspaces elsewhere. Applications for tourist accommodation should be directed to adjacent farming land - this would help regional farmers / towns if a developer wanted to build accommodation leased or bought of a land owner near a protected area.
67	1	29-Nov-19	Phase 2	General Public	Deb Davis	n/a	n/a	General Feedback		Concerned about the complexity of the Code and that that it's difficult to understand. More time is needed to understand it. Concerned that the Code waters down controls applying to conservation area and will allow economic development to take precedence over conservation.
68	1	23-Nov-19	Phase 2	General Public	Rob Kelman (submission 1 of 2)	n/a	Multiple	Zones and Subzones	Conservation Reserves and National Parks	Submission is opposed to rezoning conservation reserves and National Parks. Submission notes that South Australia has very few public places of natural resources. These places are a last refuge for threatened plant and animal communities and left in perpetuity for the greater good of biodiversity and public access.
69	1	28-Nov-19	Phase 2	General Public	Rob Kelman (submission 2 of 2)	n/a	Multiple	Zones and Subzones	Conservation Reserves and National Parks	Submission questions why conservation zoning need to 'keep pace' with the boundaries of the parks and reserves. Submission notes that it's necessary to halt inappropriate development of our conservation parks and reserves - conservation parks and reserves especially National parks should never be developed. Submission notes that this is plain and simple 'white anting' of legalities and paperwork to give developers an easier run at developing eco-tourism in our conservation reserves. Submission notes that the community on Kangaroo island is totally opposed to this and is completely outraged - this is causing much anxiety and disillusion about the future of our sacred spaces.
70	1	23-Nov-19	Phase 2	General Public	Ann Prescott	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission notes that much of the land currently designated / zoned Conservation and managed for biodiversity, native vegetation, flora and fauna is proposed to be re-zoned Rural. This, in a state that is already hemorrhaging ecosystems and good quality native vegetation so that many habitats and species of plants and animals are destined to extinction. This rezoning to Rural would be a crime against: <ul style="list-style-type: none"> <li>our biodiversity that underpins all life, and</li> <li>all citizens of this state who have worked for over 100 years to preserve important natural habitats.</li> </ul> All National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not rezoned Rural.
71	1	23-Nov-19	Phase 2	General Public	Nadja Osterstock	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission raises concerns that the new planning code proposes to rezone national parks as 'rural', and also the potential for this to be a disastrous watering-down of protection for the little remnant vegetation that SA has left. All National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not be rezoned Rural.
72	1	24-Nov-19	Phase 2	General Public	Trudi Duffield	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation and not rezoned Rural. The Rural zoning then allows for housing development which is not in the sentiment of the original zoning application. Also by removing the referral to the native vegetation assessment for development with applying a stat dec by the applicant undertaking housing development, will there be resources available to ensure these applicants are honest and law abiding or rely on dibber doblers.
73	1	24-Nov-19	Phase 2	General Public	Kathy Green	n/a	Kangaroo Island	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation should remain so. Our natural heritage, environment, wildlife habitats need to be protected as such and not rezoned Rural. It is an outrageous proposition in a time when extinction rates are soaring and the climate emergency is impacting ever more on wildlife's biomes that this government would put more at risk by these regressive, aggressive and biocidal laws.
74	1	24-Nov-19	Phase 2	General Public	Diane Shaw	n/a	Adelaide	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation and not rezoned Rural.
75	1	24-Nov-19	Phase 2	General Public	Carole Barker	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests the protection of all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation by having them remain zoned as Conservation and not rezoned as Rural. Having national parks are also important for human health. Going for nature walks has helped my physical and mental health.
76	1	24-Nov-19	Phase 2	General Public	Mark Crohn	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission notes that it is essential that current areas with natural habitat and ecosystems are preserved and safeguarded from additional stress. South Australia is already hemorrhaging ecosystems and good quality native vegetation so that many habitats and species of plants and animals are destined to extinction. National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation must remain zoned as Conservation and not rezoned Rural.
77	1	25-Nov-19	Phase 2	General Public	Alysse Page	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission notes concerns around rezoning parts of, or all, of many National Parks, Conservation Parks, ForestrySA Native Forest Reserves, Sanctuaries, and Heritage Agreements to "RURAL". It is clear that the importance of Native Vegetation and especially stronghold areas of it is understood and appreciated, so I would ask you to please not rezone these areas to make it possible for any clearance to occur in these areas.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
78	1	25-Nov-19	Phase 2	General Public	Pineapple Panda	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation and not rezoned Rural.
79	1	25-Nov-19	Phase 2	General Public	Frugal Mum	n/a	Multiple	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation and not rezoned Rural.
80	1	25-Nov-19	Phase 2	General Public	Jude Price	n/a	Port Adelaide Enfield	Zones and Subzones	Conservation Parks, National Parks etc.	Submission requests that all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation should remain so. Our natural heritage, environment, wildlife habitats need to be protected as such and not rezoned Rural. It is an outrageous proposition in a time when extinction rates are soaring and the climate emergency is impacting ever more on wildlife's biomes that this government would put more at risk by these regressive, aggressive and biocidal laws.
81	1	25-Nov-19	Phase 2	General Public	Angus Nicholson	n/a	Multiple	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
82	1	25-Nov-19	Phase 2	General Public	Cheryl Brentson	n/a	Multiple	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
83	1	25-Nov-19	Phase 2	General Public	Phil Tindale	n/a	Multiple	Zones and Subzones	Conservation Zone	Concerned about the rezoning of national parks and other conservation areas. Seeks improvement of environmental protection laws, not dilution.
84	1	25-Nov-19	Phase 2	General Public	Jane Intini	n/a	Multiple	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
85	1	26-Nov-19	Phase 2	General Public	Louise Maloney	n/a	Multiple	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
86	1	26-Nov-19	Phase 2	General Public	Donna Moore	n/a	Multiple	Zones and Subzones	Conservation Zone	<ol style="list-style-type: none"> <li>1. Raises concerns about removing local communities and councils from decision making process, questioning the independence of the process. Questions how councils will be compensated for loss of development fees, and how communities will be compensated for impacts of developments that would not have been approved under the development plan.</li> <li>2. Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.</li> </ol>
87	1	27-Nov-19	Phase 2	General Public	Judith Gooden	n/a	Multiple	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
88	1	28-Nov-19	Phase 2	General Public	Caroline Paterson	n/a	Kangaroo Island	Zones and Subzones	Conservation Zone	<ol style="list-style-type: none"> <li>1. Size and complexity of Code is overwhelming. Overview of current content and proposed changes are required.</li> <li>2. Duration and level of consultation is inadequate, tokenistic.</li> <li>3. A revised, clearer and accurate version needs to be developed and consulted on.</li> <li>4. Considers there needs to be an overlay that identifies National and State Threatened Species populations and critical breeding/nesting habitats. Needed to provide an early alert to developers to ensure appropriate consideration is undertaken up front. Also needs to apply in the Conservation Zones.</li> <li>5. Seeks inclusion of a Biodiversity layer to include all aspects of functioning ecosystems such as plants, animals, soil, water and the relationships between.</li> <li>6. Development of wind farms, aerodromes and helicopter landing facilities must consider proximity to bitds, bats and raptor breeding and foraging territories across the state. Territories of endangered coastal raptors need to be avoided.</li> <li>7. Considers National and Conservation Parks should be Conservation Zone, not Rural. Critical habitat for listed threatened specaies has also been zoned rural.</li> <li>8. The maps show some offshore islands as 'no information available' others as 'Coastal Waters and Offshore Islands' despite their gazetted as Conservation Parks and in cases in both YP and KI also prohibited areas. This relates to all coastal regions.</li> <li>9. The zoning is too broad and inaccurate. Many parcels within rural zones are in fact in-tact old growth native vegetation, some under Heritage agreements. These should be zoned 'Conservation' as they cannot be cleared or used for primary production without breaching the Native Vegetation Act as it is a change of land use.</li> <li>10. The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>11. Planning for all rural zones should include considerations of Biodiversity.</li> <li>12. Planning for all rural zones should include assessment against sustainable and regenerative primary production methods.</li> <li>13. Planning for all tourism development in conservation should include assessment against ecologically sustainable criteria.</li> <li>14. All private developments in National Parks must be subject to public notification, representation and appeal rights.</li> <li>15. All approved Management Plans for National Parks must be automatically included in the new Planning and Design Code for South Australia. This will ensure that environmental objectives are paramount in deciding what is or isn't appropriate by way of new development in our National Parks.</li> <li>16. Considers Code should align with the goals and objectives of the adopted Kangaroo Island NRM plan 2017 -2017 (and all regional NRM plans)?</li> </ol>
89	1	29-Nov-19	Phase 2	Community Group	Janine Mackintosh	Friends of Dudley Peninsula Parks	Multiple	General Feedback	General Feedback	The Code is riddled with omissions, errors and jargon and is therefore incomprehensible to most people. The local consultaion is poor and tokenistic. The Online portal and mapping tool is extermely confusing and difficult to navigate.
89	2	29-Nov-19	Phase 2	Community Group	Janine Mackintosh	Friends of Dudley Peninsula Parks	Multiple	Zones and Subzones	Conservation Zone	It must be confirmed all land currently set aside for conservation must remain clearly zoned conservation
89	3	29-Nov-19	Phase 2	Community Group	Janine Mackintosh	Friends of Dudley Peninsula Parks	Multiple	Overlays	New Overlay Request	A comprehensive biodiversity overlay should be applied in every zone, taking into consideration all individual species.
90	1	29-Nov-19	Phase 2	General Public	Joan Gibbs	n/a	Multiple	Referrals	Native Vegetation Overlay and Conservation Zone	<ol style="list-style-type: none"> <li>1. Seeks to have the Native Vegetation Council assess development applications before lodgement. Also seeks public notification on applications seeking to remove vegetation.</li> <li>2. Seeks confirmation that the job of the Native Vegetation Council is to advocate for the retention of vegetation, including ancient and venerable trees which also contribute to the historical landscape.</li> <li>3. Does not support offsets for mallee bushland as this cannot be recreated once lost. Also highlights tourist potential of these areas.</li> <li>4. Considers that revegetation by tree planting does not satisfy offsets as it can take hundreds of years for an ecosystem to reestablish.</li> <li>5. Seeks to have economics of functioning ecosystems in conservations zones calculated, noting impacts of land clearance on climate, amenity and water supply.</li> </ol>



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
91	1	29-Nov-19	Phase 2	General Public	Peter Schultz	n/a	Charles Sturt	Zones and Subzones	Conservation Zone, tourist accommodatopm	1. Code contains errors and omissions, and is incomplete. Online portal and mapping tool is complex and confusing. 2. Considers one size fits all approach to Code does not adequately cover varied areas of the State. 3. Does not support proposed approach to allow tourist accommodation in Conservation and National Parks. Considers Park Management Plans should be developed to determine whether tourist accommodation is appropriate ineach park, rather than Code doing this. Also notes toruist accommodation will not get approval where the Hazards (Bushfire - Regional) Overlay applies.
92	1	22-Nov-19	Phase 2	Land Owner	Grant Schubert	Wrights Bay Camping Group	Robe	Land use Definitions	Tourist accommodation definition – Campground	Wrights Bay Camping Ground, Mount Benson: Clarification is required as to whether a campground is a form of tourist accommodation, particularly given “tourist accommodation” is classified as a “restricted” form of development (with some exclusions that do not apply to the subject land). There is a substantial inconsistency in policy and process, should a “campground” be considered tourist accommodation.
92	2	22-Nov-19	Phase 2	Land Owner	Grant Schubert	Wrights Bay Camping Group	Robe	Zones and Subzones	Conservation Zone	Table 4 – Restricted Development Classification of the Conservation Zone be amended to include or reference “campground” as an exclusion.
92	3	22-Nov-19	Phase 2	Land Owner	Grant Schubert	Wrights Bay Camping Group	Robe	Mapping	Conservation Zone – Visitor Experience Subzone	It is our respectful submission that Table 4 – Restricted Development Classification of the Conservation Zone be amended to include or reference “campground” as an exclusion. We would seek the inclusion of the Wrights Bay Camping Ground into the “Visitor Experience Subzone”, as the campground clearly satisfies the desired outcome of the subzone, which supports “tourist accommodation to complement visitor experiences”.
93	1	17-Oct-19	Phase 2	General Public	Trevor Boerth (submission 1 of 3)	n/a	Yorke Peninsula	Zones and Subzones	Rural Living Zone	Request to have their land rezoned from Rural Living to Residential Neighbourhood Zone so that they can apply for a land division. A review of the location and Code application identifies an application would be Performance Assessed under the Code. Coastal Areas Overlay does not apply to the land.
94	1	17-Oct-19	Phase 2	General Public	Trevor & Christine Carbins (submission 1 of 2)	n/a	Yorke Peninsula	Zones and Subzones	Conservation Zone	Request to have their land rezoned from Conservation to Rural Living or Residential Neighbourhood given proximity to the Town Centre and shared boundary with a Residential Zone. Coastal Areas Overlay applies to the land.
<b>95 DUPLICATE (see Submission 2)</b>										
<b>96 DUPLICATE (see Submission 1)</b>										
97	1	15-Nov-19	Phase 3	General Public	Peter Tapley					<b>ON HOLD - PHASE 3</b>
98	1	19-Nov-19	Phase 2	Land Owner	Scott and Justine Fennell	n/a	Robe	Zones and Subzones Mapping	Infrastructure (Ferry and Marina Facilities)  Loss of local policy	Currently within the Coastal Marina Zone under the BDP with specific local policy. Objective 2: Tourism development in and surrounding Karatta House. PDC 1 The following forms of development are envisaged in the zone: <ul style="list-style-type: none"> <li>Dwelling</li> <li>small scale tourist development</li> </ul> PDC 4 Development should be carried out in accordance with the concepts shown on Concept Plan Map Ro/2 – Lake Butler Concept Plan. Public Notification Category 1 - Any development on the site of Karatta House. Karatta House is a State Heritage place and is an important building and tourism asset within the environs of Lake Butler, Robe. The District Council of Robe and the landowners currently recognise that the vacant land adjacent Karatta House has development potential for suitably design residential and/or tourist accommodation. As part of the Councils Better Development Plan (BDP) and General DPA – (gazetted on 10 November 2011) Karatta House and surrounding land was located in the Coastal Marina Zone and subject to a detailed Concept Plan (Zone Plan and Concept Plan attached). The transition to the Infrastructure (Ferry and Marina Facilities) Zone within the consultation version of the PD Code (Phase 2 October 2019), does not contain similar local policy and therefore significantly diminishes the certainty provided to my clients relating future development of Karatta House and particularly the vacant residential allotments. Under the proposed PD Code policy, future residential development would be code assessed and require notification
99	1	20-Nov-19	Phase 2	Land Owner	David Brock	n/a	Coorong	Zones and Subzones Mapping	Rezoing Request to Rural Living	I am writing to put forward a submission that a portion of our property as highlighted on attached map, be rezoned from Primary Production Zone to Rural Living Zone. Our family home which is located in the highlighted area is currently under Primary Production Zone. Currently Section 51, Hundred of Coombe is Rural Living. The highlighted area has been surveyed and we are requesting that this area be placed in Rural Living in conjunction with Section 51, Hundred of Coombe. This will leave Section 50, Hundred of Richards, 41.98 hectares in Primary Production Zone. We have been pursuing this request since 2012 with the Coorong District Council and hope that you can please consider this application.
100	1	20-Nov-19	Phase 3	General Public	G & A Koulianos  C & G Zafiroopoulos					<b>ON HOLD - PHASE 3</b>
101	1	26-Nov-19	Phase 2	General Public	David Cook	Elders Real Estate Barossa	Clare & Gilbert Valleys	Zones and Subzones	Rural Living	The Clare township history has a high demand for rural living blocks. Over the past 15 years we have seen Donnybrook Estate implemented and sold. Followed by Golfview heights - stages 1, 2 and 3. Now all sold. The very popular larger living allotments continue to sell quickly when they come on to the market. There are no other choices, for buyers wanting larger rural living allotments. Lot 8 Stanley street Clare is beautifully located for rural living blocks, and can not be seen from the entrance to the Clare Valley as it is located behind a ridge. The land has approximately 10 percent trees, with 90 percent being sheep grazing on native grasses. The property has not had a crop planted for approx 30 plus years. When looking for choices for rural living blocks for the growth of the Clare population and further development of the town area, there is little alternatives as the Clare township ids restricted due to the shape of the Valley (please see attached aerial image). I have no doubt that should go ahead be given that this area would be extremely popular with homeowners wanting to invest into the Clare township, and build substantial homes with all purpose shedding. The property adjoins Hanlin’s Rise, a residential subdivision. Clares builders, landscapers, small business, schools and general community needs more investment in the town. I have lived in Clare for over 22 years, and have been a hotelier for 6 years and worked in the real estate business based in Clare for 7 years. I fully support this concept of re zoning the land, and see little reason why it should not be strongly considered.
102	1	25-Nov-19	Phase 2	General Public	Richard Wood	n/a	Clare & Gilbert Valleys	Zones and Subzones	Rural Living	In brief, the land comprises of approx. 31.7 hectares and will result in approximately 24 rural living allotments. The land has been used for seep grazing since early settlement. A vegetation assessment has outlined areas of vegetation retention. The landform and soil type do not lend themselves to cropping or horticultural uses. A traffic assessment confirmed the existing road network can accommodate the increased traffic movements. The wastewater and stormwater can be managed on site. Fire access easements have been created where necessary. All relevant government agencies had endorsed the Concept Plan. Further information can be provided if requested. The land has been investigated and a concept plan prepared for the land to be developed for Rural Living and it is requested that the zoning under the Code reflect this.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
103	1	26-Nov-19	Phase 2	Business Owner	Michael Richardson (MasterPlan SA Pty Ltd)	T-Ports Pty Ltd	Elliston	Zones and Subzones Mapping	Rezoning request – Employment (Bulk Handling Zone)	On behalf of T-Ports Pty Ltd ("T-Ports"), we refer to your correspondence to Mr Kieran Carvill dated 20 November 2019 in respect of the T-Ports Lock Bunker Site. T-Ports have sought our advice in respect of your correspondence and have requested that we respond on their behalf. In your correspondence, you highlighted that in the transition to the Planning and Design Code, Council has identified that the Lock Bunker Site is proposed to remain in the Rural Zone in the draft Planning and Design Code, which is currently on public consultation. We note that the Lock Bunker Site has only recently been developed, and that the land on which it is located has historically been located in the Primary Production Zone of the Elliston Council Development Plan. Now that the site is operating, we concur with Council's view that the site should be located in a zone which is specific to, and provides adequate policy protection for, the use which is now taking place. We also concur with Council's view that the site would be best located in the Employment (Bulk Handling) Zone when the Planning and Design Code comes into operation. It is T-Ports preference that this zoning anomaly is corrected prior to the Planning and Design Code coming into operation, rather than via a subsequent Code amendment.
104	1	27-Nov-19	Phase 2	Land Owner	Susan Craig	n/a	Kangaroo Island	Mapping or policy change	Township Activity Centre Zone	Respondent requests a zoning change from Township Activity Zone at Penneshaw to a zone more open to residential development and 250m2 minimum lot sizes for the following reasons: <ul style="list-style-type: none"> <li>The current commercial/retail precinct is bordered by North Terrace, Hog Bay Road and Middle Terrace. This rectangular precinct that is almost 1km (850mtrs) east from Christmas Cove, or a 20 minute walk.</li> <li>In the last 6 months the following commercial developments are underway or have been completed in the current precinct, as it has organically developed and is favoured as the main retail precinct by investors. <ol style="list-style-type: none"> <li>New Restaurant on North Terrace.</li> <li>New and renovated fast food dining on North Terrace.</li> <li>Renovated tourist accommodation on Middle Terrace.</li> <li>New café on Middle Terrace.</li> <li>Renovated Caravan Park at the end of Middle Terrace to the East of the town centre.</li> <li>Renovated Hotel on North Terrace, to include permanent all weather outside dining.</li> <li>No commercial developments have taken place near or at Christmas Cove.</li> </ol> </li> <li>Financial institutions and banks will not lend against a commercial development that are remotely situated on an island. It is not possible to finance a commercial enterprise without the domestic element to the zoning.</li> <li>Lots 7 and 13 are incongruent with the surrounding land.</li> <li>Land and buildings to the west which abuts the boundary of lots 7 and 13 are zoned residential.</li> <li>Buildings to the east are zoned town centre. However, two of the three buildings have permanent residents. Only one building is being used for commercial tourist accommodation, the other two are non compliant with the code.</li> </ul>
105	1	27-Nov-19	Phase 3	Land Owner	Matthew King (URPS)	Glenellen Poultry				<b>ON HOLD - PHASE 3</b>
106	1	28-Nov-19	Phase 2	General Public	Robert Sutton (CEO)	Lost River Australia Pty Ltd				<b>NOT FOR PUBLICATION</b>
107	1	28-Nov-19	Phase 2	Local Government	Geoff Sheridan	District Council of Elliston	Elliston	Zones and Subzones	Rezoning	Seek rezoning to Employment (Bulk Handling) Zone Additional submission from MasterPlan on behalf of the land owner in this table.
108	1	29-Nov-19	Phase 2	Land Owner	Tom Crompton (Botten Levinson)	SC Heinrich and Co Pty Ltd	Clare & Gilbert Valleys	Zones and Subzones	Rezoning	Would like land re-zoned from Rural to Employment.
108	2	29-Nov-19	Phase 2	Land Owner	Tom Crompton (Botten Levinson)	SC Heinrich and Co Pty Ltd	Clare & Gilbert Valleys	Zones and Subzones	Restricted Development	Do not change Restricted Development list in Rural Zone.
108	3	29-Nov-19	Phase 2	Land Owner	Tom Crompton (Botten Levinson)	SC Heinrich and Co Pty Ltd	Clare & Gilbert Valleys	Land use Definitions	Private works depot	Develop new land use definition for "private works depot".
109	1	29-Nov-19	Phase 2	Land Owner	Mary Cominos	n/a	Elliston	Zones and Subzones Land use Definitions	Rezoning / Policy change Request	The subject land is located in both the Primary Production Zone and the Coastal Conservation Zone of the Elliston Council Development Plan (consolidated 12 December 2017). The portion of the site that is located in the Coastal Conservation Zone is also located in Precinct 5 Talia Caves Camping Area. This is a Precinct put specifically in place for the subject land in 2017 through the Coastal and General DPA. Nature based/eco-tourism accommodation is an envisaged kind of development in the Zone. No other kinds of built form are envisaged in the Zone. Under the draft Planning and Design Code, I understand that the land will be located in both the Rural Zone and the Conservation Zone as illustrated below (Figure 2). The area of land within the Conservation Zone is not located within the Visitor Experience Subzone which surrounds the site (Figure 3). Tourist accommodation is assessed as restricted development where land is located within the Visitor Experience Subzone (or in an area proclaimed under the <i>National Parks and Wildlife Act 1972/Wilderness Protection Act 1992</i> ), and as performance assessed development where it is outside of the Visitor Experience Subzone. Tourist accommodation is subject to public notification if it is assessed as performance assessed development as it is a kind of development that is "all other code assessed development". There is one other notification trigger listed and that is where the site of the development is adjacent to land in a different zone. Nature based/eco-tourism accommodation is an envisaged kind of development in the Zone. No other kinds of built form are envisaged in the Zone.
110	1	29-Nov-19	Phase 2	Private Practitioner	Adam Williams	Access Planning	Yorke Peninsula	Zones and Subzones Mapping	Request for rezoning - Rural Living Zone	This submission seeks the Code include land and policies relating to the expansion of the Rural Living Zone at Edithburgh on the Yorke Peninsula. A Statement of Intent for the proposed amendments were endorsed by the Council in November 2018 and forwarded to the Minister. In January of this year the Minister for Planning advised the Council that due to the introduction of the Planning and Design Code the Minister was unable to support the Statement of Intent. However, the Minister added he had no in principle object to Council exploring opportunity for township expansion, subject to appropriate investigations being undertaken which identify the need for change.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
111	1	29-Nov-19	Phase 2	Land Owner	Michael Richardson (Master Plan)	T-Ports Pty Ltd	Franklin Harbour	Zones and Subzones	Policy	There are serious concerns about the transition of existing Precinct 2 Lucky Bay Coastal to an Infrastructure (Ferry and Marina Facilities) Zone. This zone only relates to on-water development associated with the passenger ferry services and neglects all the off-water development associated with the port and harbour facilities, in particular cargo handling facilities, harbour loading facilities, port activities, short term workers accommodation, tourism facilities and tourist accommodation. If the Infrastructure (Ferry and Marina Facilities) Zone is to be maintained for this site, it is recommended that additional Desired and Performance Outcomes are required to cover all the uses intended for this area and that the precinct specific provisions be retained in the Code. We understand that this should occur in Part 6 – Technical and Numerical Variations. Site is surrounded by an area that has been transitioned to the Industry Zone and Infrastructure Policy Area has been placed in the Employment Zone with a Hazards (Bushfire – Regional) and Native Vegetation Overlay. On face value and given that there are no Policy Areas or Precincts, the proposed conversion of the Lucky Bay Precinct to this zone appears reasonable. However, when compared to existing policy, there are a number of significant deficiencies and discrepancies. The existing policy that was introduced into the Development Plan on 11 February 2016 was written specifically for Lucky Bay and was designed to accommodate that in addition to ferry operations, the Lucky Bay facility will operate as a port supporting the export and import of mineral commodities.
<b>112 DUPLICATE (see submission 115)</b>										
113	1	25-Nov-19	Phase 2	Land Owner	Master Plan (Julie Jansen)	Robe Country Club Pty Ltd	Robe	Zones and Subzones Mapping	Loss of local policy	The District Council of Robe and Robe Golf Club Incorporated, worked closely with landowners adjoining the recently expanded Robe Golf Course, over many years to rezone land that would facilitate the expansion of the golf course and allow for complementary residential and tourist accommodation adjacent the golf course. The Department of Planning, Transport and Infrastructure were integral in working with Council and the Golf Club in the preparation of the Robe Golf Course Expansion DPA to achieve an appropriate planning outcome. It is therefore incredible that the outcomes of a very recent Development Plan Amendment have not been transferred to the PD Code. Effectively the policy of the PD Code removes all residential and tourist accommodation development opportunities from Section 133 (subject land), as was included by the Robe Golf Course Expansion DPA (gazetted 15 December 2016). The removal of the Recreation Policy Area 4 – Precinct 4 Residential from the Robe Council Development Plan is vehemently opposed given its significant implications on the development opportunities for the subject land and the interface within the recently completed golf course.
113	2	25-Nov-19	Phase 2	Land Owner	Master Plan (Julie Jansen)	Robe Country Club Pty Ltd	Robe	Zones and Subzones Mapping	Loss of local policy	Currently the property is located within Open Space Zone (Residential Policy Area 4, Precinct 4- Residential). Concept Plan Map Ro/12 - Robe Golf Course identifies this area for "future residential / tourist development integrated with golf course". This is also reflected in the desired character statement. The subject land is proposed to be included in the Recreation Zone (no sub-zones or Concept Plans currently included). Removal of policy in Precinct 4 and the Concept Plan from the current development plan effectively means there is no policy that supports residential development and tourist accommodation around Robe Golf Course, which was a fundamental component of the Robe Golf Course Expansion DPA. Removal of the policy does not create the envisaged active frontages to the recently redeveloped Robe Golf Course, which was a fundamental objective of the DPA. The proposed Code zoning removes local planning policy that currently supports the development of dwellings, motel, residential flat buildings and tourist accommodation on my client's land. The implications of the removal of this policy is economically significant. Given the policy to facilitate development around the Robe Golf Course was only introduced in late 2016, it is requested that this important local policy is corrected in the final version of the PD Code. Without the inclusion of specific local policy applicable to this unique scenario around Robe Golf Course, my clients are significantly economically disadvantaged.
114	1	28-Nov-19	Phase 2	Land Owner	Master Plan (Julie Jansen)	Supertype Pty Ltd	Yorke Peninsula	Zones and Subzones Mapping	Rezoning request - either Settlement Zone or Visitor Experience Subzone	Currently the subject land and the adjacent Crown Reserve is located within the Coastal Conservation Zone of the Yorke Peninsula Council Development Plan (consolidated 29 November 2018). Submissions have been made on behalf of our client, to the Yorke Peninsula Council on the review of zoning in Black Point (June 2019). The submission to Council respectfully sought a review of the zone boundaries of the Caravan and Tourist Park and Settlement Zone, as part of the transition to the PD Code. In our submission, we identified the opportunity to consider the north western area of Black Point as a community and activity node for the settlement. To promote and value add to the existing facilities, it is considered that portion of our clients' land should be included in a zone or policy area that supports tourist accommodation and small scale commercial/retail development. Phase 2 of the Planning and Design Code (consultation version October 2019) transitions our clients land to the Conservation Zone with a Coastal Overlay. The Conservation Zone lists "tourist accommodation" a restricted form of development, with some exceptions. One of these exceptions is the "Visitor Experience Subzone", that would allow tourist accommodation to be performance assessed. Given the locational merits of including portion of our clients land in an appropriate zone to facilitate an "activity" node at Black Point (as detailed in the submission to Council), we consider it opportune for the boundaries and zoning at Black Point to be reviewed as part of the PD Code transition.
115	1	29-Nov-19	Phase 2	Land Owner	David Bills (URPS)	Wallaroo Shores	Copper Coast	Zones and Subzones Mapping	Loss of local policy	The proposed new zoning above, has the most significant effect of reducing the allowable building heights on much of the subject land from four storeys to two storeys. Ultimately such a change will likely prevent the ability for the site to be developed in accordance with the agreed Master Plan, which is reflected and supported by the current zoning. The policy area is an infill site, formerly occupied by the Incitec Pivot fertilizer works as well as historically by a smelting facility. The land provides an opportunity for a master planned residential development that provides variety in allotment size and dwelling type in close proximity to the Marina and the Wallaroo Town centre. Development in this area will have to have regard to its location adjacent to the State Heritagelisted Wallaroo Smelter Site and will provide a transition in allotments from a very low-scale of development to the south and east to the higher density development in the marina. This will be achieved by establishing larger allotments with street frontages in the order of 20 metres along the frontages of Emu Street, Charles Terrace, Jones Street and Heritage Drive. Development will front these streets and will not exceed two storeys in height.
116	1	10-Nov-19	Phase 3	General Public	Frank Grillo					<b>ON HOLD - PHASE THREE</b>
117	1	20-Nov-19	Phase 3	General Public	Tony Forgione					<b>ON HOLD - PHASE THREE</b>
118	1	29-Nov-19	Phase 2	General Public (Community Group)	Catherine Murphy (Secretary)	Emu Bay Progress Association	Kangaroo Island	Consultation	timeframe	Lack of consultation and time to consider
118	1	29-Nov-19	Phase 2	General Public (Community Group)	Catherine Murphy (Secretary)	Emu Bay Progress Association	Kangaroo Island	Innappropriate zoning	Community Facilities Zone	Strongly opposed to Community Facilities Zone for Emu Bay where the attraction is the laid back lifestyle & lack of development. Also object to the Council rezoning of 2ha of crown land without consultation.
118	1	29-Nov-19	Phase 2	General Public (Community Group)	Catherine Murphy (Secretary)	Emu Bay Progress Association	Kangaroo Island	Innappropriate zoning	Community Facilities Zone	Do not agree that Emu Bay has the appropriate infrastructure for development provided for by a Community Facilities Zone.
119	1	29-Nov-19	Phase 2	General Public (Community Group)	Bill Gill (Chairman)	Black Point Progress Association (BPPA)	Yorke Peninsula Council	Zones and Subzones	Black point - Zoning policy	Existing Black Point Policy Area 3 contains a series of design and building requirements for dwellings and seeks the preservation of the beach environment with respect to Crown and freehold land. The proposed Shack Settlement Zone exposes the area to wider development possibilities through performance assessment and limited restricted development listing.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
119	2	29-Nov-19	Phase 2	General Public (Community Group)	Bill Gill (Chairman)	Black Point Progress Association (BPPA)	Yorke Peninsula Council	Zones and Subzones	Black point - Zoning policy	Development at Black Point has moved from 'shacks' to 'holiday homes' in recent years. The proposed zone name referring to 'shacks' may not be appropriate.
119	3	29-Nov-19	Phase 2	General Public (Community Group)	Bill Gill (Chairman)	Black Point Progress Association (BPPA)	Yorke Peninsula Council	Zones and Subzones	Black point - Zoning policy	The Black Point Progress Association wish to see the Design Guidelines for Black Point (Table YoP/5) of the Yorke Peninsula Council Development Plan retained in the Code, as this has contributed to the unique character and frontage profiles of the area.
<b>120 DUPLICATE (see submission 89)</b>										
121	1	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	Many policies are unclear and the non user-friendly computer software is difficult to navigate.
121	2	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	Zones and Subzones	Zones and Subzones	There are significant changes in heights in residential zones and commercial/retail precincts eg schools can build up to 6 storeys.
121	3	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	Overlays	Overlays	Site sizes related to former Historic Conservation Zones are inconsistent/inaccurate, but these were meant to carry across unaltered.
121	4	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	Zones and Subzones	Zones and Subzones	Land division controls for Norwood Character Zones have been removed. This puts largely intact street-scapes (eg Margaret Street) in jeopardy and we request that these controls be reinstated in line with undertakings given at a number of SPC/DPTI meetings.
121	5	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	Zones and Subzones	Zones and Subzones	The land use mix in residential zones is now more general.
121	6	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	Assurances have been given by the State Planning Commission that Code errors can be rectified AFTER April 1 (2020) for Phase 2 and July 1 (2020) for Phase 3. This is policy on the run and clearly indicates the Code is neither fit for purpose nor meaningful public consultation.
121	7	29-Nov-19	Phase 2	Community Group	Chris Francis (President)	Norwood Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	A 'Companion' document addressing acknowledged errors/omissions has not yet been released. Without timely presentation of this information, how will communities be informed enough to respond to far-reaching planning and development changes by the end of February 2020? It would seem that there is still much to do before the new Code performs as it should. Taking the time to get it right before it is fully operational will definitely help lessen any associated difficulties/confusion.
122	1	29-Nov-19	Phase 3	Community Group	David Cree	St Peter's Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	It was our understanding that there would be a 'like for like' transition from the current City of Norwood Payneham & St Peters (NPSP) Development Plan (DP) to the new code. It is obvious that this is not the case.
122	2	29-Nov-19	Phase 3	Community Group	David Cree	St Peter's Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	<ol style="list-style-type: none"> <li>1. The Draft is incomplete and riddled with errors and should not have been released for public consultation.</li> <li>2. The Draft Code is incomprehensible even for professionals.</li> <li>3. The interactive mapping tool is obviously still in a development phase and is almost impossible to navigate.</li> <li>4. The Code will not make planning easier, quicker, simpler, and more equitable.</li> <li>5. It will be a 'goldmine' for lawyers, planning professionals, and consultants.</li> <li>6. Lack of the promised Historic Area Statements to enable proper consideration.</li> <li>7. Lack of Sub-zones to provide for local area variation and needs to be accommodated.</li> <li>8. Errors in referencing to tables of zone provisions.</li> <li>9. Minimum site areas incorrect and different to existing.</li> <li>10. No protection for development on the NPSP laneways as contained in the current NPSP DP.</li> <li>11. Inconsistent or missing frontage provisions.</li> <li>12. Loss of minimum site coverage provisions.</li> <li>13. Loss of fencing detail provisions.</li> <li>14. Loss of, or inconsistent, front and side setback provisions.</li> <li>15. Loss of details of materials.</li> <li>16. Maximum height provisions different to the current DP.</li> </ol>
122	3	29-Nov-19	Phase 3	Community Group	David Cree	St Peter's Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	The Commission has tried to assure the concerned community that changes can be made after April 1st (for Phase 2) and July 1st (for Phase 3) to change and rectify these errors. This is an absurd proposal, and will allow a Code to be implemented which is clearly not fit for purpose. In addition, there has been no confirmation about a "companion document" to be issued which corrects the many acknowledged errors and omissions. Therefore, there will be no opportunity to properly consult on the final Code before it is released.
122	4	29-Nov-19	Phase 3	Community Group	David Cree	St Peter's Resident's Association	Norwood, Payenham and St Peters	General Feedback	General Feedback	The lack of ease of workability of the Code, confusion of the process, poor community consultation (it has been presentation of material, not consultation), broken promises, and general inept implementation of the whole planning process has resulted in a Code which is clearly not fit for purpose. In addition, the proposed date of implementation (Phase 2, April 1st) and Phase 3 (July 1st) is clearly unrealistic and this time frame should be extended to ensure an outcome which works for the state of South Australia.
123	1	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	General Feedback	General Feedback - Size of Code	There is general difficulty in understanding the contents of the Code.
123	2	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	General Feedback	General Feedback	There was not enough time to adequately give reasonable feedback to the Code due to the timings required under the Consultation period.
123	3	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	Overlays	Historic Area Overlay	Issues with the interaction of demolition and heritage places – specifically regarding consideration being given to the extent of restoration works required, and the economic cost of repair vs replacement.
123	4	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	Overlays	Character Area Overlay	Refer to above comment - submission discusses both Overlays but demolition only present in Historic Area Overlay.
123	5	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	Overlays	State Heritage Area Overlay	PM table refers to 'heritage significance' (as defined in the 'Heritage Places Act 1993') but uses 'heritage value' throughout the content of the PO and DTS (as defined in the PDI Act) - consistency issue.
123	6	29-Nov-19	Phase 2	General Public	Valerie Monaghan	n/a	Robe	Overlays	State Heritage Place Overlay	Refer to above comment - both issues placed in to the register.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
124	1	01-Dec-19	Phase 2 and 3	General Public	Phillipa Byrne	Not Answered	Barossa	General Feedback	General Feedback	The proposed restrictions on the width of garages/ carports on new homes will mean that those households with more than one vehicle will be required to park on the road or in the driveway.
125	1	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation period	DC Grant wishes to express disappointment Councils in Phase Two were only allowed consultation until midnight 29 November 2019, whereas the consultation for those Councils in Phase Three is until midnight 28 February 2020.
125	2	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Code implementation	The District Council of Grant, like the Local Government Association of South Australia (LGA), and other Councils, holds the view that Phase Two and Phase Three should become one Phase with consultation going through until February 2020, and that the Code should then be implemented for all Councils on 1 July 2020. Council does not support Phase Two of the Code commencing in April 2020, followed some three months later by Phase Three in July 2020.
125	3	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Transition visits	Council also acknowledges, and appreciated, the recent day long visit to the District Council of Grant by DPTI Transition Officers on Tuesday 22 October 2019. Although the number of people who attended the Community Meeting in the afternoon was disappointing, there was healthy and constructive discussion by those in attendance.
125	4	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	ePlanning	Council is of the view that ePlanning and the operation of the new Planning and Design Code, both need to commence together, and preferably at the same time for all Councils. Council is therefore of the opinion that the implementation of Phase Two and Phase Three of the Code, together with the implementation of ePlanning, should all commence on 1 July 2020.
125	5	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation map viewer	At the present time the online functionality of, and access to the draft Code and its connection to the relevant mapping is limited and difficult to navigate. The system is slow and cumbersome to use, with detail showing as incorrect.
125	6	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation map viewer	Consultation map viewer displays incorrect information. For example, currently the new zone of 'Residential Neighbourhood' (formerly Country Living Policy Area 10), shows it across not only the previous policy area, but also incorrectly across all of the 'Rural Living' Zone.
125	7	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	transition process	While the LGA and/or DPTI have managed to livestream many training/information sessions, together with other regional workshops by legal firms, rural Councils, like the District Council of Grant, have struggled to dedicate the required time and resources to keep up with the volume of emails, circulars, website information, and all other related documents, and appropriately manage all of the other ongoing daily core duties. Council has not had dedicate staff to oversee and keep up with the high workload associated with the transition process. Like many other Councils in rural areas, Council Staff and Elected Members have not had the time and ability to work through and fully understand the new draft Code, particularly given the reasonably short consultation period.
125	8	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	transition process	The review and cross-checking of TNVs against the current Development Plan requirements has been onerous, and Council is not confident that it has all been thoroughly covered and checked. Council will in part rely on DPTI to ensure that the transition of the various relevant provisions from Council's Development Plan into the new Code has been correctly undertaken.
125	9	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation	All Councils should be able to provide further additional comments to DPTI, by way of addendums to their submissions (or similar), if necessary – particularly to ensure that the new Code is correct and has few errors.
125	10	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation document	For ease of reference, page numbers should have been included on all versions of the document.
125	11	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation document	The size and quite repetitive nature of the document is difficult to read and check.
125	12	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Zone names	Some of the Zone names are likely to be confusing (ie. Rural Zone, formerly Primary Production in conjunction with Rural Living, which could be Country Living?).
125	13	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Classification tables	The information contained in the Tables generally have no context or explanation.
125	14	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	ePlanning	Although the intent is for people to view and read the Code online, many people will still wish to refer to a hard paper based copy of the document, including the mapping.
125	15	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation mapping	The electronic mapping is currently quite slow and difficult to use.
125	16	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation mapping	The mapping is still very confusing for practitioners and we were unable to utilise it in the manner shown by the Transition Team as the TNV's did not show on this version?
125	17	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation period	Ideally consultation on the Code should have occurred in conjunction with the use of ePlanning.
125	18	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	General Feedback	Consultation	It is anticipated that due to the onerous task of checking/editing, identifying errors and omissions, the following list is incomplete. Council welcomes the chance to provide further feedback over the coming days/weeks if acceptable to DPTI.
125	19	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Shack Settlement	Outbuilding size is reduced from 108m2 to 40m2. [Ancillary Structures] PO 6.1 is missing. [Ancillary Structures] DTS 6.1 is missing. [Hazard Risk Avoidance] PO 3.1 is missing. [Environment] PO 4.1 is missing. Other POs, DTS/DPF are missing – from 2.5 to 6.1.
125	20	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Advertising signage that was previously 'Non-Complying' is now 'Deemed to satisfy' in the following speed zones: 70kmh, 80kmh, 90kmh, 100kmh, 110kmh.
125	21	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Addition of 'Brewery, Cidery, Distillery and Winery' is commended, and will support small scale business and tourism ventures within our region.
125	22	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	What is the minimum allotment size for sub-division in this zone – please specify?
125	23	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Second Dwelling – the addition of a provision specifying the parameters for this is also commended, it will clarify this for the benefit of landowners and ensure that Council's former policy is addressed
125	20	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Table 4 – Restricted Development Classification – Limited Dwelling Overlay is referred to, but not included in the Code.
125	21	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Table 4 – Restricted Development Classification – Significant Industry Interface Overlay is referred to, but not included in the Code.
125	22	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Deemed-to-Satisfy Development Classification Criteria, 'Shop' Zone: [Shops and tourist Accommodation]: DTS 6.1 and 6.2 is likely to be 5.1 and 5.2 (incorrect).
125	23	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Agricultural Building' Zone: [Built Form and Character]: PO 3.1 and 3.2 is incorrect.
125	24	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Brewery, Cidery, Distillery, Winery' Zone: [Built Form and Character]: PO 3.1 and 3.2 is incorrect.
125	25	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Carport, Verandah' Zone:[Built Form and Character]: PO 3.1 and 3.9 is incorrect.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
125	26	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Detached Dwelling' Zone: [Land Use and Intensity]: PO 1.3 and 1.4 are incorrect.
125	27	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Detached Dwelling' Zone: [Built Form and Character]: PO 3.1 and 3.6 are incorrect.
125	28	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Dwelling Addition' Zone: [Built Form and Character]: PO 3.7 is incorrect.
125	29	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Horticulture' Zone: [Land Use and Intensity]: PO 1.5 only is incorrect.
125	30	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Dwelling Addition' Zone: [Land Division]: PO 2.1 and 2.2 are incorrect.
125	31	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Low Intensity Animal Husbandry' Zone: [Land Use and Intensity]: PO 1.3 is incorrect.
125	32	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Outbuilding' Zone: [Built Form and Character]: PO 3.1 and 3.8 are incorrect.
125	33	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Shop' Zone: [Land Use and Intensity]: PO 1.5 and 1.6 are incorrect.
125	34	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Shop' Zone: [Built Form and Character]: PO 3.1, 3.3 and 3.4 are incorrect.
125	35	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Small Scale ground mounted Solar Power facility' Zone: [Land Use and Intensity]: PO 1.11 and 1.12 are incorrect.
125	36	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Tourist Accommodation' Zone: [Land Use and Intensity]: PO 1.6 is incorrect.
125	37	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Tourist Accommodation' Zone: [Built Form and Character]: PO 3.1 and 3.5 are incorrect.
125	38	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Zone	Under Class of Development, Applicable Policies, 'Worker's Accommodation' Zone: <ul style="list-style-type: none"> <li>[Land Use and Intensity] PO 1.1, 1.5 and 1.10 are incorrect.</li> <li>[Built Form and Character]: PO 3.1 is incorrect.</li> </ul>
125	39	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Living Zone	Primary road setback has been reduced from 20 metres to 15 metres.
125	40	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Living Zone	Building height has been increased from 8 metres to 9 metres.
125	41	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Rural Living Zone	Ancillary buildings size decreased from 200m2 to 100m2 – this is a significant deviation and will affect landowners who purchase these allotments to have a larger than residential outbuilding to store their goods in.
125	42	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Building height increased from 5 metres to 9 metres
125	43	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Primary street boundary decreased from 15 metres to 10 metres.
125	44	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Secondary street setback decreased from 10 metres to 4 metres.
125	45	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Side boundary setback decreased from 5 metres to 2 metres.
125	46	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Rear boundary setback decreased from 10 metres to 6 metres.
125	47	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Ancillary buildings size decreased from 150m2 to 100m2 – this is a significant deviation and will affect landowners who purchase these allotments to have a larger than residential outbuilding to store their goods in.
125	48	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Residential Neighbourhood Zone	Land Division allotment sizes have decreased from minimum 3,000m2 (without sewer or CWMS) to minimum 1200m2 (essentially from Rural Living to Residential).
125	49	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Bulky Goods Outlet' Zone: [Concept Plans]: PO 8.1 – missing.
125	50	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Consulting Rooms' Zone: [Concept Plans]: PO 8.1 – missing.
125	51	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'General Industry' Zone: [Concept Plans]: PO 8.1 – missing.
125	52	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Light Industry' Zone: [Concept Plans]: PO 8.1 – missing.
125	53	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Motor Repair Station' Zone: [Concept Plans]: PO 8.1 – missing.
125	54	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Office' Zone: [Concept Plans]: PO 8.1 – missing.
125	55	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Personal or domestic services establishment' Zone: [Concept Plans]: PO 8.1 – missing.
125	56	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Retail Fuel Outlet' Zone: [Concept Plans]: PO 8.1 – missing.
125	57	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Service Trade Premises' Zone: [Concept Plans]: PO 8.1 – missing.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
125	58	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Shop' Zone: [Concept Plans]: PO 8.1 – missing.
125	59	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Store' Zone: [Concept Plans]: PO 8.1 – missing.
125	60	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Telecommunications Facility' Zone: [Concept Plans]: PO 8.1 – missing.
125	61	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	Under Performance Assessed Development, Applicable Policies, 'Warehouse' Zone: [Concept Plans]: PO 8.1 – missing.
125	62	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/1 – Blue Lake Groundwater Capture Zone.
125	63	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/2 – Airfield Noise Exposure Contours.
125	64	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/3 – Western Gateway.
125	65	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/4 – Mount Schank Policy Area.
125	66	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/5 – Northern Gateway.
125	67	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/6 – Penola Road Policy Area.
125	68	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/7 – Area for Limited Development;
125	69	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that all of the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/8 – Glenburnie Racecourse.
125	70	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/9 – Residential Golf Course Policy Area.
125	71	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/10 – Yahl Township Policy Area.
125	72	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that all of the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/11 – Rural Living Area.
125	73	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/12 – Rural Living Area.
125	74	29-Nov-19	Phase 2	Local Government	Leith McEvoy	District Council of Grant	Grant	Zones and Subzones	Employment Zone	The District Council of Grant requests that the following Concept Plans from its current Development Plan be included in the new Code: • Concept Plan Map Gra/13 – Port MacDonnell West.
126	1	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Various	General Feedback	Council supports matters that retain 'Status Quo' in the transition from Development Act / Regulations & Development Plans to the Planning, Development & Infrastructure Act / Regulations / Planning & Design Code (Consultation Version).
126	2	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Ancillary Accommodation	Acknowledgement that the Code provides for a new benchmark by defining 'Ancillary accommodation' but consider that this is limiting in that it only links to minor augmentation of residential type living, i.e. detached teenagers room or flat and limited to one bedroom. Council of the view the definition should accommodate a broader scope and be based on scale, servicing of utilities, open space, nor limited to the number of bedrooms. Council offers working amendments to the definition of 'Ancillary accommodation' to address their concerns. Further Council recommended clarity in assessment approach by excluding 'Detached dwelling' from the definition of 'Ancillary accommodation' (ie. add to column D in the Land Use Definitions in the Code).
126	3	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Commercial Forestry	Concern that the impacts from both Commercial forestry and Forestry (non-commercial types) is not adequately addressed through the definitions. The Code identifies matters of Commercial forestry only. Consider that there is an absence of adequate controls to limit the impacts of Commercial and Non-Commercial forestry influencing Rural land by diminishing its capacity to support primary production activities. Strong sentiment to consider the reference to 'forest plantations' in the Commercial forestry definition in the Code, to assist with interpretation. Further, include a new and separate definition for 'Forestry' - to account for land used for practice planting, managing and growing of forest plantations but with exclusions around domestic landscaping etc. (new definition to exclude Commercial forestry). Council is also seeking to make both Commercial forestry and Forestry as restricted in the Rural Zone or consider a Subzone created to restrict these forms of land use in the Rural Zone of KI only.
126	4	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Detached Dwelling	Council considers the new benchmark definition of 'Tourist accommodation' needs to more clearly identify the differences between 'Detached dwelling' and 'Tourist accommodation' by specifically exempting the alternative use (dwelling and tourist accommodation) from each definition. The intent of this distinction is to provide greater certainty that a proposal will be assessed in accordance with its intended use, be it a 'Detached dwelling' or 'Tourist accommodation.' Further, to supplement this recommended approach, a change to the definition of 'Ancillary accommodation' is suggested (see entry 126 above) as well as a change to 'Tourist accommodation' to include 'Building used as private residence' in the scope of its definition.
126	5	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Intensive Animal Husbandry	In referencing guidelines developed by PIRSA/EPA/LGA i.e 'Guidelines for the Establishment and Operation of Cattle Feedlots in South Australia' Council considers the Code needs to more clearly identify the differences between 'feedlotting' and 'supplementary animal feeding' through the definitions of 'Intensive animal husbandry' and 'Low intensity animal husbandry' aiming to remove ambiguity about the two separate uses. Both land uses come under 'All Code Assessed' development in the Rural Zone but a distinction would assist procedurally where the more intensive feedlotting activity triggers referrals to the EPA and Natural Resources authority. Further clarity in the definition will remove ambiguity for the public in terms of perception of the different activities.
126	6	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Low Intensity Animal Husbandry	In referencing guidelines developed by PIRSA/EPA/LGA i.e 'Guidelines for the Establishment and Operation of Cattle Feedlots in South Australia' Council considers the Code needs to more clearly identify the differences between 'feedlotting' and 'supplementary animal feeding' through the definitions of 'Intensive animal husbandry' and 'Low intensity animal husbandry' aiming to remove ambiguity about the two separate uses. Both land uses come under 'All Code Assessed' development in the Rural Zone but a distinction would assist procedurally where the more intensive feedlotting activity triggers referrals to the EPA and Natural Resources authority. Further clarity in the definition will remove ambiguity for the public in terms of perception of the different activities.
126	7	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Tourist Accommodation	Council considers the new benchmark definition of 'Tourist accommodation' needs to more clearly identify the differences between 'Detached dwelling' and 'Tourist accommodation' by specifically exempting the alternative use (dwelling and tourist accommodation) from each definition. The intent of this distinction is to provide greater certainty that a proposal will be assessed in accordance with its intended use, be it a 'Detached dwelling' or 'Tourist accommodation.'

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										Further, to supplement this recommended approach, a change to the definition of 'Ancillary accommodation' is suggested (see entry 126 above) as well as a change to 'Tourist accommodation' to include 'Building used as private residence' in the scope of its definition.
126	7(a)	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Land Use Definitions	Sales Office	A new defined use of 'Sales Office' has been inserted onto the DTS Class of Development tables for the Township Main Street Zone, Township Activity Centre Zone and Urban Activity Zone. The Code does not provide a definition for Sales Office in the the Land Use Definition in Part 7 to distinguish it from any other Office or from sales/retail type Shop.
126	8	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Consultation	Overlap of Phase 2 & 3	Concern that changes made to 'shared' policy resulting from Phase 3 consultation of the Code may be unsuitable for application in Phase 2 country areas. Therefore question whether there will be an opportunity for further review or consultation and if a critical matter or element in policy has been compromised, how do Councils seek to resolve the matter, how long may it take and will protection be afforded such as interim operation for a Code amendment proposal?
126	9	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Training	Regional areas	Council would like to strongly represent the need for introductory training to be scheduled in Regional areas.
126	10	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Resourcing	additional burden & cost recovery	Council are concerned about resourcing impacts of the transition process in regional areas particularly where resources are stretched across multiple areas & a hands on approach will be required - seeking a review of the Schedule of fees.
126	11	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Training & resourcing	Ongoing support	From introduction, Council may need to rely upon interpretation and advice from the Department – Council considers it imperative for consistency, that the Department's transition managers and planners continue to be accessible in the post introduction phase – 6 to 12 months onwards to assist Councils in establishing applied knowledge processes and practices to enable a satisfactory transition.
126	12	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	PDI Regulations	System Issues & application processing time	Reliance upon electronic systems comes the risk of access issues, downtime for unforeseen or 'beyond our control' faults. With the new System's more ambitious timeframes will become a substantial impact on Council's services. & therefore, at a minimum, a structure within the regulations needs to acknowledge the prospect of electronic systems faults, down time, server outages (i.e. State systems servers as well as Council systems and servers) and electrical network outages, as all of these events occur with some regularity and therefore have substantial risk of impacting these new ambitious processing timelines and risk of 'deemed approvals'.
126	13	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zone names	Consequential financial implications	Changes in zone title may inadvertently catalyse a reaction from valuers, banks and lending institutions or even Councils themselves in a way that re-interprets the value of land and assets, or limits marketability or sales of such land. For example Coastal Settlement zones such as Island Beach which are badly mis-represented by implying that it is a 'shack' settlement. The Department should at least ensure that there is adequate engagement with other statutory bodies and businesses to ensure that any potential side effects of the transitions are understood and managed so as not to disadvantage or confuse those sectors, or disadvantage the landowners involved.
126	14	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Procedural Matters	Notification of applications	The Practice Direction re notification does not cover issues such as responsibility for removing the notice material (sign), any consumables (cost) i.e. star pickets, cable ties or other fixings, and the position of a sign (or signs if the relevant authority determines that more than one is necessary). Concern re possible conjecture from a concerned party - about the placement of the sign, whether it was visible or withstood the notification phase, was damaged or became illegible etc, there is no process or guidance set out for dealing with these issues – this could compromise the notification process and create further time & processing delays.
126	15	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Procedural Matters	Notification of applications	Council recommends that the commission consider a more structured regulation and fee structure for notifications which: <ul style="list-style-type: none"> <li>Accounts for 'actual costs incurred', i.e. time and kilometres travel for placing Notices, necessary consumables;</li> <li>Contains a guideline for any foreseeable complaint or dispute about the notification or its position / visibility or legibility / durability,</li> <li>Contains guidance for the circumstances for placing multiple notification signs;</li> <li>Contains guidance for the placement of signs where a property, i.e. rural property's boundary line is obscured by substantial roadside vegetation;</li> <li>Contains guidance about the responsibility for removing notification signs, i.e. if it is to be removed by the Council, within how many days, or if it is the responsibility for the applicant as soon as the notice period is finished;</li> <li>If the notice assumes a position in the road reserve because the boundary is not readily visible, will it need a permit under S.221 of the <i>Local Government Act 1999</i>;</li> </ul> OR <ul style="list-style-type: none"> <li>Makes the notice the sole responsibility of the applicant (including any person appointed to or contracted to manage the notification on behalf of the applicant).</li> </ul>
126	16	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Procedural Matters	Hybrid Assessments	Council has not observed anywhere in the Act / Regulations where the interpretation of classification & procedural matters are clarified in terms of multi component assessments and their timing. Council believes that, at a minimum, there should be clarification, by way of Practice Directions to confirm that the higher order assessment in any multiple component development application assumes the higher order process and timelines. There appear to be procedural flaws in not approaching the assessment in this way. The separation of certain types of development may substantially alter the way each need to be assessed – the separation of a domestic garage from an application for a Dwelling and garage may appear as a way to expedite the domestic garage application, however Planning Authorities may be forced to re classify the nature of the development to 'store', and assume different assessment pathways. This is compounded further if separate Accredited Professionals are requested to assess separated components of one application, if assessments (approvals) occur out of sequence and are not connected to one another, or if there is any approach for a deemed consent on one component of an application and the higher order assessment is still in progress. Further question arises over authority to assess where a hybrid application proposed two or more different classifications of development, a domestic garage alone using the previous example may not on its own present any issues, but may compromise a dwelling and garage application, particularly on smaller allotments or where rainwater supply and onsite wastewater treatment / disposal systems are necessary and consume land area.
126	17	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Water Protection Zone	TNV Minimum Lot Size	Minimum lot size currently is 40,000m <sup>2</sup> , consultation version of the Code (TNV) shows it at 100Ha for where the Water Protection Zone Overlay applies to the Rural Zone on KI. Council considers this to be an error or unintentional omission in the application of the Code.
126	18	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Community Facilities Zone	Missing Class of Development	Council suggest the following additional land uses should be included in Table 3: <ul style="list-style-type: none"> <li>Community Centre</li> <li>Consulting Room/Offices</li> <li>Place of Worship</li> <li>Restaurant</li> <li>Shop with a gross leasable area of 250 square metres or less</li> <li>Theatre</li> <li>Tourist accommodation established above commercial land use</li> <li>Dwelling ancillary to commercial land use.</li> </ul> Alternatively, create a Subzone to cater for KI's nuanced development type list which originates from the Emu Bay Structure Planning process, establishing a small, tailored mixed use zone for day to day visitors to Emu Bay. Council is also seek to nominate dwelling & tourist accommodation as restricted UNLESS above & in conjunction with a commercial use. Also, council are seeking to allow for up to 3 storey rise in this Zone to enable multi-use commercial ground level development, with 2 storey residential above (seeking TNV building height addition for a 'Maximum Building Height (Meters 15' and 'Maximum Building Height (Levels) 3').
126	19	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Conservation Zone - Coastal Areas Overlay	Definitions for 'Detached dwelling' and	The Planning and Design code has provided a new benchmark by defining 'Tourist accommodation', however, Council believes that the definition needs to more clearly identify the differences between dwelling and tourist accommodation within the existing definitions by way of specifically exempting the alternate use from each definition.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
									'Ancillary accommodation'	Council believes that the definition needs to be more accommodating of a broader context of use including association with Tourist accommodation within the Conservation Zone / Coastal Areas Overlay, to ensure tourist accommodation can be accompanied by a 'managers residence' capable of accommodating not only an individual manager, but potentially a couple or family in the case of a family operated business.
126	20	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Conservation Zone - Coastal Areas Overlay	Tourist Accommodation and No Visitor Experience Subzone	Tourist accommodation is currently a merit development under certain circumstances in the Coastal Conservation Zone: Landscape Protection Policy Area (6.5m building height to limit impact and intensity of tourism development). While the Code restricts development of Tourist accommodation within areas of the Conservation Zone and Coastal Areas Overlay applying where there is no Visitor Experience Subzone applied. This variation from the planning policy affects some 70 freehold titles around KI's coastal areas - which may have potential for high level tourism development. Consider potential TNV to limit building heights to 6.5m where the Visitor Subzone may apply.
126	21	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Conservation Zone - Coastal Areas Overlay	Minimum Lot Sizes	Council is seeking the minimum lot size in the Conservation Zone, where the Coastal Areas Overlay applies, that the Exclusions in the Restricted Development Table be clarified by identifying 'or' between each of the exclusions, and; where stated 'Where Conservation zone DTS/DPF 2.1 is met'; that not less than 2ha be prescribed.
126	22	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Conservation Zone	Hazards (Flooding) Overlay	Council have undertaken a coastal flooding and inland flooding & would like the data to be used to introduce the Hazards (Flooding) Overlay.
126	23	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Conservation Zone	Tourist accommodation in National Parks	Schedule 13 (State agency development exempt from approval), Part 2, sub clause (1)(b)(ix) of the <i>Planning Development and Infrastructure (General) Regulations 2017</i> provides an exemption for the following forms of development, other than in relation to a State heritage place or within the Adelaide Park Lands, are excluded from the provisions of section 131 of the Act: - <ul style="list-style-type: none"> <li>The development of land dedicated under the National Parks and Wildlife Act 1972.</li> </ul> This gives no real limitations to the types of development excluded & council is questioning whether this clause makes any matters regarding zoning & overlays in the Planning & Design Code entirely redundant. Noting that the absence of the Visitor Experience Subzone applying to the Conservation Zone under the Code, causes a proposal for Tourist accommodation within the National Parks to become 'Restricted Development'; the current KI Development Plan allows for Tourist Accommodation in the Conservation Zone as an envisaged form of development - assessed by the State Planning Authority (as per Schedule 10 of the Regulations).
126	24	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Employment Zone	Ancillary Accommodation	Council notes that residences linked to commercial operations in their current Industry Zone (Employment Zone in the Code) gives rise to an early view that clarity is needed for the new definition under the Code for 'Ancillary accommodation' (with this definition excluding 'Detached dwelling'). Council also strongly suggests that 'dwelling' be removed from the Procedural Matters Notification table list as this adds ambiguity to the distinction between 'Ancillary accommodation' and 'Detached dwelling'.
126	25	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Employment Zone	Zone Title	Council considers the title of the zone 'Employment Zone' is somewhat indifferent to the perception of the zone. Council recommends reconsidering the zone title to reflect the industry/commercial intent (i.e. Commercial and Industry Zone).
126	26	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Rezoning	Township Mainstreet Zone	Council believes the boundaries in the northern part of the existing District Centre Zone should be amended so that isolated parcels are zoned Township Activity Centre rather than Township Main Street Zone.
126	27	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Land Division	Minimum Allotment Sizes should be increased to 1200m2 minimum where in unsewered areas. This could be called up via the minimum allotment size TNV. Council do not consider that DTS 2.2 adequately over-rides the TNV providing for lesser site areas. particularly to: Parndana South, Emu Bay, Baudin Beach & parts of Kingscote, Penneshaw & Amercian River & also in the Township Zone
126	28	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Rezoning	Coastal Waters and Offshore Island Zone	There are discrepancies between the LG administrative boundary & the State Waters boundaries in a number of localities & some 'land' areas stating 'No Zone' & no policy (ie Bay of Shoals) which perhaps should be Coastal Waters & Offshore Islands Zone.
126	29	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Accepted and Deemed-to-Satisfy Development	Council recommends that all other forms of development be removed from the Performance Assessed Table unless associated with place-making, passive recreation or enjoyment of the public domain. Many of these uses are not reasonable within an open space zone & should be removed.
126	30	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	A single storey maximum should be added to the TNV for the 'Stokes' and 'Snelling' Precincts of the Rural Living Zone in Kangaroo Island. A building height maximum of 4.5m from FFL to the highest point of the roofline should be applied via a TNV for Snellings Beach and a building height maximum of 5.6m for Stokes Bay.
126	31	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	Rural Living Zone, Snellings Beach policy currently states: "35 Building development should be located: ....(b) so that the finished floor level is no higher than 20 metres AHD elevation...; and 36 Building development should be of single storey design demonstrating: (a) A finished floor level not exceeding 600 millimetres above the natural ground surface of the building at any one corner of the building. (b) A building height not exceeding 4.5 metres measured between the finished floor level and the top of the roofline." Similarly in Precinct 14 Stokes Bay, policy states that: "32 Building development should be of single storey design and have a maximum height of 5.1 metres." This should be transferred over via TNVs.
126	32	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	The words 'Non-residential' need to be added to the beginning of this DTS as it is referring to non-res buildings not residential.
126	33	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	Rural Living precinct 10 Muston has a minimum site area of 2000m2. This has been missed - presumably because the size is smaller than that contemplated by the code Rural Living Zone. However it is not suitable for a residential type zone.
126	34	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	Rural Living precinct 13 Pelican Lagoon South has a minimum site area of 150000m2 (15ha). This has been entered as 10ha (10000m2)
126	35	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	Rural Living precinct 20 Emu Bay South Mixed Use has a minimum site area of .15ha or 1500m2. The TNV min allotment size applied is 10000m (1ha).
126	36	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Living Zone	Minimum Allotment Sizes should be increased to 1200m2 minimum where in unsewered areas. This could be called up via the minimum allotment size TNV. Council do not consider that DTS 2.2 adequately over-rides the TNV providing for lesser site areas. particularly to: Parndana South, Emu Bay, Baudin Beach and parts of Kingscote, Penneshaw & Amercian River and also in the Township Zone.
126	37	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Overlays	Coastal Areas Overlay and Hazards (Acid Sulphate Soils) Overlay	Council recommends that if there is no practical application of the Coastal Areas Overlay or Hazards (Acid Sulphate Soils) Overlay, and its only effect is inhibiting these minor and accessory types of development intended to be fast tracked in the Accepted and DTS Code Assessed development tables, that the reference to these overlays be removed in this zone.
126	38	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Shack Settlement Zone	Rural Shack Settlement Zone: Council are concerned with the zone name due to the 'value perception created by the word 'shack' & potential financial/lending implications.

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126	39	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	New Subzone	Kangaroo Island Council are seeking a new KI subzone to the Rural Zone where forestry & commercial forestry (definitional changes also proposed) are Restricted types of development (currently non-complying in the applicable Primary Production Zone). This is due to a concern that the island is increasingly losing productive land to non-commercial revegetation and commercial forestry that is increasingly undermining the economies of scale of primary production on the island (and its high transport costs). The application of the subzone is also proposed as a solution to introduce greater emphasis on the environment and landscapes to reflect the strong emphasis in the existing policy. The existing PP zone makes up a substantial amount of Kangaroo Island's landscape and largely borders all of the main tourism routes – it is therefore enormously influential upon the tourist experience and outlook on Kangaroo Island's natural beauty and rural heritage involved in the post WWII settlement and growth of the Island.
126	40	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	New Subzone	The existing KI Primary Production Zone contains considerable text in the DCS & policies to reflect the importance of the natural & rural landscape from the Islands tourism drawcard perspective. This policy has not been transitioned across adequately in the Code & therefore, in order to overcome this and a number of other unique Kangaroo Island policies (commercial forestry etc.), the Council are seeking a Rural Kangaroo Island Sub-Zone.
126	41	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Application of new Overlay	Residential Aviation Overlay	The Council have recently approved a residential subdivision within the airfield area at American River which is currently zoned Primary Production & are seeking to introduce a greater range of contemporary land uses for this area. They are interested in introducing similar policies from the Residential Aviation Estate Subzone of the Infrastructure (Airfield) Zone but to apply via an Overlay (that may also be applicable to other regional airstrips where there is a view to increasing the land uses envisaged in these areas) rather than rezoning altogether.
126	42	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Rural Zone	Should call up a 100ha minimum allotment size.
126	43	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Council wishes to see the following forms of development be listed as exclusions from Public Notification, based upon their generally insubstantial contribution to impacts upon surrounding land: <ul style="list-style-type: none"> <li>• Consulting room</li> <li>• Office</li> <li>• Shop</li> <li>• Store.</li> </ul>
126	44	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Suburban Employment Zone	Council have specific policies in their current zones seeking landscaped frontages (some are along tourist routes) and so want the setback criteria for the suburban Employment Zone to more closely matched in the Performance Outcomes and DTS / DPF in the zone and / or within the Technical and Numeric Variations applied for specific areas to provide consistency in outcomes maintaining the specific character of areas, which sets a minimum standard where access is made to car parking provisions at the front of the site, a building setback of 8 metres of 2 metres landscaped site frontage, and where access is made to car parking provisions at the side of the site or building, a building setback of 3 metres with 1 metre landscaped frontage.
126	45	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zone title	Suburban Employment	Council believes 'Commercial and Business Zone' is a more suitable zone & more reflective of the actual uses envisaged in the Suburban Employment Zone.
126	46	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Suburban Neighbourhood Zone	Kangaroo Island - Dudley Policy Area of Residential Zone – now zoned Suburban Neighbourhood Zone. Needs a building storey and height TNV applied of single storey & 6.5m to reflect existing policy and encumbrances that exist on this land.
126	47	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Minimum Allotment Sizes - unsewered areas	Minimum Allotment Sizes should be increased to 1200m2 minimum where in unsewered areas (Suburban Neighbourhood Zone). This could be called up via the minimum allotment size TNV. Council do not consider that DTS 2.2 adequately over-rides the TNV providing for lesser site areas. particularly to: Parndana South, Emu Bay, Baudin Beach and parts of Kingscote, Penneshaw and American River and also in the Township Zone
126	48	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Local Heritage Places	A number of incorrect addresses and map identifications for Local Heritage Places.
126	49	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Restricted Development	Township Activity Zone: Council recommends that the policy position be strengthened by listing 'Detached Dwelling' in the Restricted Development Table.
126	50	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Building height	Township Activity Centre Zone: Seek greater maximum building height of 3 storeys. That the Maximum Building height TNV be changed to 3 storeys.
126	51	29-Nov-19	Phase 2	Local Government	Aaron Wilksch	Kangaroo Island Council	Kangaroo Island	Zones and Subzones	Restricted Development	Council recommends that the Restricted Development Table in the Township Activity Centre Zone is corrected to ensure that 'Light industry' remains within the exclusions column.
127	1	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	General Feedback	General Feedback	It is undoubtedly true that if we had time to read all relevant documents, incorporate expert planning advice, and consult individually with each FOP member and affiliate group, more issues would be raised. As a result, it is inevitable that as individual developments are considered under the Code, without all issues being resolved, there will be a critical public response. We suggest that extending the consultation period, trialing a new, untested approach to planning, and beta-testing the mapping tool and the online application might minimize this and is strongly recommended.
127	2	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Zones and Subzones	New subzone under Conservation Zone	The Code does not carry over equivalent zoning established under previous legislation This is a particular concern regarding wilderness protection areas (WPAs). These comprise large contiguous areas of untouched natural bush-and. In these areas, any development, including roads and tracks disrupts the wilderness character and impacts on threatened species and threatened plant communities through feral animal and weed incursion. The Wilderness Protection Act (WPA) 1992 on Page 18, under Section 26 Prohibition of other Activities 1.(b) prohibits "the construction or erection of roads, tracks, buildings or structures (except those that are specifically authorised by the plan of management of the wilderness protection area or zone)". This is the highest level of protection offered to natural areas in South Australia. However no zone/sub-zone in the Code provides the equivalent level of protection. Examples are SPP 4.1 does not cover this level (uses term 'minimise' instead of 'avoid'). Recommendation: Under Conservation Zone, create a Wilderness Conservation Subzone (WPZ), where no development can take place unless 'specifically authorized by the Park's plan of management' or in the case of Wilderness Protection Areas, 'specifically authorised by the Wilderness Code of Management under the Wilderness Protection Act 1992' In addition to meeting a legislative requirement and implementing state biodiversity policy, this sub-zone has the economic benefit of protecting the state's most important tourist-attracting assets from incremental degradation.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
127	3	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Overlays	Native Vegetation Overlay	Currently the code does not realise SPP4 objective to maintain and improve our state's biodiversity and its life supporting functions. The Native Vegetation Overlay (NVO) includes protection for threatened plants and 'significant wildlife habitat and movement corridors' PO1.2, P1520, however this is not included in State Significant Native Vegetation Overlay (SSNVO) which applies to National Parks. Nor does the NVO provide protection for threatened animal species which are dependent on unique ecological communities (plant, animal and/or physical features). Examples are glossy black-cockatoo (feeds only on two species of Allocasuarina), desert animal species such as yellow-footed rock wallaby or inhabitants of caves or rock formations. It is not clear how important fossil deposits on private land, such as on Emu Bay, Kangaroo would be protected or threatened species such as the Bassian Thrush and Black-chinned honey-eater whose range extends over multiple zones in the Adelaide MtLofty Ranges. Protection of critical habitat is a major function of national parks (NPW Act 1972, P37 Objectives), but also extends beyond crown reserves. We suggest it should be represented as its own overlay in addition to the NVO and SSNVO. This would allow such habitat to be protected when it extends over multiple zones and outside parks and reserves. Recommendation: Create a Critical Habitat Overlay with appropriate assessment provisions to protect vital non-vegetation habitat and plant communities, particularly where they cross zones, such as farming, urban, conservation. DEW's Regional Species Conservation Assessments Fauna and Flora database which quantifies the conservation status of animal and plant species is an excellent source of data for this overlay. Also the DEW's Biological Databases 6, NPW Act 1972(SA List) and EPBC Act 1999 also can be referred to for this information. A critical habitat overlay would signal this issue at an early stage to a developer.
127	4	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Overlays	State Significant Native Vegetation	A 'Public Good' provision should be incorporated into assessment provisions applied to public lands, particularly the State Specific Vegetation Overlay (or its equivalent). It should be applied across all categories of developments, but particularly on 'impact assessed developments', where: (a) Public access should not be restricted by 'for profit' developments; and (b) A development which reduces the conservation value of a park should be denied.
127	5	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	General Feedback		Recommend notification of users of a Park on NPWS Website and Facebook when any category of code- or impact-assessed development is to take place.
127	6	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	General Feedback	Public right of appeal	The fact that the public have no right of appeal on development decisions on their own land defies natural justice – particularly since developers themselves can appeal multiple times. It gives the distinct impression that the Code has been written with the interests of developers preferred over those of the public (see Issue no 3). Given this is a new code, applied with new processes, using a new online method, with no trialing, problems with decision-making are inevitable. The public own these lands. Their right to involvement in and appeal decisions about their use is paramount. Lack of an alternative path will inevitably to legal challenges and even greater delays. A public right of appeal for code or impact-assessed decisions of land use in a national park, conservation park or Wilderness Protection Area should be included in the Code.
127	7	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Zones and Subzones	Conservation Zone	Even eco-sensitive tourist accommodation in areas of high conservation value can cause alienation and degradation of the area. It therefore needs to be assessed at the highest level. Because each park area is unique, individual impact assessment is required. Both Table 3 (Applicable Policies) and Table 4 (Restricted Development Exclusions) use the phrase 'contemplated by the relevant 'management plan' regarding parks and wilderness areas. The word 'contemplated' is unacceptably vague. We suggest it is replaced by language used in the WPA Act 1992, page 18, section 26 for this purpose, namely unless 'specifically authorized by the plan of management' and for Wilderness Protection areas 'specifically authorised by the Wilderness Code of Management under the Wilderness Protection Act 1992' Tourist accommodation should be in the highest category of assessment, namely 'restricted' and impact assessed. This assessment should include consideration of 'Public good'. Replace 'contemplated' in Tables 3 and 4 with 'specifically authorized by the plan of management'.
127	8	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Zones and Subzones	Conservation Zone	Inappropriate land uses in Conservation Zone: Farming could occur in a Conservation zone which is not a 'visitor Experience sub-zone' (p 100). Land division and tourist accommodation could occur as performance assessed development in a conservation zone where PO 1.1, allows 'Small-scale, low-impact land uses that provide for the conservation and protection of the area' eg campgrounds. Deemed to Satisfy provisions allow farming, camp grounds, renewable energy facilities and more. These provisions fail to reflect that there are areas of land under conservation where NO development can occur without conflicting with the intent of the Wilderness Protection Act 1991 and National Parks and Wildlife 1972. Five (5) Overlays are insufficient to uniformly protect all such areas. For example the Native Vegetation Overlay and State-Specific Native Vegetation Overlay require only a declaration that clearance of Native Vegetation is involved. This should be strengthened as a statutory declaration and heavy penalties if it is violated. Recommendation: Creation of a new zone – 'Wilderness Conservation Zone' and new overlay, Critical Habitat Overlay where such land use is not allowed unless specifically authorized under the management plan (Issues 1, 2, 3, 4).
127	9	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Overlays	Native Vegetation and State Significant Vegetation	The Native Vegetation Overlay and State-Specific Native Vegetation Overlay Deemed to Satisfy provisions should replace "declaration" with statutory declaration and indication of penalties that violation could attract.
127	10	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	General Feedback	Mapping tool	It would be helpful to have functionality in the mapping tool so that zones and subzones can be accurately assessed during the consultation period. Zones/Subzones for a particular area were listed in the Attributes table. This was disabled mid-way through the consultation period and not reactivated Mapping Tool functionality should be completed and tested and declared fit for-purpose before the consultation period ends.
127	11	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Zones and Subzones	Conservation Zone	PO 3.1 Environmental Protection states "Development avoids important nesting or breeding areas or areas P1100that are important for the movement/migration patterns of fauna." This is inadequate protection in a conservation zone. It would be better to refer to the critical habitat overlay here. Add to '...important nesting and breeding' and 'development avoids areas where the Wilderness Conservation Zone or Critical Habitat Overlay apply'.
127	12	29-Nov-19	Phase 2	Community Group	Carole Pinnock	Friends of Parks Inc	Not Answered	Zones and Subzones	Conservation Zone	The application of conservation zoning in the NPW Act 1972 and the Code are different. During the Consultation period, a number of declared Conservation Parks were not zoned 'conservation' by the Code, but 'remote', 'rural' 'peri-urban', 'Hills Face', 'open space' etc with consequent inappropriate land use provisions. Of 38 named Conservation Parks that have Friends Groups affiliated (identified in a rough poll (20.11.19), 17 (45%) were not zoned conservation, but had alternative zoning or none at all according to the mapping tool (all conservation parks not searched). Development allowed through inappropriate zoning in parks can carry irreversible conservation impacts and negative community reaction. Even low level native vegetation clearance in a Conservation Park and not included in the management plan, is not consistent with the Act establishing the park. It would be much easier to ensure the Code does not conflict with the NPW1972 Act (and other Conservation-related acts), if the zoning in the Code was consistent with them. Recommend: Classify all Conservation Parks and National Parks in SA (and lands with conservation protection under these acts) under the Conservation Zone. The correct boundaries are provided here. This has been promised in an emailed notice ("Information sheet – Tourist accommodation development in parks and the new Planning and Design Code") received from DEW 21.11.19
128	1	29-Nov-19	Phase 2	Business	Keith Lamb	Kangaroo Island Plantation Timbers	Kangaroo Island	General Feedback	General Feedback	N/A
128	2	29-Nov-19	Phase 2	Business	Keith Lamb	Kangaroo Island Plantation Timbers	Kangaroo Island	Zones and Subzones	Rural Zone	Currently, any expansion of commercial forestry on Kangaroo Island is prohibited by the Development Plan. Applying the uniform Rural Zone to Kangaroo Island will help lift this restriction as commercial forestry is a permitted land use. By permitting commercial forestry in the Rural Zone generally, South Australia will better align to the COAG Forest Policy Statement where an increase in plantation areas is supported.
129 INVALI	1	28-Nov-19	Phase 2	Industry Representative	Darren Keenan	Agriculture Kangaroo Island Inc	Not Answered	General Feedback	General Feedback	

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
<b>D ENTRY</b>										
130	1	28-Nov-19	Phase 2	Planning Practitioner	David Hutchison	Access Planning (SA) Pty Ltd	Not Answered	General Feedback	General Feedback	General feedback about the P&D Code (difficult to navigate, read, interpret and understand) and community engagement process (not consistent with engagement charter).
130	2	28-Nov-19	Phase 2	Planning Practitioner	David Hutchison	Access Planning (SA) Pty Ltd	Not Answered	Zones and Subzones	Loss of local policy	This submission focuses on two key landholdings that Crystalcorp Developments Pty Ltd are currently in the process of developing Heirtage Drive and Inverness Way, Wallaroo Marina Heritage Drive – Landmark Site. The Planning & Design Code proposes that this be altered to the Infrastructure (Ferry and Marina Facilities) Zone. It is considered that this is a substantial change from what the Development Plan currently envisages to that proposed in the Planning & Design Code. Chane significantly alters the existing development opportunities applicable to the subject land and will compromise the ability to create the integrated development sought by the community on this landmark site. It is therefore respectfully requested that consideration be given to reinstating key Development Plan criteria into the Planning & Design Code.
130	3	28-Nov-19	Phase 2	Planning Practitioner	David Hutchison	Access Planning (SA) Pty Ltd	Not Answered	Zones and Subzones	Loss of local policy.	Inverness Way – corner landmark site: The Planning & Design Code proposes that this land be changed to the General Neighbourhood Zone. It is considered that this is a substantial change from what the Development Plan currently encourages to that proposed in the Planning & Design Code. The application of the General Neighbourhood Zone is not consistent with the existing development opportunities afforded to the subject land. This is land associated with an existing Marina, with the Development Plan enabling built form comprising a minimum 4 storey medium density development. This is not a type of development that is anticipated in generic residential zones (where the current Residential Code applies). The type of built form anticipated requires a different suite of policies to guide the increased development potential. It is therefore requested that consideration be given to reinstating key Development Plan criteria applicable to this 'Corner Landmark Site' into the Planning & Design Code. It is considered that the creation of a Subzone to reflect the '4 Areas' (as shown in the Development Plan) along Inverness Way and its associated Concept Plan would ensure that the current development opportunities are retained.
<b>131 DUPLICATE (see submission 106)</b>										
132	1	01-Dec-19	Phase 2	Business	Hayden Russell	Not Answered	Not Answered	General Feedback	General Feedback	Regarding DTS/DPF 18.1 (a) do not exceed 7m in width or 50% of the sites frontage (whichever is less). Requires clarification: "sites frontage" – does this apply to site frontage at the street, or at the setback where the garage is constructed? Recommendation: Should not apply at all to sites with frontages less than 12m.
133	1	01-Dec-19	Phase 2 and 3	General Public	Michael John Burden	New College, Oxford University	Not Answered	General Feedback	Request extention to Code impementation	Additional time is required to ensure the Code is ready and fit for purpose.
134	1	30-Nov-19	Phase 2	General Public	Gurney Singh	n/a	Onkaparinga	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a 'tick-box' online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code's implementation
135	1	30-Nov-19	Phase 2	General Public	Bronwyn Lewis	Not Answered	Not Answered	General Feedback	General Feedback	I am concerned the triggers from an electronic application won't go off and buildings right on the edge of the zone will be approved without aesthetic consideration.
136	1	30-Nov-19	Phase 2 and 3	General Public	Carolina	Not Answered	Tea Tree Gully	General Feedback	General Feedback	Clarity around definition of tiny homes on wheels (THOW) to enable consideration by Council
137	1	30-Nov-19	Phase 2 and 3	General Public	Cindy Choua	Not Answered	City of Adelaide	General Feedback	General Feedback	Clarity around definition of tiny homes on wheels (THOW) to enable consideration by Council
138	1	30-Nov-19	Phase 2 and 3	General Public	Juliana Farelo	Not Answered	Adelaide	General Feedback	General Feedback	Differentiate tiny homes from caravans.
139	1	29-Nov-19	Phase 2 and 3	General Public	Mike Crowhurst	Not Answered	Not Answered	General Feedback	General Feedback	Clarity around definition of tiny homes on wheels (THOW) to enable consideration by Council.
140	1	29-Nov-19	Phase 2 and 3	General Public	Rowena Edwards	Not Answered	Clare and Gilbert Valleys	General Feedback	General Feedback	Clarity around definition of tiny homes on wheels (THOW) to enable consideration by Council.
141	1	29-Nov-19	Phase 2	General Public	Celine	Not Answered	Holdfast Bay	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a 'tick-box' online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code's implementation.
142	1	29-Nov-19	Phase 2 and 3	General Public	Rob Mair	Not Answered	Not Answered	General Feedback	General Feedback	No seperate definition for tiny houses, therefore classified as a caravan and not permitted on site for permanant accommodation.
143	1	29-Nov-19	Phase 3	General Public	Ashley Schultz					<b>ON HOLD - PHASE 3</b>
144	1	29-Nov-19	Phase 2 and 3	General Public	Mal Hansen	Not Answered	Mount Barker	Mapping	Mapping	All National Parks and Conservation Parks should be zoned CONSERVATION and not Rural.
144	2	29-Nov-19	Phase 2 and 3	General Public	Mal Hansen	Not Answered	Mount Barker	Zones and Subzones	Conservation Zone	Should include all National Parks and Conservation Parks
144	3	29-Nov-19	Phase 2 and 3	General Public	Mal Hansen	Not Answered	Mount Barker	General Feedback	General Feedback	National Parks and Conservation Parks need the correct allocation of zoning to reflect their importance to the state and the environment = CONSERVATION ZONE.
145	1	29-Nov-19	Phase 2	General Public	Fiona and Simon Paech	Not Answered	Coorong District Council	General Feedback	General Feedback	Rezone land at 278 Substation Road, Taillem Bend (and assumed surrounds) from Employment Zone to Rural/Rural Living? (Not specified).
146	1	29-Nov-19	Phase 2	General Public	Sandy Hansen	Not Answered	Not Answered	Mapping	Mapping	<ul style="list-style-type: none"> <li>Certificate of Title, Volume 6091 Folio 704, Allotment 2, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 12 Pinks Beach Road Pinks Beach</li> <li>Certificate of Title, Volume 6094 Folio 705, Allotment 20, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 8 Pinks Beach Road, Pinks Beach</li> <li>Certificate of Title, Volume 6091 Folio 703, Allotment 1, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 10 Pinks Beach Road, Pinks Beach</li> </ul> These should be zoned GENERAL NEIGHBOURHOOD and not Conservation.
146	2	29-Nov-19	Phase 2	General Public	Sandy Hansen	Not Answered	Not Answered	General Feedback	General Feedback	There was not enough time for public consultation on Phase Two of the Code with so much information to review and digest
147	1	29-Nov-19	Phase 2	General Public	David Walsh	Not Answered	Not Answered	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a 'tick-box' online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code's implementation.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
148	1	29-Nov-19	Phase 2	General Public	Anna Osman	Not Answered	Kangaroo Island	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a ‘tick-box’ online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code’s implementation
148	2	29-Nov-19	Phase 2	General Public	Anna Osman	Not Answered	Kangaroo Island	General Feedback	General Feedback	Further have concerns regarding the proposed changes of land use zoning of areas of national park to rural on Kangaroo Island. There is no justification for the proposed change and must not be allowed
149	1	29-Nov-19	Phase 2	Community Group	Warren Jones	Protect our Heritage Alliance	Unley	General Feedback	General Feedback	The draft Planning and Design Code has been a disgraceful exercise in policy planning and public engagement. Its release was premature and it is incomplete and inaccurate. It is difficult to access and defies proper assessment and feedback. The consultation process is unacceptable. The implementation dates both for Phase 2 and Phase 3 must be deferred to allow adequate consultation and review so that the Code can be made comprehensible and workable.
150	1	29-Nov-19	Phase 2	General Public	Belinda Sullivan	Not Answered	Alexandrina	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a ‘tick-box’ online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code’s implementation. It is simply poorly drafted, full of errors and mistakes and rushed. I would hate to think that this document could become law in its current form.
151	1	29-Nov-19	Phase 2	General Public	Thea Taylor	Not Answered	Campbelltown	General Feedback	General Feedback	This has not had enough time for consultation, and to consider the implications of a statewide code for remote areas. Many outlying areas have local conditions which cannot be adequately addressed with the proposed regulations. The proposed regulations have been developed too quickly, and more time and consideration is needed, and much more latitude to allow for local and/or cultural considerations in planning for local areas. A greater timeframe is required for developing this document. Furthermore, time to consider cultural, heritage and environmental/sustainable factors is needed to a greater degree. I request that you extend the timeframe and attend to the above.
<b>152 INVALID ENTRY</b>	1	29-Nov-19	Phase 2	State or Federal Government	Testing	Not Answered	Not Answered			
153	1	29-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Zones and Subzones	Rural Zone	See submission #312 for further details.
153	2	29-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	General policy	Infrastructure and Renewable Energy Facilities General Policy	See submission #312 for further details.
153	3	29-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Land use Definitions	Renewable energy facility definition	See submission #312 for further details.
154	1	29-Nov-19	Phase 2	Local Government	Shilo Wyatt	Southern Mallee District Council	Southern Mallee	Mapping	Mapping	Council have not identified any obvious errors, however this doesn't mean there won't be any once the system is live. It is council's hope that any errors once identified will be easily fixed and at no cost to the identifying party.
154	2	29-Nov-19	Phase 2	Local Government	Shilo Wyatt	Southern Mallee District Council	Southern Mallee	Zones and Subzones	Suburban Neighbourhood Zone	Council would like to see 'Suburban' changed to a name that more adequately reflects that this zone will apply in small country towns.
154	3	29-Nov-19	Phase 2	Local Government	Shilo Wyatt	Southern Mallee District Council	Southern Mallee	General Feedback	General Feedback	Southern Mallee District Council would like to endorse the timing that the process has followed and the staff that have worked with us and kept us well informed during this process. Council would also like to acknowledge that this is a significant undertaking and believe that the changes to planning system will benefit the state by ensuring that everyone is operating under the same rules. Southern Mallee District Council is a small council with relatively limited resources. As a result we would expect that any errors and updates found after the new system commenced would be dealt with by the state to ensure that the system stays as accurate and meaningful as possible. We would like to assume that the systems to identify and report errors will be simple and user friendly and not be reliant on council resources to identify and raise any issues. As stated in earlier feedback whilst our inspection of the preliminary maps has not identified any errors at this point, our study of these maps has not been exhaustive. We would expect that any issues that are identified are also easily fixed when new patches or versions are released.
155	1	29-Nov-19	Phase 2	Community Group	Meredith Ide	Not Answered	Norwood, Payneham and St Peters	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a ‘tix-box’ online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code’s implementation. The Public needs to be able to have time to read and fully understand the Code. Those working on it in DPTI certainly require more time and Council Planners need to be able to comprehend sections of it that they have been given so they can explain it to the residents.
156	1	29-Nov-19	Phase 2	Community Group	Annette Hrudan	Not Answered	Onkaparinga	General Feedback	General Feedback	Ive spent over a year studying this ne so called improved planning legislation and codes. I attended a number of sessions, meetings and asked direct questions of Mr Lennon. This new planning and codes, ONLY benefits developers. Ive given time to assessing it. It's a bad, very one-sided direction for South Australia.
157	1	29-Nov-19	Phase 2	General Public	Thomas Smith	Not Answered	Not Answered	General Feedback	General Feedback	The sheer size and complexity of the whole new system, design code etc means that it is nigh near impossible for most people to analyse, digest and provide useful comments in the time frame allowed. I strongly suggest a deferral of the implementation to enable a much longer consultation period so that we can actually work together to get this right.
158	1	29-Nov-19	Phase 2	General Public	Penny Paton	Not Answered	Not Answered	General Feedback	General Feedback	Respondent wants to see all National Park and Wildlife National Parks, Conservation Parks, Recreation Parks, Heritage Agreements, ForestrySA Native Vegetation Reserves, Sanctuaries and other public land with native vegetation remain zoned as Conservation and not rezoned Rural.
159	1	29-Nov-19	Phase 2	General Public	Elizabeth Vines	Not Answered	Not Answered	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a ‘tix-box’ online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. I request an extension on the Code’s implementation.
<b>160 DUPLICATE (see submission 13)</b>										
161	1	29-Nov-19	Phase 2	Community Group	Christel Mex	Community Alliance SA Inc	Not Answered	General Feedback	General Feedback	The draft Planning and Design Code cannot possibly be fit for purpose by 1 July 2019. The Code is trying to do two things simultaneously – collapsing all council development plans into one code while at the same time developing brand-new software for a ‘tix-box’ online portal. This is a mammoth task, and while Parliament may have thought this was achievable in 2017, a project of this magnitude obviously needs more than two years to design and implement. Community Alliance SA Inc. requests that the implementation of the Code be extended to give stakeholders the opportunity to work together and get it right.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
162	1	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	Mapping	Mapping	Existing Coastal Settlement Zone at Port Gibbon is proposed to transition to Rural Shack Settlement Zone in the P & D Code. Current Development Plan policy currently allows subdivision of lots down to 850 square metres with a minimum frontage of 15 metres (local green text). The proposed Rural Shack Settlement Code Zone does not promote any further subdivision (eg. seeks to retain the status quo in terms of allotment and dwelling numbers and upgrade / replace dwellings to meet higher environmental standards). In addition, the new Code Zone also makes the creation of additional allotments a "restricted" form of development (thus requiring assessment by SCAP). Land division in the existing zone is mostly assessed by the local Council. The local Council has therefore requested that the zone be changed to Rural Settlement Zone which would then allow the existing local minimum lot size and frontage requirements to be transitioned over as TNV's in this zone. In the context of Council's comments about loss of local policy and loss of control over land division decisions in this zone - it is a reasonable request by Council for the proposed zoning of Port Gibbon to be reviewed or to consider the ability for TNV's to be applied to the zone at this location.
162	2	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	Zones and Subzones	Rural Settlement Zone	As above
162	3	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	Zones and Subzones	Rural Shack Settlement Zone	As above
162	4	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	General Feedback	General Feedback	See below
162	5	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	General Feedback	Engagement and Consultation	At a Transition meeting with DC Cleve, DC Kimba and DC Franklin Harbour at Cowell on 10/10/19, the following matters were identified by Chris Smith (CEO of DC Franklin Harbour) in relation to the Code: 1. Lack of consultation / collaboration leading up to the release of the Code for consultation (lack of detail up until the consultation release document). 2. Hard to navigate through the draft Code - hard to work out what is different from their current Development Plan. 3. Limited time to review draft Code and provide a detailed submission. 4. New Code seems a more complex policy document that what is currently contained in their Development Plan. 5. Embargoed copy of the Code was not helpful. 6. View that the new Code will be more restrictive and will grind the system to a halt.
162	6	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	General Feedback	Acid Sulphate Soils Overlay	At a Transition meeting with DC Cleve, DC Kimba and DC Franklin Harbour at Cowell on 10/10/19, Stacey Franklin of DC Franklin Harbour wanted clarification on whether there would be different lot size requirements specified for sewer and un-sewered areas in the Suburban Neighbourhood Zone as it spatially applies to the Cowell township. The current draft of the Suburban Neighbourhood Zone does apply a TNV for minimum lot size and frontage (with some variation permitted for slope). In the case of Franklin Harbour, the TNV transitioned over only relates to those dwellings which are connected to sewer. There is an existing provision in the Residential Zone at Cowell which stipulates that a dwelling unable to be connected to an SA Water sewer or Community Wastewater Management Scheme, should have a minimum site area of 1000m2 and a frontage to a public road not less than 20 metres.
162	7	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	General Feedback	Extent of farmland included in Conservation Zone	At a Transition meeting with DC Cleve, DC Kimba and DC Franklin Harbour at Cowell on 10/10/19, the CEO of DC Franklin Harbour (Chris Smith) expressed concerns about the extent of farmland included in the Conservation Zone (some arguments by elected members that the Rural Zone would be a better fit along with the Coastal Areas Overlay. This is an issue resulting from the last Ministerial Coastal DPA for Eyre Peninsula which may need to be revisited in future Code amendment processes.
162	8	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	General Feedback	Naming convention for new Code Zones	At a Transition meeting with DC Cleve, DC Kimba and DC Franklin Harbour at Cowell on 10/10/19, the CEO of DC Franklin Harbour (Chris Smith) expressed concerns about the use of the word 'rural' as part of the title for the Rural Shack Settlement Zone – considered the zone name to be inappropriate as some locations of shack developments are not necessarily in rural locations (eg. some are located in towns).
162	9	29-Nov-19	Phase 2	Local Government	Stacey Franklin	District Council of Franklin Harbour	Franklin Harbour	Zones and Subzones	Suburban Neighbourhood Zone	At a Transition meeting with DC Cleve, DC Kimba and DC Franklin Harbour at Cowell on 10/10/19, Stacey Franklin of DC Franklin Harbour wanted clarification on whether there would be different lot size requirements specified for sewer and un-sewered areas in the Suburban Neighbourhood Zone as it spatially applies to the Cowell township. The current draft of the Suburban Neighbourhood Zone does apply a TNV for minimum lot size and frontage (with some variations permitted for slope). However, in the case of Franklin Harbour, the TNV transitioned over only relates to those dwellings which are connected to sewer. There is an existing provision in the Residential Zone at Cowell which stipulates that a dwelling, which is unable to be connected to an SA Water sewer or Community Wastewater Management Scheme, should have a minimum site area of 1000m2 and a frontage to a public road not less than 20m. This provision has not been transitioned over to the Suburban Neighbourhood Zone as it spatially applies at Cowell.
163	1	29-Nov-19	Phase 2	General Public	Lorraine Rogers	Not Answered	Alexandrina	General Feedback	Native Vegetation	All remaining native vegetation must be left growing and more areas replanted. We are down to a mere 3% native vegetation across all areas and most of this is along roadsides. The effect on our wildlife has been devastating and we are fast losing species of all types. It is time to consider the future viability of this land. Native vegetation must be regarded as precious and untouchable. It has to be placed above all other considerations and all planning has to work around it. No longer can human activity be considered premier but secondary. Heavy penalties need to be enforced to save what remains of our native forests and bush lands.
164	1	29-Nov-19	Phase 2	Local Government	Nadene Whittenbury	District Council of Peterborough	Peterborough	General Feedback	Terminology	Don't like the term 'Suburban'.
164	2	29-Nov-19	Phase 2	Local Government	Nadene Whittenbury	District Council of Peterborough	Peterborough	General Feedback	Training	Need to provide regional training sessions.
164	3	29-Nov-19	Phase 2	Local Government	Nadene Whittenbury	District Council of Peterborough	Peterborough	General Feedback	General Feedback	Need to provide resources for councils, such as kiosks in council office reception areas.
165	1	29-Nov-19	Phase 2	General Public	John Power	Not Answered	Kangaroo Island	Rules of Interpretation	Rules of Interpretation	Response has been prepared for these submissions.
165	2	29-Nov-19	Phase 2	General Public	John Power	Not Answered	Kangaroo Island	Mapping	Mapping	1. Should include all National Parks and Conservation Parks as conservation. 2. Seeks to have parcel of land between Allen Lashmar Road and Cape Willoughby Road south of Antechamber Bay rezoned for rural living - it is natural boundary for coastal conservation and would allow more people to live on KI to support business and communities.
166	1	28-Nov-19	Phase 2	General Public	Beverley Maxwell	Not Answered	Not Answered	General Feedback	General Feedback	Concerned about environmental impacts on planning especially related to: • National Parks and Reserves • Climate Change • Biodiversity.
167	1	28-Nov-19	Phase 2	General Public	Timothy S Overett	Not Answered	Coorong	General Feedback	General Feedback	Planning system needs to allow for more innovative and flexible ways for sustainable, low cost options (eg waterless toilet, recycled materials etc), Building rules need to factor in climate change and respond to likely future requirements.
168	1	28-Nov-19	Phase 2	Business	Andy Pointon	APFoodIntegrity Pty Ltd	Statewide	Zones and Subzones	Animal Husbandry Subzone	Land used for the pork industry is primarily located in Phase 3 council areas.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
168	2	28-Nov-19	Phase 2	Business	Andy Pointon	APFoodIntegrity Pty Ltd	Statewide	General policy	Intensive Animal Husbandry and Daries General Policy	It is unclear whether the Intensive Animal Husbandry and Daries General Policy will conflict with the Right to Farm Bill 2019 (Biosecurity and Farm Trespass legislation).
168	3	28-Nov-19	Phase 2	Business	Andy Pointon	APFoodIntegrity Pty Ltd	Statewide	General Feedback	General Feedback	Pork SA will lodge another submission (in partnership with Chicken Growers Council) for Phase 3 because pork industry is primarily located on land within Phase 3 council areas. Pork SA do not feel that consultation was early enough or sufficient. The pork industry have a lot of uncertainty around what is changing for them. Pork SA would like to be involved in the consultation process for Phase 3.
169	1	28-Nov-19	Phase 2	Business	Robert and Karen Zadow	RJ & KF Zadow	Coorong District Council	General Feedback	General Feedback	Rezone Employment to Rural Zone at 225 Mallee Highway, Tailem Bend.
170	1	28-Nov-19	Phase 2	Business	Yvonne Smith	Bowhill Produce	Not Answered	Overlays	River Murray Flood Plain Overlay	Why are minimum lot sizes in the River Murray Flood Plain Overlay 100ha? In the Rural Zone, the minimum lot size is 40ha which is too small for farming. However, next to the river, the 40ha minimum lot size would make sense. So why is the minimum lot size 100ha?
170	2	28-Nov-19	Phase 2	Business	Yvonne Smith	Bowhill Produce	Not Answered	General policy	Land Division in Rural Areas General Policy	Rules under 'Land Division in Rural Areas General Policy' should also apply to the 'River Murray Zone' (Rural Zone).
170	3	28-Nov-19	Phase 2	Business	Yvonne Smith	Bowhill Produce	Not Answered	Overlays	River Murray Flood Plain Overlay	Why does the River Murray Flood Plain Overlay apply to high areas (i.e. on a cliff) that are nowhere near the river?
171	1	28-Nov-19	Phase 3	General Public	Paul Pegoli					<b>ON HOLD - PHASE 3</b>
172	1	28-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Zones and Subzones	Conservation Zone	Black Point – Yorke Peninsula Council. As detailed in the submission emailed and attached, our client, owner of land at 165 Black Point Road, Black Point, seeks a review of the boundaries of the Settlement Zone and Conservation Zone and or consideration of inclusion of a Visitor Experience Subzone in this location. See submission 114.
172	2	28-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Zones and Subzones	Visitor Experience Subzone	Consideration be given to inclusion of this zone at Black Point. See submission 114.
173	1	27-Nov-19	Phase 2	General Public	Valerie Monaghan	Not Answered	ROBE	All	All	Provided the below feedback via the online form on every component in the Code (273 entries in total): <ul style="list-style-type: none"> <li>"Implementation of the Planning &amp; Design Code needs to be deferred until a competent consultation process occurs."</li> </ul> Also added the following statement in relation to General Feedback on the Code: <ul style="list-style-type: none"> <li>"The standard of information available to the public is impossible to easily understand, and the public consultation process needs to be considerably improved if there is to be a good outcome for the people of South Australia."</li> </ul>
174	1	27-Nov-19	Phase 2	General Public	Raffaele Caruso					<b>ON HOLD - PHASE 3</b>
175	1	27-Nov-19	Phase 2	General Public	Nathan & Hayley Box	Not Answered	Northern Areas	Zones and Subzones	Rural Zone	Want land rezoned to rural living. Currently township fringe
175	2	27-Nov-19	Phase 2	General Public	Nathan & Hayley Box	Not Answered	Northern Areas	General Feedback	General Feedback	Want land rezoned to rural living. Currently township fringe
<b>176 DUPLICATE (see submission 4)</b>										
177	1	27-Nov-19	Phase 2 and 3	General Public	Margret Keath					<b>ON HOLD - PHASE 3</b>
178	1	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	It is virtually impossible to properly and thoroughly identify the impact on Council's Development Plan of the new Code provisions in the limited time provided in the consultation period.
178	2	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	The Code runs to some 3,000 pages and without the benefit of the new ePlanning system by which to interrogate how the provisions fit and integrate with each other, the task of providing meaningful and detailed comment on the draft Code within the consultation timeframe is not achievable.
178	3	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	It is pointed out that this Council has very limited planning resource and staff cannot undertake the exhaustive review of such a large and unwieldy document within the time made available. It is a very time-consuming task and, as the Code has not been presented in its intended electronic format, the search through the multiples of pages to try and locate the 'connections' between the existing Development Plan policy and how the Code will accommodate this is impractical. It is not an easy document to interpret.
178	4	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	The consultation process be extended and take place concurrent with the availability of the proposed ePlanning system.
178	5	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	A thorough policy-by-policy tracking between the existing and the new has not been carried out because of the enormity of the task. Even the Department admits that the Code is still not complete and that there are errors and inconsistencies in the text and the mapping. Reliance on limited Council staff resource (in country Councils in particular) to identify these and provide corrections in the context of their own Development Plan is not realistic.
178	6	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Naming conventions	The Code introduces zone names that are, in a rural/ regional context, bewildering and are out of place with established standards of zoning commonly found elsewhere. Planning authorities, the community and the development industry are all familiar with current zone names and their intended function, so why change these for no practical planning/land use reasons?
178	7	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Naming conventions	Everyone can relate to the purpose of a residential or a town centre or an industry zone. So why has the Code created new zone names without any underlying justification or explanation as to the rationale? Why is it important that the terminology be turned on its head?
178	8	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Naming conventions	Some examples of the new terms v current terms include: <ul style="list-style-type: none"> <li>Suburban Neighbourhood Zone v Residential Zone.</li> <li>Infrastructure (Airfield) Zone v Airfield Zone.</li> <li>Suburban Employment Zone v Light Industry and Commercial Zones.</li> <li>Township Activity Centre Zone v Town Centre Zone.</li> </ul>
178	9	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Naming conventions	The introduction of these unfamiliar terms is confusing and will complicate matters when dealing with the public and applicants. It is apparent that the names have been generated with a metro-centric mindset and do not respect regional areas by promoting such terminology.
178	10	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Naming conventions	The use of descriptive and traditional names for zones has worked in this State and elsewhere for many years, and Council does not understand the motivation for adopting unfamiliar names for no apparent good reason.
178	11	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Terminology	Inconsistent terminology and formatting is found throughout P & D Code. Also there are important gaps in the policy expression, eg variables for lot size/frontage and setbacks, overlay anomalies/ definitions etc are missing. Recommendation: P & D Code be thoroughly reviewed to reflect a consistent terminology and formatting throughout the Code and that all information is provided.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
178	12	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Code document	Also, the presentation of the consultation draft leaves much to be desired. Not only are there gaps in the policy data but it is also impossible to be guided through the entire document in light of: <ul style="list-style-type: none"> <li>No page numbering either the document as a whole or, alternatively, within the individual modules.</li> <li>No headers giving module name.</li> <li>The confusing way in which the ordering of the zones has been carried out with multiple assessment tables and policy statements and notifications, etc.</li> </ul> Recommendation: Code be rewritten to include page numbering and headers for location purposes, if only for genuine consultation/navigation purposes.
178	13	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	ePlanning	Council understands that in the ePlanning world this presentation is not likely to be an issue as the computer just interrogates policy to where it is directed, but in the absence of that system it is frustrating to navigate the document efficiently or sensibly.
178	14	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	ePlanning	This makes it extremely difficult to know where you are or where you need to go, and this highlights the difficulty in trying to understand the Code without the ePlanning system being available in parallel.
178	15	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Code document	This review process is not helped when the presentation is not consistent, nor is it coherent. Table header rows are missing in some modules, pages are either landscape or portrait (at random it seems) throughout the total document, the titles of the modules do not stand out at all making it unusable to skim through to locate sections.
178	16	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Consultation period	Phase 2 Councils are scheduled to be transferred to the new Code on 1 April 2020. As the interactive ePlanning system is not likely to be available until February 2020 (if then), Council does not believe that there is enough time for staff to be trained and to become familiar in the use of that system (especially as rural Councils are expected to act as an 'agent' for applicants in lodging their applications). With no training or education for users, there will be confusion, frustration and inefficiencies. On the other hand, the resource impact on smaller rural Councils for staff to be properly trained, attend workshops and the like, will be immense and will need to be balanced with other tasks and roles those officers also have. Recommendation: A training/education program to be undertaken in regional areas must be implemented, preferably in a hands-on small group format.
178	17	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Restricted Development	It has been noted that the Restricted Development Tables for the respective zones have been slimmed down considerably and only relate, generally, to a handful of land uses/forms of development, unlike the non-complying lists in existing Development Plan zones.
178	18	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	appeals	There is a potential resource issue for Councils particularly smaller rural Councils in that, although the Code policy framework may speak against certain types of development, in the new Code world, these will be performance assessed and not prohibited in the first instance as non-complying development. If Council refuses such development, there is then the prospect of defending the decision upon appeal to the Court. This can involve substantial time and money costs which are not currently the case.
178	19	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	appeals	This issue has not been addressed by the Department but it can place significant cost pressures on local government as a whole and especially rural Council, a cost that they do not necessary face with the current system.
178	20	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Restricted Development	Recommendation: Restricted Development Tables be reviewed with an aim of extending the range of non-envisaged development within particular zones.
178	21	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Code document	A key intent of the new Code is to standardise policy on a State-wide basis. This means that the provisions apply across the board to all Councils. The structure of the Code leaves little opportunity to incorporate the local policy that suits local needs.
178	22	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Local content	This one-size-fits-all approach results in policy gaps and the loss of local content and the potential for 'dumbing down' development outcomes, ones possibly not in the best interests of the community.
178	23	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Local content	Recommendation: Reconsideration of a method for taking over local policy content into the Code structure.
178	24	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	Illegal development	Another concern of Council is the probability that people who wish to build something will do so illegally in the future because of the new Code provisions in electronically lodging an application, meeting the required standard of plans and information to be submitted, trying to 'manage' the computerised system and the like. This can lead to frustration and applicants giving up if it is made all too hard or expensive. They are more than likely to just build the structure leaving Councils with the enforcement task. Again, this places a resource penalty on country Councils especially who are already planning resource poor.
178	25	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	General Feedback	ePlanning	Recommendation: A generic issue that needs to be considered by the Department in setting up the ePlanning system with an understanding that not everyone is computer literate.
178	26	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Infrastructure (Airfield) Zone	Infrastructure (Airfield) Zone: Zone name misleading in that an airfield is not infrastructure in its own right. It is a land use based on aircraft movement and servicing and allied activities etc and public utilisation. Recommendation: Revert back to Airfield Zone.
178	27	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Zone name inappropriate for a country situation. Recommendation: Revert back to Commercial Zone and Light Industry Zone.
178	28	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Tourist accommodatio	Tourist accommodation listed as a desirable land use in the Suburban Employment Zone which has been applied to industrial areas, inviting land use conflict, sterilisation of industrial land and reduced economic productivity. Recommendation: Tourist accommodation removed as a desirable land use in the Suburban Employment Zone.
178	29	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Community Facilities Zone	Community Facilities Zone: Council agrees with the greater flexibility in the range of land uses allowable. However, Council would prefer to see scope for aged care accommodation, nursing homes, retirement villages and other forms of community 'group' housing which could satisfy the needs of the local community to be provided for in the zone. Recommendation: The Code zone be amended by allowing scope for aged and similar accommodation.
178	30	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Home Industry Zone	Home Industry Zone: Needs to be amended to ensure that dwellings are the primary land use and are located at the front of the allotment, with industrial structures and activities being located at the rear of lots. Recommendation: Clarification and/or amendment to zone policy required.
178	31	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Home Industry Zone	Home Industry Zone: The TNV for this zone's minimum lot size shows 1,500m2 with 25m frontages (which reflects current policy), but Code zone DTS/DPF 4.1 specifies a 750m2 area and a 20m frontage. Which set of parameters applies? Which has precedence? This has the potential to be misleading and confusing as it relates to the Jamestown zone. Recommendation: Apply 750m2 area and a 20m frontage to TNV.
178	32	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone: Council does not wish to have the 'Limited Land Division Overlay' applied across its area, ie within either the existing Primary Production Zone or the Rural Landscape Protection Zone. Council notes that the Consultation Map Viewer brings this Overlay up for the Rural Landscape Protection Zone which is wrong. This does not reflect existing policy. Recommendation: Delete any application of the 'Limited Land Division Overlay' in the transition to Council's Code zones.
178	33	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone: Council notes that the ' Dwelling Excision Overlay' has not been applied to the area covered by the existing Primary Production Zone which currently has provisions for excising an existing farm dwelling. This needs to be rectified. Recommendation: The ' Dwelling Excision Overlay' be applied to the existing Primary Production Zone area.
178	34	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone:



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										The Consultation Map Viewer does not reference a minimum lot size for dwellings whereas the current Primary Production Zone specifies a 20ha minimum. The Rural Landscape Protection Zone allows for a dwelling on any existing lot. The Viewer does not bring this information up at all. Recommendation: TNV data to be established within the Rural Zone for minimum lot size for a dwelling in line with existing Development Plan policy.
178	35	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone: There are inconsistencies in the TNV data applicable within and across the zone types, with errors and gaps that need reviewing. Recommendation: The TNV data be interrogated and cross-referenced to ensure that values reflect current standards.
178	36	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone: Council has two Concept Plan Maps (NtA/3 and 4) which delineates buffer areas around firstly, the explosives manufacturing facility at Beetaloo and secondly, the Jamestown Sawmill. These maps have not been taken over yet contain very significant interface implications that should be referenced in Code policy. Council notes with interest that in the Index of Technical and Numeric Variations part 6.3 brings back reference to such plans as shown in the consultation draft. In light of this, Council believes that its own Concept Plans should be reinserted for ease of reference. PO 14.1 in the zone allows for this. Recommendation: Reinsert Concept Plan Maps NtA/3 and 4 into Part 6.3 of the Index of Technical and Numeric Variations.
178	37	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Rural Zone	Rural Zone: The current Rural Landscape Protection Zone will be incorporated into the new Rural Zone but will be subject to the 'Significant Landscape Protection Overlay'. This tiered policy network is reasonable in that it does restrict wind farms (Table 4 of the Rural Zone) but it also will not acknowledge the different land use requirements of the explosives manufacturing facility as is covered by Objective 4 in the existing Rural Landscape Protection Zone. This is important policy and needs to be inserted into the new Code format. If this is not practical, then Council suggests that a different zone be delineated just for the area affected. However, taking up an Employment Zone or similar, for example, may open the potential for other forms of industrial activity not envisaged by this very specialised type of manufacturing, which would not be appropriate.
178	38	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Dwelling excision	Rural Zone: The inclusion of detached dwelling within the notification table will have significant resource implications for Council and will have little to no community interest. This is not a notifiable form of development at present. Council is unsure of the benefit or the need for undertaking this notification. Recommendation: Removal of detached dwelling from the notification table
178	39	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Dwelling excision	Allow dwellings if the allotment existed prior to P & D Code implementation and An allotment is created after that date and the allotment is a least 20 hectares.
178	40	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Local policy	The Code zone to be rewritten (through an Overlay or different appropriate zone) to incorporate the existence and development of the explosives manufacturing facility at Beetaloo.
178	41	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Township Fringe Policy Area	Township Fringe Policy Area: This Policy Area is proposed to be incorporated into the Rural Zone which then places limitations on new dwellings. The current policy allows for a dwelling as of right on any existing lot regardless of size. This will be undermined if the rural zoning is applied. Council is of the view that this area should be incorporated into the Rural Living Zone since this would be a better fit in terms of policy and the development outcomes envisaged currently than the Rural Zone. The current policy will be changed (dramatically) in going to the Rural Zone in any event, changing its destination to the Rural Living Zone would be appropriate and not as dramatic a change. This zone currently has varying sized allotments that land owners have purchased with the view of building a dwelling. The Rural Zone will inhibit the building of dwellings on less than 20 hectares. This would have a detrimental effect on the value of the land and also the future plans for many land owners. Recommendation: Transition the Township Fringe Policy Area to the Code Rural Living Zone.
178	42	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Suburban Neighbourhood	Suburban Neighbourhood Zone: Zone name inappropriate for a country situation. Recommendation: Revert back to Residential Zone.
178	43	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Wastewater	Suburban Neighbourhood Zone: Wastewater requirements for CWMS areas as opposed to land requiring on-site waste treatment need to be reflected in new lot sizes for land division and for dwellings. Variation in minimum lot area should be subject to TNV data set. Council has requirements of 600sqm and 1,200sq m minimum areas respectively. Recommendation: TNV data to distinguish between minimum lot sizes for CWMS and unsewered areas.
178	44	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Wastewater	Suburban Neighbourhood Zone: Also, this difference is not captured for numerous forms of DTS and performance assessed development eg outbuildings in particular are regularly proposed over areas of on-site waste disposal resulting in system failure. Also, land division should further consider the location of existing waste control systems. Recommendation: The capture of wastewater provisions (Infrastructure and Renewable Energy Facilities [Wastewater Services]: DTS 12.1, 12.2) to apply to land division and to outbuildings, ancillary structures and like development to prevent encroachment over CWMS systems.
178	45	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Wastewater	Suburban Neighbourhood Zone: Include a reference to the Wastewater Code to ensure allotments are developable with provision for appropriate wastewater treatment.
178	46	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Wastewater	Suburban Neighbourhood Zone: Wastewater application should be required prior to issuing Planning approval.
178	47	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Notification requirements for some forms of development appear to be onerous, eg the site of the development is adjacent to land in a different zone (needs to be much more tightly applied rather than a wide-sweeping notification for all developments, including presumably a standard domestic shed) and land division for more than 4 lots. Recommendation: Deletion of land division creating 4 or more allotments from the notification table. Refinement of the wording for 'site of the development is adjacent land to land in a different zone'.
178	48	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Why is 'Shop' (over 1,000sq m) a Restricted Development and no other forms of development with potentially greater impact, eg industry, waste treatment, intensive animal keeping? This does not work well with 'shop' being the only land use identified. Recommendation: Other forms of development considered to be inappropriate in a residential-based zone be reviewed and also included in the Restricted Development Table.
178	49	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Township Activity Zone	Township Activity Zone: Zone name not informative. Revert back to Town Centre Zone.
178	50	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Township Zone	Township Zone: Council is of the view that, in light of the proposed Code zones and their respective land use functions, and naming conventions, the town of Spalding be redefined and be contained within a single Township Zone. This zone would better cater for future development opportunities without being constrained by internal zoning which has the effect of directing new development only towards certain areas. With smaller country towns not under development pressures or constraints, Council feels that a Township Zone would adequately provide for development growth in line with good planning outcomes. Council does not believe that this change would seriously undermine residents' rights or expectations as to the nature of development that potentially may take place. Smaller country towns are generally over-zoned relative to their development expectations. Recommendation: The town of Spalding change to Township Zone with the exclusion of Suburban Employment Zone on Lots 6,7,8,9 Borge Hill Road Spalding.
178	51	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Town Centre Zone	The Town Centre zone in Gladstone would be better suited as Township zone allowing for many vacant shops to be converted to residence. Gladstone Town Centre zone change to Township.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
178	52	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Town Centre Zone	Laura Town Centre zone change to Township
178	53	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Public notification required for a range of minor developments such as swimming pools and carports, but not for more significant changes like a shop in a residential area. Recommendation: Remove minor development from public notification.
178	54	26-Nov-19	Phase 2	Local Government	Gabby Swearse	Northern Areas Council	Northern Areas	Zones and Subzones	Community Facilities Zone	Community Facilities Zone: Land Uses do not include: <ul style="list-style-type: none"> <li>• Health facility hospital</li> <li>• Cemetery</li> <li>• Museum</li> <li>• Aged Care Accommodation</li> <li>• Caravan Park.</li> </ul> The proposed Community Facilities Zone encompasses the land in Jamestown that houses the Hospital and grounds, Cemetery, Museum and in Laura Aged Care Accommodation and Caravan Park. It is important that the ongoing operation of these important community infrastructures are listed within the zones envisaged land uses. Recommendation: Include above list in DTS 1.1 land uses.
179	1	26-Nov-19	Phase 3	General Public	Wendy Jenkins					<b>ON HOLD - PHASE 3</b>
180	1	26-Nov-19	Phase 3	General Public	Brendan Jenkins					<b>ON HOLD - PHASE 3</b>
<b>181 DUPLICATE (see submission 113)</b>										
182	1	25-Nov-19	Phase 2	General Public	Kym Pfitzner	Not Answered	Mid Murray	Mapping	Recreation Zone	114-152 River Lane, Mannum are proposed to be zoned Recreation in the Code. However, this area is made up of privately-owned homes and privately-owned vacant allotments where the allotments are Torrens Title ownership to the edge of the River Murray. Because of this, there is no public access, nor a right for public use of these privately-owned land holdings available in this area. The homes and allotments are very similar to the remainder of River Lane in Mannum with mains sewer and mains water available which is zoned Suburban Neighbourhood. It will be unfair and inequitable for these private owners to have their land re-zoned to a zoning consistent with public use land.
183	1	25-Nov-19	Phase 2 and 3	General Public	Anne Carpenter	Not Answered	Adelaide Hills	General Feedback	General Feedback	Considers the Code needs to maintain as many areas for conservation as we can to try and counter balance the effects of global warming.
184	1	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Overlays	Native Vegetation Overlay	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	2	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	3	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Zones and Subzones	Hills Face Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	4	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Zones and Subzones	Open Space Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	5	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Zones and Subzones	Rural Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	6	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Zones and Subzones	Rural Living Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	7	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	General policy	Open Space and Recreation General Policy	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	8	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	Admin Definitions	Native vegetation	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
184	9	25-Nov-19	Phase 2 and 3	General Public	Angus Nicholson	Not Answered	Not Answered	General Feedback	General Feedback	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the other zones such as the Rural Zone.
185	1	25-Nov-19	Phase 2	General Public	Kate Taylor	Ms	Barossa	Mapping	Mapping	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
186	1	24-Nov-19	Phase 3	General Public	Katrina Miethke					<b>ON HOLD - PHASE 3</b>
187	1	22-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Zones and Subzones	Conservation Zone	Wrights Bay Camping Ground, Mount Benson: Tourist accommodation is currently listed as restricted in the Conservation Zone (with certain exceptions). Clarification sought regarding the processing of camp ground, given the restricted path for tourist accommodation. See submission 92 (issue 1) above for adjoining submission.
187	2	22-Nov-19	Phase 2	Development Industry	Julie Jansen	MasterPlan	Not Answered	Land use Definitions	Tourist accommodation definition	Clarification is required as to whether a camp ground is tourist accommodation. There is potential conflict in the Conservation Zone in relation to camp ground being envisaged and tourist accommodation being restricted.
188	1	21-Nov-19	Phase 2	General Public	David Nichols	Not Answered	Kangaroo Island	General Feedback	General Feedback	Not so many years ago my rural zoned land was made Coastal Conservation making it impossible to build a home on it. Before any more Park land is zoned Rural, this error must be addressed. Please rezone my land back to Rural.
189	1	21-Nov-19	Phase 2	Community Group	Niki welz	Not Answered	Charles Sturt	General Feedback	General Feedback	Does not support rezoning conservation and wilderness land to Rural, particularly in KI, and considers it will have environmental and economic impacts.
190	1	21-Nov-19	Phase 2	Federal Government Agency	Sharyn Owen - Airport Safeguarding	Department of Infrastructure, Transport, Cities and Regional Development	Not Answered	General Feedback	General Feedback	Suggests further incorporation of NASF throughout the Code.
190	2	21-Nov-19	Phase 2	Federal Government Agency	Sharyn Owen - Airport Safeguarding	Department of Infrastructure, Transport, Cities and Regional Development	Not Answered	Overlays	Airport Building Heights (Aircraft landing Areas) Overlay	Suggests inclusion of policy to address NASF in relation to strategic helicopter landing sites within the ALA overlay. Suggests referral to owner/operator of site for comment on development which would have safety impacts. Would potentially have mapping implications – heights limits for SHLS at Victor harbour are included in Dev plan – not included for other sites such as Lyall McEwin, or RAH. Would need to investigate which other sites are worthy of inclusion should a policy approach be adopted



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190	3	21-Nov-19	Phase 2	Federal Government Agency	Sharyn Owen - Airport Safeguarding	Department of Infrastructure, Transport, Cities and Regional Development	Not Answered	Overlays	Airport Building Heights (Regulated) Overlay	Update referrals- these should go to the airport operator who will then send to Cth Department in line with their legislation. Suggests inclusion of reference to OLS so that height limits can be updated more easily as OLS is updated on airport masterplan cycle. Similar to a number of other issues whereby mapping will be updated periodically and may be facilitated by a streamlined consultation approach.
190	4	21-Nov-19	Phase 2	State or Federal Government	Sharyn Owen - Airport Safeguarding	Department of Infrastructure, Transport, Cities and Regional Development	Not Answered	Overlays	Building Near Airfields Overlay	Suggests change of terminology from bird strike to wildlife strike – terrestrial animals such as livestock or kangaroos are frequently involved in aviation related incidents. Suggests that the Overlay be broadened to consider communication, navigation and surveillance equipment not located on the airport site. (Note this will apply to navigation aid represented in TTG development plan - Phase 3 - there may be other sites which need consideration). Suggests inclusion of Public Safety Zones - this will require consideration/Discussion for Phase 3 - AAL.
190	5	21-Nov-19	Phase 2	State or Federal Government	Sharyn Owen - Airport Safeguarding	Department of Infrastructure, Transport, Cities and Regional Development	Not Answered	Zones and Subzones	Infrastructure (Airfield) Zone	Suggests greater links to NASF within the zone.
191	1	20-Nov-19	Phase 2	Business	Rob Brown	BH Partners	Mid Murray	Mapping	Recreation Zone	(see above) Concerns the current zoning in the draft Planning and Design Code for the area of Mannum from 114 River Lane to 152 River Lane. This area is shown as Recreation zone which is a zoning that includes Mannum's town oval / showgrounds, golf course and public river access areas. This area is made up of privately owned homes and vacant allotments where the allotments are Torrens Title ownership to the edge of the River Murray, therefore no public access is available in this area. The homes and allotments are very similar to the remainder of River Lane in Mannum with mains sewer and mains water available which is zoned Suburban Neighbourhood. Recommend this area zoned Suburban Neighbourhood.
192	1	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Consultation period inadequate	Consultation period for regional Councils is not reasonable due to limited staffing, and to take into consideration Council meeting timeframes. Disappointment with timeframe and lack of understanding.
192	2	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Code structure	Layout of the document for public engagement makes it difficult to absorb, understand and make recommendations for change.
192	3	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Lack of community engagement	Concerned that the public engagement process to-date means that the general community has been poorly served. The engagement has been tokenistic and is at odds with the Community Engagement Charter.
192	4	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Lack of community engagement	Public has been ill-informed due to inadequate advertising of the public engagement event, and of the proposed changes generally.
192	5	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Too metro focused	Council supports a common approach to assessment, however the Code presents a metro-focussed, one-size-fits-all approach that results in policy gaps and loss of local content for diverse communities.
192	6	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Terminology	Concerned about naming conventions for the Code, such as reference to residential-focussed zones as Neighbourhood Zones is confusing. Suburban Neighbourhood Zone mistreats rural communities, which are not suburbs and have no correlation with urban form in regional areas. Developers are keen for prescriptive terms and urge a return to former naming conventions.
192	7	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlay	Native Vegetation Overlay	Inappropriate use of the Native Vegetation [Overlay] results in Accepted Development becoming Performance Assessed. Development that previously didn't require approval now will, resulting in additional costs.
192	8	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Mapping	Retail	Some zones encourage diversification of uses to the detriment of former District Centre and Town Centre Zones. Supporting commercial and retail development outside of town centres will impact town centres negatively. Should not weaken centres further through the Code.
192	9	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Mapping	Dwellings in Rural Zone	Rural Zone: Concern about strength of policy to refuse inappropriate development, in particular land division and dwellings. Will result in fragmentation of primary production land which can fragment its viability. Concern if land division allowed to excise dwellings this could create a de facto Rural Living Zone. Urge the reinstatement of land division minimum allotment sizes, allotment date and size criteria to establish dwellings or excise dwellings. Excessive land division and fragmentation is a concern and could drive up land prices making farming unviable.
192	10	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Editorial issues	Numbering issues, referencing, and missing criteria and provisions in the Code on consultation. The Commission should ensure a complete and correct document is distributed before consulting.
192	11	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Community Facilities Zone	Community Facilities Zone: Encompasses land around Clare and note it is important that ongoing operation of community infrastructure is listed as envisaged land uses. Challenge the insertion of 'shop' or 'office' within the Zone.
192	12	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Shop areas have increased substantially from 80qm to 250m2 currently, to 1000m2 in Code. No consultation on such a substantial change. Shops of this size are not desirable and could damage main retail precincts.
192	13	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Many land uses that were previously non-complying are now deemed-to-satisfy including Service Trade Premises and Offices within the Zone.
192	14	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Buffers	Buffer distances are no longer within the Code, this is a significant issue as our industrial/commercial land is largely surrounded by sensitive residential uses and therefore offers limited, if any, protection to these residents.
192	15	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Restricted Development criteria – exception is "Special Industry" – this is a significant issue given that our existing industrial/commercial zones have it as non-complying and are in close proximity to residents. These uses have negative community impacts, e.g. noise, smell, etc. and should be restricted depending on location. A sub zone would be a good compromise in this instance as special industry is highly undesirable within urban areas.
192	16	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	State Heritage Register	The State Heritage Register is not included within the Code, the Local Heritage is listed in Part 6 – Index of Technical and Numeric Variations of the Code. We presume this is an oversight and the State Heritage Area Register will be included.
192	17	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Renewable Energy Discussion Paper	Disappointed that the Renewable Energy Discussion Paper consultation is occurring concurrently with the consultation of the Code. Rural areas are almost always the location for renewable energy facilities, and the implementation of the Code on April 1 without due consideration of the feedback provided to the Discussion Paper (which closes at the end of February 2020) is a poor outcome for rural Councils, who may well be left with little policy to guide development of this nature.

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192	18	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Onsite wastewater disposal	Wastewater disposal and development go hand in hand. This is more of a regional issue as metro-based areas are largely sewered which allows high density development to occur as is sought via the Code. It would be beneficial if a wastewater system was required there would be some trigger via the SA Portal that a wastewater application would need to be approved prior to issuing consent. This goes beyond planning and is a public health issue so therefore it is critical the Code does not inadvertently result in unhealthy land or, what is likely to occur, blocks that are essentially undevelopable and/or unliveable as people's backyards are largely waste water disposal areas.
192	19	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlay	Limited Dwelling Overlay	The only limited dwelling overlay that exists within the Council area is over Leasingham. The majority of vacant allotments in the township of Leasingham are not viable primary production units as they are too small parcels of land and are in individual ownership. It would be more desirable to remove the Limited Dwelling Overlay and establish design criteria for the locality or apply the overlay only over the area that is currently agricultural.
192	20	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Square Mile Road Policy Area 10: The land within this existing policy area does not align with the proposed policies of the Suburban Neighbourhood Zone. The Greenfield Suburban Zone would be a more appropriate 'fit' for this locality.
192	21	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Auburn East Rural Living Area: Change the zone for the triangular portion of Auburn East to Rural Living, this land is currently used as Rural Living not Primary Production. The Rural Living Zone polices are more suitable for these properties.
192	22	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	ePlanning	On balance there is a lot to like about the new Code. It reduces unnecessary restrictions on land use types and scale that will make many landholders better off. The new ePlanning system will be a great point for making applications and undertaking assessments and it will reduce the administrative burden on Councils going forward.
192	23	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Consultation period inadequate	The release of the Code has been rushed and the community has not been effectively consulted. Even a minor change to a Zone under current DPA processes requires extensive community consultation and justification to occur. Under the Code, all Zones have not only been renamed, their content has been completely altered largely unbeknownst to the community.
192	24	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Request timeframe extension	Implore the Commission and the State Government reconsider all timeframes including the 1 July 2020 full implementation timeframe to create a document that is legible and that has had better community consultation (Council could assist in this process) so people understand what the implications and benefits of this are.
192	25	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Carport: Design in Urban Areas (All Residential Development – Ancillary Development) DTS 17.1, 17.2. Numbering inconsistency – Ancillary Development should be DTS 16.1, DTS 16.2.
192	26	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Carport: Design in Urban Areas (All Residential Development – 3 Building Levels or Less – External Appearance) DTS 19.1. Numbering inconsistency – External Appearance should be DTS 18.1.
192	27	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Dwelling Addition: Design in Urban Areas (All Residential Development – 3 Building Levels or Less – Landscaping) DTS 22.1, 22.2. Numbering inconsistency – Landscaping should be DTS 21.1, 21.2.
192	28	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Dwelling Addition: Design in Urban Areas (All Residential Development – 3 Building Levels or Less – Overlooking Visual Privacy) DTS 20.1. Numbering inconsistency – Overlooking / Visual Privacy should be DTS 19.1.
192	29	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Dwelling Addition: Design in Urban Areas (All Residential Development - 3 Building Levels or Less – Private Open Space) DTS 21.1, 21.2, 21.3. Numbering inconsistency – Private Open Space should be DTS 20.1, 20.2, 20.3.
192	30	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Dwelling Addition: Design in Urban Areas (All Residential Development - 3 Building Levels or Less – Landscaping) DTS 22.1, 22.2. Numbering inconsistency – Landscaping should be DTS 21.1, 21.2.
192	31	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Dwelling Addition: Design in Urban Areas (All Residential Development - 3 Building Levels or Less – Waste Storage) DTS 25.1. Numbering inconsistency – Waste Storage should be DTS 24.1.
192	32	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park - Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas (All Residential Development – Access and Servicing) DTS 16.1. Numbering inconsistency – DTS 16.1 relates to Ancillary Development not a detached dwelling.
192	33	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas (All Residential Development – flooding) DTS 18.1. Numbering inconsistency – External Appearance should be DTS 17.1.
192	34	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas DTS 19.1 to 22.3 refer to comments in Dwelling addition criteria. Numbering inconsistency – Design in Urban Areas DTS 19.1 to 22.3 refer to comments in Dwelling addition criteria.
192	35	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas (All Residential Development – 3 Building Levels or Less – Water Sensitive Design) DTS 23.1, 23.2, 23.3. Numbering inconsistency – Water Sensitive Design should be DTS 22.1, 22.2, 22.3.
192	36	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas (All Residential Development - 3 Building Levels or Less – Car Parking and Maneuverability) DTS 24.1, 24.2, 24.3, 24.4, 24.5, 24.6. Numbering inconsistency - Car Parking and Maneuverability should be DTS 23.1, 23.2, 23.3, 23.4, 23.5, and 23.6.
192	37	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Deemed to Satisfy Criteria – Detached Dwelling: Design in Urban Areas (All Residential Development - 3 Building Levels or Less – Waste Storage) DTS 25.1. Numbering inconsistency - Waste Storage should be DTS 24.1.
192	38	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park - Deemed to Satisfy Criteria – Office, Shop and Tourist Accommodation: Does not include Clearance from Overhead Powerlines DTS 1.1.
192	39	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Class of Development – Office, Shop and Tourist Accommodation - Hours of Operation: Interface Between Land Uses – DTS 2.1. DTS 2.1 – cannot open on a Sunday? Caravan Park Office / Shop – unrealistic – DTS provision should allow for opening on a Sunday – some smaller caravan parks do not run a shop, they only have a small booking office.
192	40	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Performance Assessed – Criteria – Carport: General Development Policies are DTS Policies. Should they be PO policies rather than DTS?
192	41	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Performance Assessed – Detached Dwelling & Dwelling Addition: Design in Urban Areas PO 18.1 to 25.1 - refer to comments in Dwelling addition criteria Deemed to Satisfy. Numbering inconsistency - Design in Urban Areas PO 18.1 to 25.1 refer to comments in Dwelling Addition and Detached Dwelling criteria for Deemed To Satisfy.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
192	42	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Performance Assessed – Criteria – Tourist Accommodation: Zone Criteria – listed as DTS. Should be Zone Criteria PO?
192	43	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Performance Assessed - Criteria – Verandah: Design in Urban Areas (All Residential Development – Ancillary Development) PO 17.1, 17.2. Numbering inconsistency - Ancillary Development should be PO 16.1, 16.2.
192	44	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: Assessment Provisions: DTS/DPF 1.5 – ‘Residential accommodation comprises no more than 40% of the total number of residences (cabins, caravan and camping sites and other accommodation) on each allotment. DTS 1.5 difficult to understand, PDC 6 of Council’s current Development Plan is much clearer – ‘The total number of tourist accommodation sites in the park should be at least 60% of the total number of sites available’
192	45	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Caravan and Tourist Park Zone	Caravan and Tourist Park Zone: No criteria for alterations and additions to existing tourist accommodation or caravan and tourist parks. The zone does not include criteria, as either accepted development, deemed-to-satisfy or performance assessed, for alterations and additions to existing tourist accommodation buildings or tourism development buildings or extensions to existing tourist parks. The zone would benefit from the inclusion of assessment criteria for alterations and additions to existing tourism development.
192	46	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	Community Facilities Zone	Community Facilities Zone: DTS 1.1 Land Uses. Land Uses do not include: <ul style="list-style-type: none"> <li>Community centre</li> <li>Emergency services facility</li> <li>Health facility hospital</li> <li>Hall.</li> </ul> The proposed Community Facilities Zone encompasses the land in Clare that houses the Hospital and grounds, CFS, SES and SA Ambulance. It is important that the ongoing operation of this important community infrastructure is listed within the zones envisaged land uses.
192	47	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Deemed to Satisfy – Consulting Room and Office. Does not include Clearance from Overhead Powerlines DTS 1.1. Should include General Development Policies Clearance from Overhead Powerlines DTS 1.1.
192	48	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Performance Assessed – Bulky Goods – Zone POs. Some DTS listed, not all POs. Should all relevant policies for Performance Assessed be listed at POs not DTSS.
192	49	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Performance Assessed – Bulky Goods, Consulting Room, General Industry, Light Industry, Motor Repair Station, Office, Personal or Domestic Services Establishment, Retail Fuel Outlet, Service Trade Premises, Shop, Store and Warehouse. Design in Urban Areas – (All Non Residential Development – Water Sensitive Design) PO 42.1 Numbering inconsistency - Should be PO 41.1.
192	50	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Restricted Development Criteria: Exception – Special Industry. Not appropriate for Employment Zone – needs to be removed from Exclusions table. Our Employment Zones are within close proximity to residential areas. Special Industry is polluting in nature and should be excluded.
192	51	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Performance Assessed – Shop. Shop leasable area has increased from 250m <sup>2</sup> in the Archer Place Policy Area to 1000m <sup>2</sup> , outside of the Archer Place Policy Area shop has increased from 80m <sup>2</sup> to 1000m <sup>2</sup> . Shop areas have been increased substantially, this could significantly impact upon our centres. Review as we do not seek to cater for shops within these areas. Unsuited for this location.
192	52	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Service Trade Premises in Archer Place Policy Area is listed as non-complying – in code is Performance Assessed. This presents an issue along the main roads into Clare. Existing policy sought to protect and enhance entrances in the town. This would essentially allow these land uses along our main avenues. Suggest a subzone to restrict these activities.
192	53	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Restricted Development Criteria – Exception – Special Industry. Not appropriate for Employment Zone – needs to be removed from Exclusions table. Our Employment Zones are within close proximity to residential areas. Special Industry is polluting in nature and should be excluded.
192	54	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Buffer Distances between other zones – buffer distances no longer exist (Industry Zone PDC6). Reinstate buffers between zones as our Employment Zones are adjacent to sensitive users and this would significantly impact their amenity.
192	55	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment Zone: Land Division – Minimum allotment size for Industry Zone currently 1500m <sup>2</sup> with a road frontage of 25m to increase to minimum 2500m <sup>2</sup> with a 30m frontage. Council does have small industries that require small footprints. Reconsider this TNV to make consistent with current Development Plan.
192	56	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Employment Zone	Employment (Bulk Handling) Zone: General Industry and Light Industry – Industry is listed as non-complying in Council’s Development Plan – Light Industry and General Industry now Performance Assessed. Supportive of this change.
192	57	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone Minimum Site Areas – Different to what is currently listed in Council’s Development Plan, which boasts the following provisions: <ul style="list-style-type: none"> <li>Detached 350m<sup>2</sup> 12m frontage</li> <li>Semi Detached 300m<sup>2</sup> 10m frontage</li> <li>Row Dwelling 250m<sup>2</sup> 7m frontage</li> <li>Group Dwelling 300m<sup>2</sup> 18m frontage</li> <li>Residential Flat 300m<sup>2</sup> 18m frontage.</li> </ul> Code Provisions: <ul style="list-style-type: none"> <li>Detached 300m<sup>2</sup> 9m frontage</li> <li>Semi Detached 300m<sup>2</sup> 9m frontage</li> <li>Row Dwelling 200m<sup>2</sup> 7m frontage</li> <li>Group Dwelling 300m<sup>2</sup> 15m frontage</li> <li>Residential Flat 300m<sup>2</sup> 15m frontage.</li> </ul> Council recently completed a DPA which included the implementation of the Clare Medium Density Policy Area 12. In effect, these are a further reduction in land sizes however these are marginal.
192	58	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Building Heights – Council’s Development Plan lists this as 8m while the Code sets 9m as the max building height. Marginal increase.

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192	59	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Primary Road Setbacks – Setback provisions have been reduced, Council’s Development Plan 10m from Arterial Road, 6m from any other road. The Code 8m from Arterial Road and 5m from any other road. Council has significant concerns regarding these setbacks: 1. Regional Councils have CWMS and require septic holding tanks, current 6m is tight, 5m could be unworkable, i.e. must be 2.5m from building and 2m from boundary, how will a septic tank fit within legislated requirements? 2. Vehicle sizes in regional areas, i.e. SUVs and trucks, are standard, likely they will stick out over footpaths. 6 m should be the minimum not 5m. 3. Setback from arterial roads is 8m not 10m, significant aesthetic issues as our main roads have a standard setback of 10m or more. Would result in disjointed streetscape. Attractive streets are important from a tourism perspective.
192	60	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Secondary Road Setbacks – Reduced setbacks for Secondary Road Frontage, Council’s Development Plan min 2m, the Code 900mm. Although not desirable, is acceptable within this Zone.
192	61	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Walls on side boundaries – Length of wall on side boundaries increased, Council’s Development Plan 8m, the Code is 10m – DTS 7.1. DTS 7.2 Semi detached, row or terrace arrangements are setback 900mm from side boundaries shared with allotments outside of the development site. Council’s Development Plan is currently 1m single storey, 2m 2 storey. Significant change in terms of side setback. This style of development is typical within city environments but is rare in regional environments and setbacks of this nature would have significant impact on the neighbouring properties. Suggest a subzone which keeps the 2m setback for 2 storey development. This could be stepped from the second storey. 900mm off boundary for single storey is acceptable.
192	62	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Shop – Gross leasable area increased from 40m <sup>2</sup> to 200m <sup>2</sup> – new DTS provision that must face an arterial road, collector road, or adjacent a main street or Activity Centre Zone. This is a 5 times increase in what is currently permissible however as the GN Zone does not abut these roads we do not foresee it being an issue. Consideration should be given to reducing this GLA. Need definition of what a large-scale shop is. 100m <sup>2</sup> ? 200m <sup>2</sup> ? 300m <sup>2</sup> ?
192	63	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Office - Gross leasable area increased from 80m <sup>2</sup> to 100m <sup>2</sup> . No issue with this.
192	64	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood Zone	General Neighbourhood Zone: Deemed to Satisfy and Performance Assessed Tables: • Ancillary Accommodation, Outbuilding (not being a garage), Verandah, Carport, Outbuilding (in the form of a garage) General Development Policies – should include Clearance from Overhead Powerlines: PO / DTS 1.1. • Should include General Development Policies Clearance from Overhead Powerlines DTS 1.1. • General Development Policies – Design in Urban Areas (All Residential Development – Ancillary Development) PO & DTS 17.1 & 17.2 – incorrect reference should be 16.1 & 16.2. Numbering inconsistency.
192	65	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	General Neighbourhood	General Neighbourhood Zone: Deemed to Satisfy – Carport / Outbuilding (in the form of a garage) – General Development Policies – Design in Rural Areas (Residential Development – 3 Building Levels or Less), missing any reference to DTS provisions. Administrative error, missing information.
192	66	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Recreation Zone	Recreation Zone: Deemed to Satisfy and Performance Assessed – See comments Design in Urban Areas – issues with numbering in tables. Numbering inconsistency.
192	67	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Recreation Zone	Recreation Zone: Deemed to Satisfy – Outbuilding (not being a garage) / Verandah – General Development Policies do not reference Clearance to Powerlines DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) DTS 12.2. Need to include Clearance to Powerlines DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) DTS 12.2.
192	68	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Recreation Zone	Recreation Zone: Performance Assessed – Outbuilding (not being a garage) Verandah – General Development Policies do not reference Infrastructure and Renewable Energy (Wastewater Services) PO 12.2. Need to include Infrastructure and Renewable Energy (Wastewater Services) PO 12.2.
192	69	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Recreation Zone	Recreation Zone: Current Development Plan Policies – Clare Country Club and Golf Course specific policies did not transition over. Don’t think this is an issue because all other development is performance assessed
192	70	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Mintaro State Heritage Area, Residential (Mintaro) Policy Area 7, Precinct 2 not subdivided is min 2000m <sup>2</sup> , on mapping TNV is 4000m <sup>2</sup> min. This is a reduction in density which seems largely at variance with the spirit of the Code. This should be a subzone and changed back to the original 2000sqm. Mintaro is a small but growing community and this is essentially “overflow” land for future development.
192	71	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: State Heritage Area Mintaro – Landscaping PDC’s from the Residential (Mintaro) Policy Area 7 have not been transitioned over. Landscaping is key to the amenity of the State Heritage Area. Consider putting in provisions as a PO policy for assessment.
192	72	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Deemed to Satisfy – Carport / Outbuilding (in the form of a garage) – General Development Policies – Design in Rural Areas (Residential Development – 3 Building Levels or Less), missing any reference to DTS provisions. Administrative error, missing information. General Development Policies do not reference Clearance from Overhead Powerlines: PO / DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2. Need to include Clearance to Powerlines DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) DTS 12.2.
192	73	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Deemed to Satisfy – Outbuilding (not being a garage), Verandah – General Development Policies do not reference Clearance from Overhead Powerlines: DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) DTS 12.2. Need to include Clearance to Powerlines DTS 1.1 and Infrastructure and Renewable Energy (Wastewater Services) DTS 12.2.
192	74	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Shop – In Council’s Development Plan Shop is listed as non-complying, in the land use DTS 1.1 of the zone is envisaged land use, but is listed as Restricted Development in Table 4 of the zone.



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										Non-complying previously and now acceptable if it's a restaurant of less than 200m2. These areas are low density residential areas and restaurants are not appropriate within this Zone. Suggest a subzone to restrict restaurants within these low density residential areas. In the Procedural Matters a shop is excluded from notification if it is less than 250m <sup>2</sup> and is located on a collector or higher order road, or 100m <sup>2</sup> . Previously non-complying now a shop up to 100sqm can be performance assessed. Unlikely residents in these areas would be amenable to a restaurant opening adjacent to them. Consider as restricted. There is great confusion around this procedural matters issue.
192	75	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Educational Facility – In Council's Development Plan Educational Facility is listed as non-complying in the Clare Low Density Policy Area. Not appropriate within this Zone. Consider as restricted. Too high impact within these Zones.
192	76	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: 50m buffer from Clare Golf Course – Policy has not been transitioned over – buffer is to protect development from reclaimed water that is used to water the Clare Golf Course – Clare Low Density Housing Policy Area 3 PDC 3. Must be included within the Code. This is a public health issue and needs to be included. The Code should not result in a threat to public health.
192	77	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Reference to Group Dwellings, Residential Flat Buildings – Need to remove any reference to Group Dwellings and Residential Flat Buildings – not suitable development for this zone. Group Dwellings and Residential Flat Buildings are non-complying in the Clare Low Density and Riverton Low Density Policy Areas, and the State Heritage Area Mintaro. These forms of development would not be suitable for low density areas and should be restricted.
192	78	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Residential Neighbourhood Zone	Residential Neighbourhood Zone: Procedural Matters – All classes of performance assessed development are excluded from notification except where they involve any of the following: (a) The site of the development is adjacent land to land in a different zone – A detached dwelling that is in the Medium risk Bushfire Area would be Performance Assessed and if it was adjacent to a different zone it would require public notification. This should not result in a development being publicly notified, i.e. a dwelling next to Rural Zone should not go out for public notification. Extra layer of process for a simple residential development.
192	79	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Deemed to Satisfy – Carport / Outbuilding (in the form of a garage) / Outbuilding (not being a garage) / Verandah - General Development Policies does not reference Clearance from Overhead Powerlines: DTS 1.1. Should include General Development Policies Clearance from Overhead Powerlines DTS 1.1
192	80	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Deemed to Satisfy and Performance Assessed – Dwelling Addition – General Development Policies should include Infrastructure and Renewable Energy (Wastewater Services) PO /DTS 12.2 – currently does not. Must be included as dwellings in rural zones do not have sewage systems and require on site wastewater disposal. Potential risk that dwelling addition could be built on top of existing wastewater disposal areas.
192	81	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Accepted Development – Solar Panels (ground mounted) – does not list the Significant Landscape Protection Overlay as an exception. Should list so that all applications for this form of development are Performance Assessed. Significant Landscape Protection Overlay must be inserted as a minimum. Should be ancillary to a building or structure.
192	82	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Performance Assessed – Carport / Outbuilding (in the form of a garage) / Outbuilding (not being a garage) / Verandah – General Development Policies do not reference Clearance from Overhead Powerlines: PO 1.1. Should include General Development Policies Clearance from Overhead Powerlines PO 1.1
192	83	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Land Use and Intensity DTS/DPF 1.1 - This provision should be amended to include a wider list of envisaged uses and associated performance assessed criteria. This provision should be amended to include a wider list of envisaged uses and associated performance assessed criteria so that appropriate land uses are not inadvertently overlooked. Some land uses which are not contained within this provision but arguably should be include: wind farm, waste facility, stock slaughter works/abattoir, renewable energy facilities, workers accommodation and caretaker dwellings.
192	84	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Rural Industry DTS/DPF 4.1 – This provision limits industry, storage, warehousing and transport distribution activities to a floor area of 250m2 and allotments of at least 20 hectares. This provision is contained within the Rural Zone only and not in any other Zone. This provision limits industry, storage, warehousing and transport distribution activities to a floor area of 250m2 and allotments of at least 20 hectares. The floor area and minimum allotment size are both considered problematic. We suggest that the 250m2 floor area should be increased and that some consideration be given to having separate deemed-to-satisfy and performance assessed criteria for floor areas. The 20 hectare minimum allotment size is considered too large and may “lock out” smaller primary industry developments from developing such facilities. Again, consideration needs to be given to having separate deemed-to- satisfy and performance assessed criteria for allotment sizes.
192	85	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Dwellings DTS/DPF 5.2 – This provision requires that a secondary dwelling on an allotment is “located on an allotment not less than 40ha in area”. This size requirement is considered unworkable and will inhibit the implementation of secondary dwellings as envisaged by PO 5.3. Further, the term “secondary dwelling” may cause confusion. It is an undefined term and is open to interpretation. It would be preferable that this term be replaced by “a second dwelling on an allotment”.
192	86	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Shops, Tourism and Function Centres DTS/DPF 6.3 – The 100m2 limit for tourist accommodation should be revisited. The 100m2 limit for tourist accommodation should be revisited as it will limit the ability for large scale tourism development, innovation in design and developments where more than one type of tourist accommodation facility is proposed. The phrase “in relation to the area used for accommodation” is not entirely clear. Whilst it appears to read as being the total area used for guest rooms, it could be interpreted more broadly. The phrase may also lead to confusion in developments that propose more than one form of tourist accommodation – for instance, a development that contains hotel-style rooms together with detached, self-contained tourist accommodation buildings. This provision should be reviewed and amended so that it is entirely clear and does not inadvertently discourage tourism development.
192	87	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Renewable Energy Facilities PO 9.2 – No assessment criteria is provided for large scale solar facilities within the Rural Zones. No assessment criteria is provided for large scale solar facilities within the Rural Zones. Given the fact that many such facilities are being developed in areas that are proposed to be zoned as Rural, appropriate assessment criteria is needed to ensure that this burgeoning industry is not inadvertently discouraged or creates significant negative local impacts.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
192	88	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Renewable Energy Facilities DTS/DPF 9.2 – This provision refers to a “panel” size of 80m2 per structure. Given that the community’s understanding of what a panel is (i.e. each individual panel), this term should be revisited to avoid confusion.
192	89	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Development that is no longer listed as non-complying / restricted development – Current Development Plan Restrictions: <ul style="list-style-type: none"> <li>• Advertisements (subject to size)</li> <li>• Detached Dwelling (subject to allotment size and date restrictions)</li> <li>• Shop &gt; 80m<sup>2</sup> in area</li> <li>• Warehouse.</li> </ul> A detached dwelling is now a permissible development on any size Rural Zone allotment. This is perhaps the most significant change in terms of land development within regional South Australia. This has significant impacts in terms of driving land values so rural land is more expensive and therefore potentially non-viable for primary producers. This is certainly the case with smaller scale allotments which would essentially become rural living in nature. Residential development in rural areas is generally supported however land division should have limitations to avoid de facto Rural Living Zones being created throughout valuable primary production areas.
192	90	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Zone	Rural Zone: Procedural Matters Table – Lists (e) renewable energy facilities, but also lists (h) windfarms. In the definitions windfarms are listed as renewable energy, therefore (h) is not required. Unnecessary double up. Procedural matter – dwelling to be publicly notified. No justification in terms of making a dwelling within a Rural Zone be publicly notified. Currently not the case. Zoning provisions should be sufficient to consider development impacts.
192	91	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Setbacks have not transitioned over. Design in Rural Areas (Ancillary Development) only requires a 5.5m setback for Garages from Primary Street Frontage. This is not in accordance with DTS 2.2 of the Rural Living Zone. Setback is far too small. Current setbacks are 30m. This should be considered to be a similar scale setback as Rural Living development should not dominate the streetscape.
192	92	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Advertisements – Were listed as non-complying in Council’s Development Plan – now Deemed to Satisfy and Performance Assessed. There are no minimum sizes identified within the tables. Will billboards be allowed? This information is insufficient for public consultation purposes. Consider requirements: <ul style="list-style-type: none"> <li>• Area of 2m2 or less.</li> <li>• Can only advertise what relates to the land.</li> </ul> There should be no third party advertising within this Zone. Our approaches are Rural Living and this could lead to a proliferation of signage.
192	93	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Most Development that was in the Non-complying table is now Performance Assessed. This includes restaurants which is now listed as an exception in the Restricted Development Table for under 200m2. The purpose of a Rural Living Zone is to accommodate very low scale residential dwellings in a rural setting. Placing essentially no restrictions within this Zone will result in significant public backlash, e.g. a 100m2 restaurant could open adjacent to a person’s peaceful, rural home without any public notification. They would: a) Be unaware of this rezoning due to the lack of public consultation being undertaken via the Code. b) Not know that there is a shop opening adjacent to them until construction commences.
192	94	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Allotment Sizes not listed. No TNV on mapping system – should be min 1.5ha. Must have minimum allotment size, not currently identified within the Code. Preference for 1.5 ha consistent with current Development Plan.
192	95	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Deemed to Satisfy and Performance Assessed – Carport / Outbuilding (in the form of a garage) / Outbuilding (not being a garage) / Verandah –General Development Policies do not reference Clearance from Overhead Powerlines: PO / DTS 1.1. Should include General Development Policies Clearance from Overhead Powerlines PO / DTS1.1.
192	96	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Deemed to Satisfy and Performance Assessed – Dwelling Addition – General Development Policies – should include Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2. Need to include Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2.
192	97	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Deemed to Satisfy and Performance Assessed should call up additional Zone Policies regarding setbacks. [Built Form and Character] PO 2.2, DTS 2.2 – Need to ensure there is a minimum setback. Current is 30m. Preference would be to maintain however proposed 15m residential setback should be same with non-residential if not further.
192	98	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Land Division Provisions PO 3.1 – Frontage to a public road has been increased to 50m from 25m. Battleaxe allotments frontage increased to 6m from 5m and driveway handle reduced to 30m from 50m. Difficult to achieve 30m driveway with a 1.5ha minimum for battle axe, reconsider to 40m or 50m.
192	99	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone: Procedural Matters Table – Lists (e) renewable energy facilities, but also lists (h) windfarms. In the definitions windfarms are listed as renewable energy, therefore (h) is not required. Unnecessary double up.
192	100	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Current Development Plan Policies – Commercial Zone, Commercial Policy Area 6 provisions have not been transitioned over. Council recently completed a DPA and these specific policies have not been transitioned over. The previous Zone did not allow Bulky Goods, Shops, Motor Repair Station, Service Trade Premises, etc, for the particular reason of this being the main entrance route into Clare and therefore seeking to protect the amenity of this important avenue. Suggest restricting shops and bulky goods as a minimum via a subzone and place provisions around attractive amenity and generous setbacks for development such as in current DP.



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192	101	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Formerly Non-Complying Development - Consulting Room – Was listed as non-complying in the Southern Township Gateway Policy Area 11 in the Development Plan – will be Deemed to Satisfy under the Code. Council recently completed a DPA to restrict this form of development in these particular areas. Should be a minimum of Performance Assessed to allow for greater scrutiny as identified above.
192	102	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Formerly Non-Complying Development – Bulky Goods Outlet / Consulting Room – Were listed as non-complying in the Southern Township Gateway Policy Area 11 in the Development Plan – will be Performance Assessed under the Code. Significant changes within this Zone, key being the allowance of bulky goods and industry. This Zone is on the entranceways to the Clare and in recent DPA it was unwanted. Development of this nature would have significant negative impacts on Clare's retail precincts in addition the amenity of the approaches to Clare. A subzone which restricts bulky goods and industry in this Zone would work here.
192	103	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Formerly Non-Complying Development – Motor Repair Station / Service Trade Premises - Were listed as non-complying in the Commercial Approach Policy Area 6 in the Development Plan – will be Performance Assessed under the Code. Would present significant impacts to the immediate entry of the Clare township. This policy area is currently offices only. Motor repair stations and service trade premises would be at significant variance to the desired character of Clare. Request a subzone to restrict these uses.
192	104	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Formerly Non-Complying Development – Shop - Was listed as non-complying in the Commercial Policy Area 6 and the Southern Township Gateway Policy Area 11 in the Development Plan – will be Performance Assessed under the Code. Would present significant impacts to the immediate entry of the Clare township. Council recently completed a DPA to restrict this form of development in these particular areas as identified above. Has significant issues in creating strip retail development and impacting our retail cores.
192	105	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Deemed to Satisfy – Consulting Room and Office - (Built Form and Character) – there are no DTS provisions even though DTS provisions have been listed. Administrative error. There are no DTS provisions listed.
192	106	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Deemed to Satisfy – Consulting Room and Office - (Interface Heights) are not listed. Administrative error. Building Heights and Setbacks are listed in Zone Provisions at DTS 3.1 to DTS 3.6. General Development Policies does not reference Clearance from Overhead Powerlines: PO / DTS 1.1. Should include General Development Policies Clearance from Overhead Powerlines PO / DTS1.1.
192	107	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Performance Assessed Development – A number of Classes of Development refer to Zone Policies – Concept Plans PO 7.1 – there is no concept plan. No concept plans are included in the document.
192	108	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Performance Assessed – Hotel – Zone Policy – Built Form and Character PO 2.1, PO 2.2, Building Heights and Setbacks POs, Landscaping POs should be included. Additional provisions need to be referenced.
192	109	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Tourist Accommodation – Should include in General Development Policies – Tourism Development (General) PO 1.1. Additional provisions need to be referenced.
192	110	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Employment Zone	Suburban Employment Zone: Procedural Matters Table - Missing information – no items listed. Administrative error, table not completed prior to releasing the Code for consultation.
192	111	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Deemed to Satisfy and Ancillary Accommodation - Design in Urban Areas (Ancillary Development) is incorrectly referenced. Should be PO / DTS 16.1 & 16.2 not PO / DTS 17.1, 17.2. Numbering inconsistency.
192	112	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Deemed to Satisfy - Ancillary Accommodation AND Deemed to Satisfy and Performance Assessed – Carport / Outbuilding (in the form of a garage) – General Development Policies not referenced: <ul style="list-style-type: none"> <li>Design in Urban Areas (Flooding) PO / DTS 17.1.</li> <li>Clearance from Overhead Powerlines: PO / DTS 1.1.</li> <li>Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.1, 12.2.</li> </ul> General Development Policies – Design in Rural Areas (Residential Development – 3 Building Levels or Less), missing any reference to PO / DTS provisions. Administrative error. Missing information.
192	113	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Deemed to Satisfy and Performance Assessed – Carport / Outbuilding (in the form of a garage) / Outbuilding (not being a garage) / Verandah – General Development Policies not referenced: <ul style="list-style-type: none"> <li>Clearance from Overhead Powerlines: PO / DTS 1.1.</li> <li>Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2.</li> </ul>
192	114	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Performance Assessed – Detached Dwelling (not being in a Battle-axe arrangement) – Missing a lot of Zone policies and General Development Policies. Administrative error, table not complete.
192	115	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Performance Assessed – Semi Detached Dwelling – General Development Policies does not reference Clearance from Overhead Powerlines: PO 1.1. Administrative error. Missing information.
192	116	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Minimum lot sizes – Mapping inconsistency – no minimum lot sizes. Need to reference TNV in mapping system.
192	117	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: Current Development Plan - Square Mile Road Policy Area 10 – Not suited to this zone, suggest changing to Greenfield Suburban Zone which has more appropriate policy to cater for this residential development.
192	118	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Suburban Neighbourhood Zone	Suburban Neighbourhood Zone: All classes of performance assessed development are excluded from notification except where it involves any of the following: (a) where the site of the development is adjacent land to land in a different zone

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										If rezoned Greenfield, essentially periphery development will require public notification. This is excessive as it is surrounded by residential areas and notification is not required.
192	119	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Building work on railway land – No text under “Except where any of the following applies:” Administrative error. Missing information.
192	120	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Deemed to Satisfy and Performance Assessed – Advertisements – General Development Policies do not reference Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2. Administrative error. Missing information.
192	121	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Deemed to Satisfy and Performance Assessed – Carport / Outbuilding (in the form of a garage) / Outbuilding (not being a garage) / Verandah – General Development Policy does not reference Clearance from Overhead Powerlines: PO / DTS 1.1. Administrative error. Missing information.
192	122	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Deemed to Satisfy and Performance Assessed – Carport / Outbuilding (in the form of a garage) – General Development Policies – Design in Rural Areas (Residential Development – 3 Building Levels or Less), missing any reference to PO / DTS provisions. Administrative error. Missing information.
192	123	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Restricted Development – There is no restricted development in the Township zone. Township Zone consist of all of our smaller townships and some of Mintaro, a lot of forms of development are not suitable for these areas, e.g. special industry, general industry, slaughter works, intensive animal keeping, horse keeping, wrecking yard, amongst others. Although these are performance assessed these land uses should be restricted rather than considered.
192	124	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Minimum Lot Size – Not transitioned over, should be 1500m <sup>2</sup> to allow for wastewater disposal. Numerical value in DTS 3.1 states only 1200m <sup>2</sup> needs to be increased to 1500m <sup>2</sup> and site frontages 20m where as we previously had 25m. Wastewater disposal is critical to the liveability of these areas and reducing lot sizes subsequently reduces the amount of land people can utilize, i.e. private open space. Often these sites are located close to water courses and water bores, too smaller allotments means there’s no safe setbacks for waste water disposal making these allotments unviable for development.
192	125	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Main Street Zone	Township Main Street Zone: Previously listed non-complying development – Dwelling and Residential Flat Building is now Performance Assessed, these were previously non-complying in the District Town Centre Zone unless in conjunction with a non-residential development. Development of this nature would have significant negative impacts on retail precincts. Development of this nature should only be in conjunction with non-residential uses only.
192	126	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Main Street Zone	Township Main Street Zone: Performance Assessed – Outbuilding / Store – no Deemed to Satisfy General Development Policies to assess against. At a minimum, needs to reference: <ul style="list-style-type: none"> <li>Design in Urban Areas (Flooding) PO / DTS 17.1</li> <li>Clearance to Powerlines PO / DTS 1.1</li> <li>Infrastructure and Renewable Energy (Wastewater Services) PO / DTS 12.2.</li> </ul>
192	127	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Main Street Zone	Township Main Street Zone: Performance Assessed - Land Division – PO 6.1 does not exist in zone policy. Administrative error.
192	128	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Main Street Zone	Township Main Street Zone: Deemed to Satisfy – The construction of a new building in the same, or substantially the same, position as a building which was demolished within the previous 3 years where the new building has the same, or substantially the same, layout and external appearance as the previous building. Deemed to Satisfy – The construction of a new building in the same, or substantially the same, position ..... Should be included in the exceptions table the Hazards (Flooding) Overlay. Most of the main streets in the Council area are significantly impacted by flooding and therefore the overlay should apply.
192	129	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Activity Centre	Township Activity Centre Zone: Deemed to Satisfy - Advertisement attached to building or structure, and Freestanding advertisement located on private land – Should include as an exception Local Heritage Place Overlay. To protect exterior heritage fabric of the building.
192	130	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Activity Centre	Township Activity Centre Zone: Deemed to Satisfy – The construction of a new building in the same, or substantially the same, position as a building which was demolished within the previous 3 years where the new building has the same, or substantially the same, layout and external appearance as the previous building. Deemed to Satisfy – The construction of a new building in the same, or substantially the same, position ..... Should be included in the exceptions table the Hazards (Flooding) Overlay.
192	131	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Township Zone	Township Zone: Mintaro & Watervale – No TNV included on mapping system. Need to reference TNV in mapping system.
192	132	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Dwelling Excision Overlay	Dwelling Excision Overlay: Any dwelling can be excised. No date of construction for a dwelling to be excised – in Current Development Plan the dwelling needed to be established prior to the 1st December 1972. So technically a house can be built and then subdivided off so long as the land size is greater than 1ha and that the other allotment meets the minimum allotment size. This has significant impacts in terms of the fragmentation of valuable primary production land. Dwelling excision should not be allowed or at a minimum a date should be put in place to allow former, disused or surplus residences to be subdivided off rather than new housing which has been developed for rural living purposes.
192	133	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	State Heritage Area Overlay	State Heritage Area Overlay: Design in Urban Areas (Access and Servicing) and Design in Rural Areas (Access and Servicing) General Policies – DTS 7.1 Conservation Works – there should be no DTS Provisions for the State Heritage Overlay – everything should be Performance Assessed. All external development in the State Heritage Overlay should require a development approval as is currently the case.
192	134	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	State Heritage Place Overlay	State Heritage Place Overlay: Concerns with the Referrals table, a lot of development will not be referred to the State Heritage Branch under current provisions. This could have negative impacts on State Heritage Places particularly Mintaro. Developments could occur that doesn’t respect the heritage fabric of the state heritage area. For example, if a building is located not on the main street and is relatively screened it will not have to be referred to State Heritage under the draft Code provisions.

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192	135	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Bushfire Overlays	Hazards (Bushfire – General Risk) Overlay, Hazards (Bushfire – Medium Risk) Overlay, Hazards (Bushfire – High Risk) Overlay: A lot of added policy around design criteria and technical specifications. The technical specifications are dealt with at the Building Rules level (e.g. amount of water that needs to be maintained for firefighting purposes). The Building Officer / Private Certifier would check the development against the various Minister Specifications and requirements, this is not done at the planning assessment stage. Development Applications that are in a High Bushfire Risk Zone are currently referred to the CFS, this is their area of expertise and they make comments on the development. Under the draft Code, greater analysis needs to be undertaken at the planning level against bushfire risk. This is challenging to understand materials at this level under PO 2.2, this should be done at the building rules level.
192	136	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Native Vegetation Overlay	Native Vegetation Overlay: PO 1.2 – last sentence of paragraph state non applicable. Administrative error. Accepted Development Exceptions – The Native Vegetation Overlay applies to the majority of the Council area, the majority of Accepted Development contains the exception of the Overlay, therefore development that is ‘Complying Development’ currently will need to be either assessed under the Deemed to Satisfy Criteria or Performance Assessed, this increases the amount of applications that will require assessment and goes against the intention of the Code. We forecast a significant increase in development applications as a result which are by and large minor in nature.
192	137	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Hazards (Flooding) Overlay	Hazards (Flooding) Overlay: Reference to 1% AEP – Confusing terminology. Development Plans currently reference a 1 in 100 year ARI event, this is a simple term to understand as it references to most flood mapping. Annual Exceedance Probability (AEP) is different terminology and not easy to understand. Annual Exceedance Probability (AEP), a flood with a 1% AEP has a one in a hundred chance of being exceeded in any year. Why the change when most mapping undertaken by Councils has been the 1 in 100 ARI event.
192	138	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Limited Dwelling Overlay	Limited Dwelling Overlay: Area of Leasingham – no dwellings can be established. DO 1 – states that the establishment of additional dwellings in primary production areas limited to avoid undermining primary production. The majority of vacant allotments in the township of Leasingham are not viable primary production units as they are too small parcels of land and are in individual ownership. It would be more desirable to remove the Limited Dwelling Overlay and establish design criteria for the locality.
192	139	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Accepted Development	Accepted Development – Solar Panels (roof mounted) in various zones. Criteria not strong enough for accepted development. For structural reasons solar panels should not exceed 100kg in weight, or if panels exceed 100kg the weight load must not exceed 100kg at any one point of attachment. 5MW solar system would need a minimum of 5ha in area to accommodate a solar farm, this is of a commercial scale not domestic.
192	140	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Accepted Development	Accepted Development - Shade Sale Criteria not defined / absolute for height of shade sale as it mentions ‘depending on where it is situated’ if it is accepted development there should be no assessment required.
192	141	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Scenic trails	Current Development Plan - Development Near Trails CGV/Table 7 – has not been transition over resulting in no development controls for development adjacent to our Trails. This would be detrimental to the Riesling and Rattler Trails and views from these trails should be protected as they have high amenity and tourist value for the region. Need some sort of protection to our scenic trails, could possibly use Significant Landscape Protection Overlay on properties abutting the trails.
192	142	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Flooding	Design in Urban Areas – Flooding Provisions: PO 17.1 and DTS 17.1 – Residential accommodation – This PO does not protect all types of development from flooding – these provisions are not strong enough to protect various forms of development from flooding as it is only associated with residential accommodation. There are many land uses within urban areas and these also should not be allowed to be developed if they are in flood plains without being raised at a minimum. The BDP version General Module Hazards – Flooding – contains PDC’s which are much stronger than what is provided in the code.
192	143	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Access	Design in Urban Areas (Access and Servicing) and Design in Rural Areas (Access and Servicing) – does not exist and has made the numbering references in these two Policies out in all of the Zone Tables. Administrative error.
192	144	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Design	Design in Urban Areas: PO/DTSs 16.1 onwards incorrectly referenced in all tables – numbering is incorrect. Numbering inconsistency.
192	145	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Animal Keeping	Animal Keeping and Horse Keeping: Horse Keeping DTS 2.2 lists ‘non applicable’ and then lists provisions. Administrative error.
192	146	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Waste control	Classification Criteria used throughout the Code states – “Development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system”. The minimum setback from a septic tank is 2.5m – this is to ensure the structural integrity of the tank. Therefore a minimum setback of 2.5m from a septic tank needs to be added to this clause.
192	147	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General policy	Stormwater management	Land Division in Urban Areas – Stormwater Management Plans: Land divisions can create stormwater management issues for both residential and non-residential land divisions even when it is one additional allotment (depending on the landscape characteristics). A stormwater management plan may need to be supplied for smaller land divisions both residential and non-residential. PO 5.2 for non-residential land divisions of 5 – 19 allotments needs to be applicable for all land divisions, not just these larger ones. Needs to be a call from Council planners on whether one is required or not. Our region is particularly hilly and we have ongoing storm water management issues.
192	148	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Local Heritage	Local Heritage Listed Properties: ID 27613 Dwelling – Woodville West – not in Council area. Administrative error.
192	149	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Overlays	Local Heritage	Local Heritage Listed Properties: ID 9250 Former Fire Station – not in Council area. Administrative error. ID14509 Former Hotel (House that Jack Built) Main North Road, STANLEY FLAT – not included in table – needs to be added. ID14511 Former White Hutt School – not included in table – needs to be added.
192	150	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Land use Definitions	Ancillary Accommodation	Land Use Definitions – Ancillary Accommodation: This definition appears to be intended to apply to granny-flats, dependent accommodation and other similar forms of development. It is not clear how the definition interacts with the definition of “dwelling”. Ancillary accommodation is not listed as being excluded from the definition of dwelling. Ancillary accommodation which includes a bathroom, kitchen and/or other elements of a self-contained resident can also be defined as a “dwelling”. This could cause difficulties in applying deemed-to-satisfy criteria where “ancillary accommodation” is deemed-to-satisfy but a dwelling is not. To overcome this issue, the definitions of ancillary accommodation and dwelling could be amended so that they exclude each other.
192	151	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Land use Definitions	Automotive collision repair / Motor repair station	Land Use Definitions – Automotive collision repair / Motor repair station: The definition of automotive collision repair provides a definition for crash repair activities that are excluded from the definition of “motor repair station”. Some refinement to the definition of motor repair station could occur (which definition is very similar to that in the Development Regulations). For instance, this definition could be expanded to include vehicle servicing, oil changes and other activities that commonly occur in motor repair stations.
192	152	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Land use Definitions	Bulky goods	Land Use Definitions – Bulky goods outlet: The list of examples in this definition may be better rephrased as a list of inclusions and placed into column C.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
192	153	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Land use Definitions	Light industry	Land Use Definitions – Light Industry: The exclusions to this definition may be better placed in column D.
192	154	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Land use Definitions	Personal or domestic services establishment	Land Use Definitions – Personal or domestic services establishment: The examples may be better accommodated in column C.
192	155	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	General Feedback	naming conventions	Naming Conventions - Residential Zones becoming Suburban: The reference to Residential zones to Suburban Zones is not appropriate for rural communities, this needs to be reverted back to Residential. This view has been expressed repeatedly to the Department.
192	156	19-Nov-19	Phase 2	Local Government	Dr Helen Macdonald	Clare and Gilbert Valleys Council	Clare and Gilbert Valleys	Zones and Subzones	Rural Living Zone	Rural Living Zone – Auburn East: Include the triangle section of Auburn East in the Rural Living Zone. Change the zone to Rural Living for the triangular section of land that is currently used for Rural Living purposes in Auburn East. This will reflect what is already occurring on the ground.
193	1	19-Nov-19	Phase 2	Community Group	Catherine Murphy	Emu Bay Progress Association	Kangaroo Island	General Feedback	General Feedback	The Emu Bay Progress Association on Kangaroo Island, with a financial membership of 56 plus over 120 residents on the group email list, (a number of whom live off-island and some internationally), wish to assert their right to an ample opportunity to provide specific feedback on the new P&D Code - its zoning requirements etc. We request a genuine consultative time line for the next process stage, prior to the Code passing into law. As a disparate group, it was impossible to provide feedback on the extensive documents which are the Draft Code within the brief, allocated feedback time line. Our members were also unable to attend the information session about the Draft Code held on Kangaroo Island. We were given insufficient notice of this information session and don't want that to be repeated in the future. Since we are facing potential developments, which the majority of members, as well as the Kangaroo Island Council, do not support, it is crucial that we are afforded a lengthy period of consultation about the next stage of this P&D Code. With thanks, Catherine Murphy, Secretary, Emu Bay Progress Association
<b>194 DUPLICATE (see submission 98)</b>										
195	1	18-Nov-19	Phase 3	General Public	Giovanna Fabrizio					<b>ON HOLD - PHASE 3</b>
196	1	18-Nov-19	Phase 2	General Public	Bruce Penta	Not Answered	Murray Bridge	General Feedback	General Feedback	Schwerdt Road is zoned as Rural Zone (which doesn't permit land division) whereas adjacent land is Rural Living (which does permit). Why is Schwerdt Road zoned differently?
197	1	17-Nov-19	Phase 3	General Public	Claire Bowmer					<b>ON HOLD - PHASE 3</b>
198	1	17-Nov-19	Phase 3	General Public	halina popowycz					<b>ON HOLD - PHASE 3</b>
199	1	13-Nov-19	Phase 2 and 3	General Public	Carolyn Black	Not Answered	Mitcham	General Feedback	General Feedback	Does not support private or corporate development in national parks, and does not support rezoning them to allow development.
200	1	13-Nov-19	Phase 2	General Public	David Walsh	Not Answered	Not Answered	General Feedback	General Feedback	<ul style="list-style-type: none"> <li>This consultation is completely flawed, and the new Planning Code is full of errors.</li> <li>It uses terminology which is incomprehensible to most people.</li> <li>I strongly oppose the reduction of protection for Contributory Items. They must be INDIVIDUALLY recognised in the new Code.</li> <li>This consultation needs to be stopped, and re-started when an error-free version of the Code is available.</li> <li>The Consultation (and the new Code) does NOT satisfy my rights under the Community Engagement Charter.</li> </ul>
201	1	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	Rules of Interpretation	Rules of Interpretation	Restricted Development should have a broader view on Conservation zones.
201	2	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	Overlays	River Murray Flood Plain Overlay	This area should be relaxed or zoning changed so that river front property can be opened up for division for tourism or other forms of development. In this time of extreme weather events it's not viable to have smaller horticulture properties owners.
201	3	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	Zones and Subzones	Caravan and Tourist Park Zone	56 Flood zones have to much effect regarding what can be developed on this land previous extreme events in other parts of Australia rebuild in cyclone locations, etc. never had a flood event like this one
201	4	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	Zones and Subzones	Rural Shack Settlement Zone	Rural Shack zoning, why can't this be expanded to areas close to main towns for tourism purposes.
201	5	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	General policy	Land Division in Rural Areas General Policy	Relax land divisions regarding the size of rural property that can be divided to allow for smaller allotments, utilise properties that have had all produce removed due to drought and weather events maybe allotments 1-2 hectare in size.
201	6	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	General policy	Marinas and On Water Structures General Policy	Why should a property owner have to pay annually to have a structure or improve / retain riverfront property they pay an initial fee and that should be all?
201	7	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	General Feedback	General Feedback	I think more could be done to make it easier for land rural owners to utilise their properties to produce an income, if that means splitting up their property for housing or tourism or another business activity so they can survive. We seem to have different rules regarding riverfront property's in different council areas where you can have Shacks in one town but not in others or you can build a 2 storey house on the riverfront in town centre but can not build one on a Flood plain (with the same land heights). Attached is an example of a property 1km from town in a Flood zone area but under current rules it is impossible to do anything with this great piece of real-estate. Thanks.
201	8	12-Nov-19	Phase 2	General Public	Ray Burgess	Not Answered	Renmark Paringa	Land use Definitions	Renewable energy facility definition	Any renewable facility should not be in view from the river at pool or peak heights.
<b>202 INVALID ENTRY</b>	1	12-Nov-19	Phase 2	Local Government	Rocky Callisto	Tatiara District Council	Tatiara	General Feedback	General Feedback	
203	1	11-Nov-19	Phase 3	General Public	James Lindsay					<b>ON HOLD - PHASE 3</b>
204	1	09-Nov-19	Phase 2	General Public	Marisa Pozenel					<b>ON HOLD - PHASE 3</b>
<b>205 INVALID ENTRY</b>	1	07-Nov-19	Phase 2	Community Group	a	b	d	General Feedback	General Feedback	The quick brown fox jumps over the lazy dog.



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206 INVALID ENTRY	1	06-Nov-19	Phase 2 and 3	General Public	Peter Benton	Not Answered	Not Answered	Table of Amendments	Table of Amendments	hh
207	1	04-Nov-19	Phase 3	General Public	Vittorio Bulfoni					<b>ON HOLD - PHASE 3</b>
208	1	31-Oct-19	Phase 2	General Public	Jian Bing	Not Answered	Adelaide Hills	Zones and Subzones	Rural Living Zone	They have misinterpreted that the 60m2 maximum total floor area for outbuildings is the the maximum allowable size when it is just in regards to the Accepted assessment pathway. 100m2 is the maximum total floor area for outbuildings to follow a DTS pathway. The 120m2 'standard' size outbuilding they mention (which is apparently cheaper to build and usual for people on farms who need to store tools, animal feed etc.) will follow a performance assessed pathway.
208	2	31-Oct-19	Phase 2	General Public	Jian Bing	Not Answered	Adelaide Hills	General policy	Workers Accommodation and Settlements General Policy	They have misunderstood the purpose of outbuildings, thinking that they can be used for temporary accommodation (i.e. for workers). The 60m2 size does not apply to the 'workers accommodation' they are concerned about.
208	3	31-Oct-19	Phase 2	General Public	Jian Bing	Not Answered	Adelaide Hills	General Feedback	General Feedback	The Rural Living Zone policy needs to better balance the protection of environment and the encouragement of agriculture. There shouldn't be restrictions placed on agricultural production (i.e. number of buildings, size of buildings) - instead, agricultural development/expansion could be allowed without restriction if environmentally friendly offsets were undertaken instead e.g. organic waste recycling on site, green energy etc. Perhaps this could be reflected in the DTS/PO criteria.
208	4	31-Oct-19	Phase 2	General Public	Jian Bing	Not Answered	Adelaide Hills	General Feedback	General Feedback	The online feedback form was not easy to use.
209	1	30-Oct-19	Phase 2	General Public (Community Group)	Geoff Yeates	Not Answered	Holdfast bay	General Feedback	General Feedback	Fenced dog exercise areas to be incorporated into all zones where residential forms all or part of the facility. Beach areas to be zoned for dogs leaving the most suitable swimming areas as dog exclusion, for people only. Dog exercise areas to be based on a per capita ratio. Parks to contain a blend of native plants that attract smaller native birds that are often excluded in the lawn and tree based park that predominate in many areas.
210	1	30-Oct-19	Phase 3	General Public	Graeme					<b>ON HOLD - PHASE 3</b>
211	1	29-Oct-19	Phase 3	General Public	Daniel					<b>ON HOLD - PHASE 3</b>
212	1	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Overlays	Airport Building Heights (Aircraft Landing Area) Overlay	The District Council of Streaky Bay has already indicated at recent Executive and Transition meetings during the Phase 2 consultation period that it would like to see the local airfield included in the Infrastructure (Airfield) Zone along with the relevant Overlays relating to building height etc. The airfield is owned by the Council. The airfield is currently zoned "Water Protection" and is proposed to transition to "Rural Zone" + "Water Protection Area Overlay" through the Code.
212	2	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Overlays	Resource Extraction Protection Area Overlay	The current town mine has transitioned to Rural Zone in the Code from its current Primary Production Zone. The application of the Resource Extraction Zone (REZ) and associated Resource Extraction Protection Area Overlay to particular sites has arisen from a mapping project that DPTI has undertaken in conjunction with the Department of Energy and Mining to identify and zone strategic mining sites. Only 30 quarries around the state are being rezoned REZ via transition to the Code. The Overlay has been applied to a 500 metre distance around the site to protect the quarry and to trigger a referral to the Minister for Mining. If this particular site near the Streaky Bay township has not received this treatment through transition in the Code - then it is likely that it not one of the 30 strategic mining sites.
212	3	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Overlays	Hazards (Flooding) Overlay	Any flood mapping that Council finalises for Baird Bay will need to be transitioned as part of a future Code amendment.
212	4	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Zones and Subzones	Rural Zone envisaged land uses	Currently the Rural Zone as it will spatially apply to Streaky Bay does not specifically list community recreational facilities. Such facilities will have existing use rights anyhow. However any new community recreational facilities will default to the "performance assessed" development pathway. Theme lead to review.
212	5	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Zones and Subzones	General Feedback	The area concerned at Poochera containing dinosaur ants is not a defined area as such and would be subject to separate environmental legislation (protection) under the Commonwealth anyhow.
212	6	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Policy Amendment	Outbuilding / shed sizes	The proposed Rural Zone as it will apply spatially at Streaky Bay provides deemed-to-satisfy criteria for rural sheds sizes (eg. 250 m2). The proposed Rural Living Zone provides deemed-to-satisfy criteria for rural living shed sizes of 100 m2. The Design in Urban Areas General Module provides deemed-to-satisfy criteria for residential shed sizes (eg. 60m2). Current Development Plan policy in residential areas allows shed sizes of 70m2 on lot sizes less than 600m2 and up to 120m2 on lot sizes greater than 600m2. Rural living areas allow shed sizes of 360m2. There appears to be no size restrictions on sheds in rural zoned areas.
212	7	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Zones and Subzones	Dwellings (subject to heritage agreements) in the Conservation Zone	The current Coastal Conservation Zone will transition to Conservation Zone with the Coastal Areas Overlay applying. At the moment, only a Visitor Experience Subzone applies to the zone in Streaky Bay to address existing potential for tourist accommodation. Council's submission has requested that the Conservation Zone still allow for houses in the zone - where these are subject to existing heritage agreements.
212	8	24-Oct-19	Phase 2	Local Government	Jennifer Brewis	District Council of Streaky Bay	District Council of Streaky Bay	Overlays	Coastal Areas Overlay	See above.
213	1	23-Oct-19	Phase 2 and 3	General Public (Community Group)	Cliff Hignett	Soil Water solutions	naracoorte lucindale	General Feedback	General Feedback	Did this department REALLY get its operation plans from the utopia TV show???? I think I have my ear to the ground and I heard about the 'consultation' meeting 30 mins before it finished (5km from me). Ultimately, it appears that the only 'consultation' we will have is when we sack the minister for incompetence! We have just had the same 'consultation' process for the NRM - after consultation, the minister had to dump 90% of his proposals. I suspect that this minister will not have the benefit of consultation and will produce little more than rubbish which will need drastic modification.
214	1	21-Oct-19	Phase 2	Business	Ray	Green Gold Energy	Not Answered	General policy	Infrastructure and Renewable Energy Facilities General Policy	Larger scale solar farms should have different setback and size requirements to adjoining land than smaller scale facilities. Examine the impact of such large setbacks on landholders who may wish to undertake such developments in the future. The currently proposed setback requirements would make many smaller projects unviable.
215	1	18-Oct-19	Phase 3	General Public	Anthony Mifsud					<b>ON HOLD - PHASE 3</b>
216	1	18-Oct-19	Phase 3	General Public	Michelle Roshier					<b>ON HOLD - PHASE 3</b>
217	1	17-Oct-19	Phase 3	General Public	steve hammond					<b>ON HOLD - PHASE 3</b>

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218	1	17-Oct-19	Phase 3	General Public	Dayton Thomas					<b>ON HOLD - PHASE 3</b>
219	1	15-Oct-19	Phase 3	Business	Jane Rowat					<b>ON HOLD - PHASE 3</b>
220	1	15-Oct-19	Phase 2	Business	Patrick Broughton	Yates Electrical Services	Renmark Paringa	General policy	Infrastructure and Renewable Energy Facilities General Policy	Larger scale solar farms should have different setback and size requirements to adjoining land than smaller scale facilities. Examine the impact of such large setbacks on landholders who may wish to undertake such developments in the future. The currently proposed setback requirements would make many smaller projects unviable.
220	2	15-Oct-19	Phase 2	Business	Patrick Broughton	Yates Electrical Services	Renmark Paringa	General Feedback	General Feedback	Larger scale solar farms should have different setback and size requirements to adjoining land than smaller scale facilities. Examine the impact of such large setbacks on landholders who may wish to undertake such developments in the future. The currently proposed setback requirements would make many smaller projects unviable.
220	3	15-Oct-19	Phase 2	Business	Patrick Broughton	Yates Electrical Services	Renmark Paringa	Land use Definitions	Renewable energy facility definition	Clarify definition of renewable energy facility and ensure that differentiation is made in policy between large and small scale solar generation facilities. Larger facilities have a much greater impact than small facilities and should be treated differently in the Code.
221	1	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	I can't see to find a section which states: <ul style="list-style-type: none"> <li>Minimum single storey component setback from rear boundary?</li> <li>Minimum second storey component setback from rear boundary?</li> </ul> Can this please be added in for this zone? Also setback distances for side boundaries of buildings not on boundary line: <ul style="list-style-type: none"> <li>Minimum single storey component setback from side boundary?</li> <li>Minimum second storey component setback from side boundary?</li> </ul>
221	2	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	Can there please be a pictorial guide for differences between a Detached dwelling, a semi-detached dwelling and the row dwelling. On this point, what do you call it when a large block gets demolished and a private driveway gets put down the centre with four houses around on the same block? I think this may be called a group? Is there a section on this?
221	3	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	In DTS 5.1 primary street setback where it states 5m from any other road, can you clarify that this is actually from the property boundary facing the road and not what most people think of as a road being the bitumen. In DTS 5.2 primary street setback the elements that can extend 1.5 m closer to the street than the minimum primary street setback. Do these have any height limitations? How close can these be to the side boundary next to the neighbours? If not build on the boundary?
221	4	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	In DTS 7.1 Boundary walls where it states a wall can't be over 3m in height. Where does this 3 m start? Is it the top of the foundations or the soil level outside? And the top height is it where it meets the underside of the eave? Or height of top of roof? In DTS 3.5 Vehicle access I believe some trees should be allowed to be cut down, considering they were not planted by the housing occupants. In exchange a smaller type of tree can be planted in a more suitable place. In DTS 3.6 where it talks about driveways what is the 20m? A 20m property boundary site frontage or a 20m road length? If it is saying your site frontage is less than 20m and can only have an access point up to 3.5m in width this is restrictive. If you have a larger driveway on your property you can have greater vehicle parking on your land as opposed to on the street.
221	5	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	In DTS 5.1 vehicle parking rates the detached dwelling and the semi-detached dwelling should have 2 parking spaces if it is a 1 or 2 bedroom house and 3 spaces if it is a 3 or more bedroom dwelling. This is to take into account caravans, camper trailers and trailers. (I have added in one more parking space in addition the minimum described in this section.) Design in Urban Areas [All Residential Development – Access and Servicing]: DTS 16.1 Check 16.1 is on page 2237??? That is Ancillary development?
221	6	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	Check Flooding is on page 2238 17.1 not 18.1 in reference to the sections given out in the General Neighbourhood zone. Check the section numbers for External appearance – DTS 19.1, 19.2, 19.3 (16) External appearance appears as 18.1, 2 and 3 not 19.1, 2 and 3. In the section of RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS
221	7	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	In DTS 23.1 Car parking, access and manoeuvrability can you please elaborate what a covered car parking space actually means? Is this a garage? Is this a carport? In DTS 23.5 Car parking, access and manoeuvrability here there is a maximum gradient for a driveway, is there a minimum gradient, to make sure there is enough stormwater runoff?
221	8	14-Oct-19	Phase 2	General Public	James Norris	Not Answered	Holdfast Bay	General Feedback	General Feedback	Before any of this building work starts, you first need to know where your boundaries are. So I believe it should be a mandatory to hire a licensed surveyor, when building a new dwelling. Can this be added in please? A separate section on page 436 where it talks about above ground water tanks, I believe a total floor area of 15m2 is small, especially if that is total area between two water tanks on your property. This should be closer to 25m2 considering water is a precious commodity that needs to be re-used.
222	1	08-Oct-19	Phase 3	General Public	Carey Weston					<b>ON HOLD - PHASE 3</b>
223	1	08-Oct-19	Phase 3	General Public	Sylvia Evans					<b>ON HOLD - PHASE 3</b>
224	1	06-Oct-19	Statewide Code	General Public	Anthony Carbone					<b>ON HOLD - PHASE 3</b>
225	1	05-Oct-19	Phase 3	General Public	Anita Carbone					<b>ON HOLD - PHASE 3</b>
226	1	04-Oct-19	Phase 2	General Public	Salvatore Di Fava					<b>ON HOLD - PHASE 3</b>
227	1	02-Oct-19	Phase 3	General Public	James Norris					<b>ON HOLD - PHASE 3</b>
228	1	02-Oct-19	Phase 3	General Public	Andrew					<b>ON HOLD - PHASE 3</b>
229					Mary					
230	1	17-Nov-19	Phase 3	General Public	Charlotte Hutchesson					<b>ON HOLD - PHASE 3</b>
231	1	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General Feedback	General Feedback	Phase Two Councils have been offered a limited timeframe for their response to the Code. This does not provide reasonable opportunity for these Councils to respond, for the following reasons: <ol style="list-style-type: none"> <li>Limited staffing – many Phase 2 Council have few (if any) planning staff to undertake the analysis required of an extensive document of approximately 1,800 pages</li> <li>Each Council's responses need to be endorsed by the Elected Members, with meetings often held mid-month. This considerably reduces the available eight week timeframe.</li> </ol> Whilst we appreciate that the draft Code is written to be ultimately a tool of the Planning Portal, the layout of the document in the public engagement phase makes it difficult to navigate and make recommendation for change in the timeframe provided.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										We express our disappointment in the timeframe and the seeming lack of understanding of or respect for those Councils in Phase Two. Further, we are concerned that the public engagement process undertaken to date within Phase Two Council areas means that the general community has been poorly served – the engagement has been tokenistic, and at odds with the Community Engagement Charter. Reports are that attendance at public engagement sessions has been extremely low and in areas not suited to encourage residents to attend. Whilst Councils are generally able to assist in promoting these sessions, as the Code is a State Government document it is the SCAP's responsibility to properly inform the public. We feel that sufficient time has not been provided to promote attendance or engagement by the public.
231	2	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General Feedback	General feedback	Phase Two Councils are scheduled to be transitioned from Development Plans to the Code on 1 April 2020. We recommend that Phase Two and Phase Three Councils are transitioned at the same time, on 1 July 2020. We request the longer timeframe to allow for a full and thorough audit of the draft Code, prior to implementation, to ensure correct mapping and consistent terminology is used and any errors and inconsistencies in policy are removed. This is especially important given that the Code amendment process is not yet set down, and would result in a monetary and resourcing cost to Councils where an initial audit may have removed the necessity for the amendment. We are concerned that there may be a lengthy period where the community is not served well by a perceived lack of care and attention.
231	3	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General Feedback	Portal	We understand that there will be no ability for the Portal to manage inspections or to provide for Essential Safety Provisions and Certificates of Occupancy. This will necessitate Councils maintaining current software packages or running ghost systems to manage these important components of the application process. We are also concerned about the time given to Councils and other users to be trained and become familiar with the Portal. The resource impact of this task and the education required for users is immense, and will need to be balanced with other tasks. This is particularly a concern if training is only offered in Adelaide, as this places further time and cost pressures on regional Councils with limited resources. The Portal is not yet completed and no training or education is available for users. This is a further reason for delaying the implementation of the Code for Phase Two Councils to July 1 2020. We request that the Commission provide the ability to manage these components via the Portal, noting that Councils are ultimately responsible for the cost. The Portal must be applicable and suitable to meet the needs of all its users. It is also not yet clear what suite of documents will be available. There will be a need for template documents, including but not limited to requests for further information, public notification, Decision Notification Forms and assessment checklists and reports. These must be easily understood by the general community, and written in a manner to encourage interaction and response. We are also concerned that the Portal will not interact with or provide information in the format required by the Courts, should an appeal be lodged. Councils will need time to review this documentation and to provide feedback on this content, before it is used in a live scenario.
231	4	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General policy	Naming conventions	We are concerned about naming conventions for zones under the Code. The reference to Residential focussed zones as Neighbourhood Zones is confusing. The Suburban Neighbourhood Zone mistreats rural communities, which are not suburbs of metropolitan Adelaide and have no correlation to urban form in regional areas. Developers are keen for descriptive terms which clearly define the intended character of an area. We urge a return to former naming conventions or a review of the new names to prevent confusion and recognise rural and regional communities.
231	5	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	Overlays	Native Vegetation and River Murray Water Protection	Inappropriate use of the Native Vegetation and River Murray Water Protection Area overlays results in Accepted Development becoming Performance Assessed. This is and at odds with the intent of the simplification of the planning system.
231	6	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	Zones and Subzones	not specified	It is clear that some zones encourage a diversification of uses to the detriment of the former District Centre and Town Centre Zones. These centre type zones are critical to the hierarchy of townships. Supporting commercial and retail development outside of town centres without an assessment of the demand and need for, and the impact of policy change will likely result in poorer uptake of shop front space, and underutilised and inactive town centres.
231	7	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	Zones and Subzones	Rural Zone	In the Rural Zone, we are generally concerned about the strength of policy to refuse inappropriate development. In particular, the lack of direct policy to address inappropriate land division and dwellings may result in the fragmentation of primary production land, reducing viability for primary producers and impacting their activities. We urge the reinstatement of land division minimum allotment sizes, allotment date and size criteria to establish dwellings, or indeed to excise existing dwellings where existing policy supports this approach.
231	8	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	Zones and Subzones	General Neighbourhood	The minimum allotment size of 200-300 square metres and minimal front setbacks are inappropriate in many rural communities, and does not consider infrastructure requirements to service waste water and storm water requirements. We urge the conversion of General Neighbourhood Zone to Suburban Neighbourhood Zone in townships served by Community Wastewater Management Scheme, and lower density provisions for areas which rely upon on site disposal of waste water.
231	9	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	Zones and Subzones	Conservation Zone	The Conservation Zone is envisaged to provide protection for areas of significant environmental value, and yet the only Restricted Development is for dwellings, land division and tourist accommodation, each with exceptions. Indeed, large scale renewable energy facilities are envisaged and may occur, without appropriate policy frameworks for assessment. Please also see our comments below about renewable energy facilities.
231	10	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General Feedback	Public notification	We request a practical approach to the need for on-site signage for public notification purposes, particularly in remote areas and where development occurs adjacent high speed roads.
231	11	06-Nov-19	Phase 2	Local Government	Cheryle Pedler (President)	Country Planning Officers Group (CPOG)	Multiple	General policy	Renewable energy	We are disappointed that the Renewable Energy Discussion Paper consultation is occurring concurrently with the consultation on the Code. Rural areas are often the preferred locations for developers of renewable energy facilities, and the implementation of the Code on April 1 2020 without due consideration of the feedback provided to the Discussion Paper (which closes at the end of February 2020) is a poor outcome for rural Councils, who may well be left with little policy to guide development of this nature. This is a further reason for delaying the implementation of the Code in Phase Two Councils until 1 July 2020.
232	1	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Overlay	Native Vegetation Overlay	No accepted development class within non-metro areas is perhaps an unintended consequence of the blanket application of the Native Vegetation Overlay. It would be preferable to exclude towns and zoned urban areas from the Native Vegetation Overlay or otherwise revise the wording to remove the blanket application of the Native Veg Overlay.
232	2	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	General Feedback	General Feedback	Residential Zone has a building height limit of 9m and 2 stories. 9m currently mentioned in Principle 9 for Res Zone. No current policy restricting buildings to 2 storeys.
232	3	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Overlay	Airport Building Heights (Aircraft Landing Area) Overlay	Rationale of the Aircraft Landing Overlay - building height x30 should be greater than the distance to the runway centreline. May affect future telecommunications towers in this area. Appears an arbitrary restriction as it doesn't relate to approach lines to runways and instead is circular.
232	4	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Conservation Zone	Conservation Zone is considered an appropriate replacement for the buffer zone.
232	5	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Caravan and Tourist Parks	Similar to current policy. There are fewer items in the Restricted Dev list in comparison with current policy. Therefore, the current use of land use for horse keeping is no longer restricted.
232	6	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Employment	This zone applies to an area of land created on the eastern boundary of the Council area to accommodate a service station and restaurant. This land is unlikely to be developed for this purpose. Proposed amendment in the zoning will allow for the intended use to proceed.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
232	7	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Deferred Urban	No issues with this zone. Similar to the current one.
232	8	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Employment Zone	Covers the OD Industry Zone - Charlton Road and some land on eastern side of Olympic Way. Currently a range of Dev is Complying/Cat 1. Including Construction Camp and Aerodrome General and Light Industry. These can be approved subject to compliance with complying conditions which are minimal. Under the new zone only the three uses are in the deemed to satisfy list: Advertisement, consulting room and office. All other development is performance assessed.
232	9	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Employment Zone	Under the new system, Aerodrome and Construction Camp are performance assessed dev and require notification rather than complying - so additional complexity and time required to assess
232	10	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Employment Zone	Error in restricted development list which includes Industry with the Exception of Special Industry
232	11	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Employment Zone	DTS 5.2 requires landscaping to cover 10% of the site with a dimension of 1.5m. Considered that this would be difficult to achieve in Roxby Downs - suggested that for Roxby Downs that no DTS apply and landscaping be Performance Assessed.
232	12	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Employment Zone	No forms of development are listed as requiring notification. There is a reference to an exception but this has not been filled in - potential error?
232	13	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Employment Zone	Current Light industry Zone allows for Waste processing facility - this is currently listed as restricted development under the new Suburban Employment Zone. Wrecking Yard, shop over 1000m2 and Industry are also restricted uses. Currently a shop over 100m2 is non-complying along with a long list of other uses. New policy allows for shops up to 1000m2. Potential to impact on the Town Centre
232	14	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Conservation Zone	Zone is an appropriate replacement for the Rural Landscape Zone
232	15	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	DTA 3.1 Site coverage less than 50% (currently 70%), Roxby Downs requires additional shaded living areas. 50% deemed unworkable
232	16	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	Connection to water, sewer systems or standalone - rainwater storage: not practical to allow for standalone water storage in RD
232	17	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	Rainwater tank required to collect runoff from 60% of roof to service toilet and laundry not considered practical or appropriate in a low rainfall area
232	18	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	<ul style="list-style-type: none"> <li>• Windows of 2m2 facing street.</li> <li>• Habitable room facing the street</li> <li>• Area of site to be landscaped</li> <li>• Trees, number and size per dwelling - these are impractical for RD as tall trees are not endemic to the area</li> <li>• Rainwater tank required to collect runoff from 60% of roof to service toilet and laundry. Not appropriate or practical in a low rainfall area</li> <li>• Carparking space dimensions</li> <li>• Development should not impair solar access to adjoining dwellings as at 21 June</li> <li>• Development should not impair solar access to outdoor open space – need shading plans to determine these things</li> </ul>
232	19	5-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	Site Contamination Issues - no change of land use or land use change is less sensitive, otherwise an environmental audit is required. Considered by Council to be overkill and impractical to try to enforce.
232	20	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	General Feedback	General Feedback	Significant amount of DTS criteria will leave many people giving up on the process. Council's will then have to assess in accordance with performance assessment criteria which is considered as onerous
232	21	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	<ul style="list-style-type: none"> <li>• Windows of 2m2 facing street.</li> <li>• Habitable room facing the street</li> <li>• Area of site to be landscaped</li> <li>• Trees, number and size per dwelling - these are impractical for RD as tall trees are not endemic to the area</li> <li>• Rainwater tank required to collect runoff from 60% of roof to service toilet and laundry. Not appropriate or practical in a low rainfall area</li> <li>• Carparking space dimensions</li> <li>• Development should not impair solar access to adjoining dwellings as at 21 June</li> <li>• Development should not impair solar access to outdoor open space – need shading plans to determine these things</li> <li>• Area for bins and pathway to bins – very fine detail of individual lot design required here.</li> </ul>
232	22	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	Current residential zoning in Roxby Downs limits swimming pool sizes to 40,000 litres
232	23	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Suburban Neighbourhood Zone	There is no recognition of the likelihood of workers accommodation facilities in the Res Zone. This would become performance assessed development subject to notification.
232	24	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Residential Park Zone	Zone does not allow for workers accommodation/ construction camps and is not the correct zone designation to replace the existing zone. Doesn't appear to any zone in the Code which could replace the current zone and none allow for workers accommodation as a primary function.
232	25	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Infrastructure Zone	Desired Outcomes and Performance Outcomes do not recognise existing uses which cover over half the occupied area of the zone.
232	26	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Township Activity Centre Zone	Amend mapping to change Retail Showroom (as per consultation version of the Code) to Township Activity Centre Zone.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
232	27	05-Nov-19	Phase 2	Local Government	Stewart Payne	Municipal Council of Roxby Downs	Roxby Downs	Zones and Subzones	Township Activity Centre Zone	Amend mapping to change current Dev Plan 'Medium Density Residential Policy Area' to Township Activity Zone. Land has been zoned this way since 2011 and has not been developed as such.
233	1	14-Oct-19	Phase 3	Development Industry	Rob Gagetti					<b>ON HOLD - PHASE 3</b>
234	1	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Area 1 on attached map. Transitioned in the draft Code to Employment (Bulk Handling) Zone. Current Development Plan is Industry, however the current and envisaged land use for this area is aquaculture and associated use, due to the proximity to Council's new marina. A more appropriate zone for this area would appear to be Rural Aquaculture Zone, as future land use and development is anticipated to be service and processing facilities to support the commercial offshore trawl fishery.
234	2	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Area 2 on attached map. Transitioned in the Code to Recreation Zone. Current Development Plan is Recreation. The only recreation land use or built form is a dilapidated basketball stadium (which will require demolition) and 2 school ovals (in conjunction with Ceduna Area School). The siting of the basketball stadium is purely historic, even though it has always been recognised it is not an ideal location. All other schools in Ceduna are in Suburban Neighbourhood Zones. Most appropriate zone would appear to be Suburban Neighbourhood.
234	3	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Area 3 on attached map. Transitioned in the Draft Code to Conservation Zone (and Coastal Areas Overlay). The current Development Plan Zone is Coastal Conservation. The bulk of the area (one land parcel) always has and always will be a Caravan and Cabin Park. The most appropriate Zone for this area would be Caravan and Tourist Park Zone, recognising that a Coastal Overlay will still apply.
234	4	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Area 4 on attached map. Transitioned in the Draft Code to Rural Zone. The land parcel was historically subdivided from a larger adjoining land parcel for the establishment of a Rural Slaughterhouse (now dilapidated). The allotment of 110 Hectares is too small in this locality for any form of viable primary production land use, which means it is effectively useless. The area is immediately adjacent to 2 Rural Living Zones. The most appropriate Zone for this area would be Rural Living.
234	5	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Area 5 on attached map. . Transitioned in the Draft Code to Conservation Zone. The current Development Plan Zone is Conservation. The allotment was historically a part of the traditional parklands surrounding the town of Denial Bay. The subject land parcel was sold by the Crown a long time ago, effectively severing the connection with the parklands, but the Zoning has never been effectively addressed. It is a bare patch of dirt with no conservation value. The most appropriate Zone for this area would be Rural Living, as a simple extension of the adjoining Rural Living Zone.
234	6	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	Areas 6 and 7 on attached map. Area 6. Transitioned in the Draft Code to Rural Zone, along with Area 7. The current Development Plan Zone for both areas is Rural. The area between Areas 6 and 7 (transitioned from Infrastructure to Infrastructure), is currently disposed as Council's Landfill and Recyclable transfer Depot. Council's current strategy is for future expansion of the Landfill facility into areas 6 and 7 as marked on the Map. The most appropriate Zone for areas 6 and 7 as marked is Infrastructure.
234	7	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Dwelling Subzone	DP Coastal Conservation Zone - Generally the transition to Coastal Zone is appropriate, with Visitor Experience and Dwelling sub zones (Yarilena and Betts Corner homelands) applied, with the Coastal Areas Overlay. Is there a mechanism to limit the number of dwellings within the Dwelling Sub Zones?
234	8	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Rural Aquaculture Zone	DP Aquaculture Zone - Generally the transition to Rural Aquaculture Zone with Coastal areas Overlay is appropriate. Noting DTS/DPF 8.1 for the Zone prescribes a minimum allotment size of 1 Ha, that is appropriate for the Denial Bay Rural Aquaculture Zone, but it is too large for the Smoky Bay Zone and the requested Thevenard Zone (refer Area 1 in Zone Transition comment earlier). It would be desirable to have a TNV for the minimum allotment size for the Thevenard Zone at 0.5 Ha. The Smoky Bay Zone is problematic, as the current Land Area comprised in the (old) Smoky Bay (west) policy area is currently lease in 1,000 m2 plots, which reflects the allotment size that would be desirable for subdivision and sale in the future (even though many of the lessees lease more than one allotment. As an interim measure, would 0.5 Ha minimum size for a TNV for Zone in Smoky Bay be possible.
234	9	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Rural Zone	Generally the transition to Rural Zone with Limited Land Division Overlay is appropriate. A TNV for minimum allotment size of 300 Ha (reflecting current DP provisions) is significantly lower than the average current allotment size of 767 Ha, (excluding allotments of less than 300 Ha), and would not promote economically productive, efficient and sustainable primary production, particularly in this area. Recognising the potentially sensitive nature of this issue, this matter requires further consideration, and I would welcome the opportunity for a discussion on this issue. <b>Note:</b> There is no TNV in the Rural Zone for Ceduna. The Limited Land Division Overlay applies and so further land division will be prevented.
234	10	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Rural Zone	It would be appropriate to include a Dwelling subzone for spatially specific areas within the Rural Zone to deal with Aboriginal Homelands, with a limit on the maximum number of dwellings allowed. The Dwelling Excision provisions in the current DP are not unreasonable for inclusion in the Code, assuming a Performance Assessment could be applied to any application for excision which doesn't meet those requirements?
234	11	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Rural Living Zone	Generally the transition to Rural Living Zone is appropriate. It is agreed that a TNV is required for minimum allotment sizes is required in the Ceduna Waters (old Decrees Bay Policy Area 24) concept plan area.
234	12	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Employment Zone	Generally the transition to Employment and Employment (Bulk Handling) Zones is appropriate, noting the change requested for part of the Thevenard Zone (refer Area 1 in Zone Transition comment earlier).
234	13	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Caravan and Tourist Park Zone	The transition to Caravan & Tourist Park Zone is appropriate, noting the change requested for the Shelly Beach Caravan Park (refer Area 3 in Zone Transition comment earlier). It is agreed that there should not be a TNV for minimum "allotment" size or building height limitation.
234	14	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Conservation Zone	The transition to Conservation Zone and associated Overlays is appropriate. A TNV for AHD levels for Denial Bay would not be necessary as the subject land would never be developed (Crown Record disposed as town parklands, with significant native vegetation) and if the parklands were inundated, so would the rest of Denial Bay township. <b>Note:</b> the AHD levels for Denial Bay will be applied across multiple zones (Residential, Rural Living).
234	15	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Infrastructure Zone	Generally the transition to Infrastructure Zone is appropriate, noting the change requested for part of the Ceduna Landfill site area (refer Areas 6 & 7 in Zone Transition comment earlier).
234	16	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Zones and Subzones	Recreation Zone	Generally the transition to Recreation Zone is appropriate, noting the change requested for Area 2 in Zone Transition comment earlier.
234	17	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	It is noted that the Airfield Zone, Aquaculture Zone, Commercial Zone, Residential Zone and Rural Living Zone Concept Plans from the current DP have not been Transitioned to the Code. No Problem.
234	18	29-Nov-19	Phase 2	Local Government	Geoff Moffat	District Council of Ceduna	Ceduna	Mapping	Mapping	The Dwelling Excision provisions in the current DP are not unreasonable for inclusion in the Code, assuming a Performance Assessment could be applied to any application for excision which doesn't meet those requirements?
235	1	29-Nov-19	Phase 2	General Public	Maurice Roche (submission 2 of 2)	n/a	Statewide	Overlays	Native Vegetation Overlay	Seeks to have development prohibited on sites with native vegetation in the interest of preventing danger to human life, preventing the exacerbation of extinction crisis and climate change
236	1	27-Nov-19	Phase 2	General Public	Trevor Boerth (submission 2 of 3)	n/a	Yorke Peninsula	Zones and Subzones	Rural Living Zone	We are requesting the State Planning Reform Panel to consider reducing the proposed minimum size of Land Division In the Stansbury Rural Living Zone to .5 hectares and to reduce the proposed Minimum road frontage from 50 metres to 30 metres. Another option, would be to Change the present Stansbury Rural Living Zone to Precinct 8 Stansbury Rural Living. "Land Division should not create an additional allotment with an area of not less than 0.5 hectares and road frontage to no less than 30 metres".

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
237	1	29-Nov-19	Phase 2	General Public	Trevor Boerth (submission 3 of 3)	n/a	Yorke Peninsula	Zones and Subzones	Rural Living Zone	Supplementary supporting information for Submission #236. Would like more information about the new Residential Neighbourhood Zone in regards to changing our allotment to this zone. Looking for more information about 'restricted development' and 'performance based assessment'.
238	1	29-Nov-19	Phase 2	General Public	Trevor & Christine Carbins (submission 2 of 2)	n/a	Yorke Peninsula	Zones and Subzones	Conservation Zone	Request to have their land rezoned from Conservation to Rural Living or Residential Neighbourhood given proximity to the Town Centre and shared boundary with a Residential Zone. Coastal Areas Overlay applies to the land.
239	1	11-Oct-19	Phase 2	General Public	Mark Hogan					ON HOLD - PHASE 3
240	1	22-Nov-19	Phase 2	General Public	Gisela Robinson	n/a	Kangaroo Island	Zones and Subzones	Rural Shack Settlement Zone	I don't like the proposed new Zoning for D'Estrees Bay. Please leave the "Coastal Settlement Zone" and I suggest putting the Shack problem into an overlay, thank you.
241	1	26-Nov-19	Phase 2	General Public	Vivienne Miller	n/a	Not answered	Zones and Subzones	Conservation Zone	Raises concerns about zoning applied to National Parks, Conservation Parks and other protected areas and considers they should all be contained in the Conservation Zone, not the Rural Zone.
242	1	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Land use Definitions	Battery Storage Facility	Part 7 - Land Use Definitions: Battery storage facility is listed in the "includes" column for Renewable Energy Facility in Part 7, but the definition for Renewable Energy Facility appears to only include a battery storage facility where it is associated with the generation of electricity from a renewable source. In order to allow for stand-alone battery storage facilities, Battery Storage Facility should be also listed as a land use definition in its own right (noting that it is defined in the Referrals table in Part 9).
242	2	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Land use Definitions	Energy Storage Facility	Part 7 - Land Use Definitions : The Referrals table also uses the term Energy Storage Facility, which should be defined.
242	3	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Land use Definitions	Solar power facilities	Part 7 - Land Use Definitions: Solar Power Facility should be defined in Part 7 (consistently with the definition of Wind farm in Part 7, which includes associated storage, transmission and structures).
242	4	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Land use Definitions	Hydrogen Production	Hydrogen Production Ideally, the Planning & Design Code, which will be one of the keys to facilitating any form of development, but particularly development of infrastructure, will be written so as to accommodate, if not encourage, renewable hydrogen project development. At this stage, the Code is silent on this activity. One option for addressing this would be to expand the definition of Renewable Energy Facility to include "manufacturing activities predominantly powered from a renewable source" which would capture renewable hydrogen production, as well as associated value adding activities such as ammonia production and fertiliser production, which are likely to be undertaken utilising renewable hydrogen.
242	5	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Zones and Subzones	Desired Outcomes	Hydrogen Production: Renewable hydrogen production should be added to desired outcomes for the Remote Areas Zone and Rural Zone.
242	6	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Zones and Subzones	Remote Areas Zone	Remote Areas Zone: DO 1 for the Remote Areas Zone lists appropriate development activities for that zone. However, this list has not been fully carried through into DTS/DPF 1.1, which will make interpretation of the Code more complicated and more likely to lead to confusion. For consistency and clarity, Renewable Energy Facility and Energy Storage Facility should be added to DTS/DPF 1.1. As per the discussion above, renewable hydrogen production should also be listed here if it is not incorporated within Renewable Energy Facility.
242	7	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	Zones and Subzones	Rural Zone	Rural Zone: As per DO 1 for the Remote Areas Zone, instead of "generation of energy from renewable sources, this should be "generation and storage of energy from renewable sources". Also as per my comments above, DTS/DPF 1.1 should be more consistent with DO 1. In particular, Renewable Energy Facility should be listed. PO 9.2 appears to have been drafted to specifically support small-scale ground mounted solar power facilities. However, DTS/DPF 9.2 refers to "solar power facilities" and then states that they should not generate more than 30kW. In order to avoid this being misinterpreted to mean that no solar power facilities should be more than 30kW in the entire Rural Zone (which I understand is not the policy intent), the words "solar power facilities:" at the beginning of DTS/DPF 9.2 should be replaced with "small-scale ground mounted solar power facilities:"
242	8	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	General policy	Renewable Energy Facilities	General Development Policies – Infrastructure and Renewable Energy Facilities: DTS/DPF 8.1 – The words "with an additional 10m setback per additional metre..." are aligned with the far-left margin of the page, meaning that the words apply to both paragraphs (a) and (b). I understand that this is not the policy intent, and the words only apply to paragraph (b). In order to correct this, the words need to be indented so that they sit within paragraph (b). Alternatively, in order to avoid confusion, the paragraph should be reordered as follows: "Wind turbine generators are: (a) set back at least 2,000m from the base of a turbine to any of the following zones: i. Settlement Zone; ii. Township Zone; iii. Rural Living Zone; or iv. Rural Neighbourhood Zone with an additional 10m setback per additional metre of 150m overall turbine height (measured from the base of the turbine); and (b) (b) set back at least 1,200m from the base of a turbine to non-associated (non-stakeholder) dwellings and tourist accommodation."
242	9	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	General policy	Renewable Energy Facilities	General Development Policies – Infrastructure and Renewable Energy Facilities: PO 5.1 refers to locating electricity infrastructure "to minimise visual impacts" however the techniques that are listed relate to avoiding interference with native vegetation and biodiversity, which are not related to visual impacts. This PO should be broken into two separate POs, one addressing visual impact, and one addressing native vegetation and biodiversity.
242	10	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	General policy	Renewable Energy Facilities	General Development Policies – Infrastructure and Renewable Energy Facilities: The requirement in PO 8.4 to use recognition systems or physical markers in the minimising of risk to aircraft operations discounts the opportunity to use other methods to manage aircraft risk (including by location of the wind turbines away from flight paths, or arrangements with aircraft operators to turn off or re-orient turbines to provide clear passage for firefighting or aerial spraying). The PO should be simplified to allow for any appropriate measures: "Wind farms turbine generators incorporate recognition systems or physical markers to minimise the risk to aircraft operations."
242	11	27-Nov-19	Phase 2	Lawyers	Kyra Reznikov	Finlaysons Lawyers	Multiple	General policy	Renewable Energy Facilities	General Development Policies – Infrastructure and Renewable Energy Facilities: PO 9.2 contains absolute requirements that solar farms incorporate wildlife corridors and habitat refuges. There will be many cases where these are not appropriate or beneficial (for instance, where the facility is located on cleared land that is not used for wildlife movement. This should be modified to read: "(a) incorporating wildlife corridors and habitat refuges where appropriate;"



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
243	1	29-Nov-19	Phase 2	Consultant	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Norwood, Payenham and St Peters	General Feedback	Contributory Items	Contributory items should be retained and transitioned over to the Planning and Design Code in a clearly identified database shown on a spatial map and the existing demolition protections under the current system transitioned across - refer to below response.
243	2	29-Nov-19	Phase 2	Consultant	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Norwood, Payenham and St Peters	Overlays	Historic Area Overlay	Policy regarding protection for the built heritage of the proposed Historic Area Overlay is not consistent or effective to maintain quality of contributory items
243	3	29-Nov-19	Phase 2	Consultant	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Norwood, Payenham and St Peters	Overlays	Historic Area Statement	The table is generally confusing and the information provided is inadequate. Submissions desires that the Historic Area Statements be completely redrafted, edited and rewritten to guide appropriate development in these significant historic areas.
243	4	29-Nov-19	Phase 2	Consultant	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Norwood, Payenham and St Peters	Zones and Subzones	Residential Character Zone	Land Division controls in the current residential character zone in Norwood Payneham and St Peters have been removed - request confirmation that these will be reinserted in the Code. SUBMISSION REQUESTS DIRECT RESPONSE
243	5	29-Nov-19	Phase 2	Consultant	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Norwood, Payenham and St Peters	Mapping	Historic Area Statement	The maps provided are too basic and are inconsistent in the mapping style between Histori Areas. Do not provide and detail including street layouts/sudivision patterns, already listed local and state heritage places.
244	1	29-Nov-19	Phase 2	Industry Representative	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	State Heritage Place Overlay	Submission provides recommendations for re-wording on PO2.1 as submission feels that the policy should reflect usage of 'heritage place'. Submissions proposed wording: "Alterations and additions should complement the heritage place and be sited to be unobtrusive, not conceal or ostruct heritage elements and detailing, or dominate the Place or its setting".
244	2	29-Nov-19	Phase 2	Industry Representative	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	State Heritage Place Overlay	Submission provides recommendations for re-wording PO5.1 to include consideration of appropriate mitigation for the loss of trees or plantings. Submissions proposed wording: "Individually heritage listed trees, parks, historic gardens and memorial avenues should be retained unless: (a) trees/plantings are, or have the potential to be, a danger to life or property; or (b) trees/plantings are significantly diseased and their life expectance is short. If trees/plantings are removed, mitigation measures should be considered to determine if replanting/ replacement of the same species, or other landscaping, is required to conserve heritage values or landscape character."
244	3	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	State Heritage Place Overlay	Submission seeks a policy amendment and minor spelling fixes to PO7.1. Submission recommended wording: "Conservation works to the exterior of a Place and other features of identified heritage value should match existing materials to be repaired and utilise traditional work methods".
244	4	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	General Feedback	The general intent of most of the State Heritage Place Overlay policies is supported.
244	5	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	State Heritage Place Overlay	Concerned about the potential lack of heritage expertise available for those making decisions as to when applications should be referred - specifically around 'minor nature'.
244	6	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	State Heritage Area Overlay	Concerned about the potential lack of heritage expertise available for those making decisions as to when applications should be referred - specifically around 'minor nature'.
244	7	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	Local Heritage Place Overlay	Concerned about the potential lack of heritage expertise available for those making decisions as to when applications should be referred - specifically around 'minor nature'.
244	8	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	Local Heritage Place Overlay	General issues with wording throughout the State Heritage Place Overlay - i.e. PO1.7 is recommended to say "Development of a Local Heritage Place should retain elements contributing to its heritage value.
244	9	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Procedural Matters	"Heritage significance" detailed information in the Local Heritage Place Impact Assessment does not correspond with the criteria under Section 67(1) of the PDI Act - this should consider aspects such as setting, views and use
244	10	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Procedural Matters - Practice Direction	Concern raised about the weighting of demolition policy as mentioned on page 2 of the Practice Guideline, being: "No single Performance Outcome is mandatory. Rather a planning judgement must be made againse all relevant Code provisions as to the merits of any proposal".
244	11	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Procedural Matters - Practice Direction	Definition of 'Conservation Works' on page 5 of the Practice guideline is unclear what is meant by conservation works include 'explaining and campaigning'. Submission feels that the Definition for Heritage Impact Assessment would benefit from the addition of a statement that includes 'consideration of mitigation measures'. Definition of minor in nature should be expanded to invlude 'where they do not have an adverse impact on the heritage values of a place or area'. Definition os setting should have the word 'item' replaced with 'place'.
244	12	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Procedural Matters - Practice Direction	Submission feels that the Definition for Heritage Impact Assessment would benefit from the addition of a statement that includes 'consideration of mitigation measures'.
244	13	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Historic Area Statement	Historic Area Statements are generic and repetitive - recommended that the generic Historic Area Statement be included at the beginning of the section once and not repeated. The variation in the characteristics of each Historic Area is recommended to be developed into a specific Historic Area Statement for each one. Tables are recommended to provide headers.

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244	14	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	Historic Area Statement	Submission recommends maps be amended to be the same scale, include a key parcel cadastre.
244	15	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	General Feedback	Re-establish the State and Local Heritage Advisor Scheme (or similar process) to support local Councils.
244	16	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	Character Area Overlay	Wording of policies is unclear and requires the use of the word 'should' in many instances.
244	17	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Overlays	Character Area Overlay	Each Character Area should have its own specific statement about or as a minimum labelled table that summarises characteristics for each Character Area. Presently it is unclear where these specific Character Area Statements would be located within the Code.
244	18	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	Character Area Overlay	It is recommended that there be a generic definition of what a Character Area is, such as on p. 1427 of the Draft Planning and Design Code for Rural Areas.
244	19	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	Mapping	Character Area Overlay	National Heritage Places are not identified under the current Code mapping and as such there is no identification of whether a development proposal may impact National Heritage values.
244	20	29-Nov-19	Phase 2	Industry	George Meros / Helen Lardner	Australian ICOMOS	Multiple	General Feedback	General Feedback	The Code contains errors and requires considerable editing changes and is not fit for purpose for a consultation completion date of 1 July 2020.
<b>245 DUPLICATE (see submission 128)</b>										
246	1	29-Nov-19	Phase 2	Industry	Anna Freeman	Clean Energy Council	Multiple	General policy	Solar power facilities	Prescribed setback distances: The draft Code sets out new setback distances for solar farms, and extended setback distances for wind turbines. As a matter of principle, the CEC does not support arbitrary setbacks for new developments. Rather, we regard 'performance-based' assessments, which consider the noise and visual impacts of a project holistically, as a more robust and flexible approach to the assessment of amenity impacts. For example, an arbitrary setback makes no allowance for the orientation of a neighbouring sensitive land-uses, topography, or responsive project design. In the case of solar farms specifically, we note that they emit no significant noise or light emissions, and have no odour, which might otherwise justify the prescribed setbacks from conservation areas and townships/rural living areas. It is also unclear why the State has proposed a 30-metre setback from all adjoining land. We note that in Victoria, in response to any potential concerns with solar arrays developing a very localised heat island effect, the CEC has supported the adoption of a 30-metre setback from sensitive receptors which might include dwellings or cold climate horticulture. We do not consider however that an arbitrary 30-metre setback is required for every development from every neighbouring property boundary.
246	2	29-Nov-19	Phase 2	Industry	Anna Freeman	Clean Energy Council	Multiple	General policy	Solar power facilities	Landscaping requirements for solar farms: The CEC considers the requirement for landscaping from neighbouring sensitive uses or from significant landscape zones to be appropriate. Policy should maintain flexibility to position landscaping closer to a non-host dwelling if it is the affected parties' preference, or the best outcome in a specific topological context. We would not however regard a requirement for landscaping to be provided along all and any 'adjacent road frontages' to be necessary, and would see no robust public policy rationale for solar farms to be singled out to be screened from view. There is no such blanket requirement for roads, thermal power stations, wind farms, transmission lines or other types of electrical or public infrastructure. We are also aware of projects where the local community has preferred that a solar farm is not screened.
246	3	29-Nov-19	Phase 2	Industry	Anna Freeman	Clean Energy Council	Multiple	General policy	Solar power facilities	Wildlife movement: The industry is keen to work with the government in order to determine how we can best balance the principle of enabling wildlife movement in the vicinity of solar farms, while reducing safety risks at solar farms. Perimeter fencing is used to ensure the controlled management of these high voltage energy generation systems. Some members have experienced wildlife (eg. wombats) entering sites and chewing through electrical wiring, which poses significant safety risks to both wildlife and infrastructure. Security fencing can also offer protection for the increasingly popular practice of sheep grazing under modules to maintain a complementary agricultural land use. Often wildlife corridors exist along the property boundary to the public road network, whereby efforts can be directed at enhancing perimeter landscaping for improved outcomes for wildlife movement. We would support the Government using wording within the Planning and Design Code which clearly states the objective, such as 'to enable the passage of small animals through/around the site', while providing flexibility for the proponent to design contextually appropriate methods for the delivery of the objective.
246	4	29-Nov-19	Phase 2	Industry Representative	Anna Freeman	Clean Energy Council	Multiple	General policy	Solar power facilities	Protecting areas of special sensitivity or value: The CEC regards it as appropriate for the planning system to define areas of special sensitivity such as the Barossa and McLaren Vale regions and understands these are restricted areas for wind development. The CEC supports the exclusion of solar farms from areas of high environmental, cultural or scenic value.
246	5	29-Nov-19	Phase 2	Industry Representative	Anna Freeman	Clean Energy Council	Multiple	General policy	Solar power facilities	Public notification requirements: The CEC considers good community engagement as being critical for the planning and development of all renewable energy projects and as such regards the requirement for wider public notification for these projects as being a sensible and appropriate change to South Australia's planning framework.
247	1	26-Nov-19	Phase 2	Development Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	General Feedback	Mapping	The map viewer is cumbersome, you have to tick 3 boxes in the layer list to turn on one overlay (i.e. overlay, productive economy and limited land division overlay) you should just be able to tick one layer and it becomes active.
247	2	26-Nov-19	Phase 2	Development Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Overlays	Dwelling Excision Overlay	Would like to see consistency across the rural zones to provide for a dwelling excision on an additional rural living sized allotment with similar criteria to PO1.2 however with a relaxation on the driveway handle length. As a minimum councils that had this before should, for consistency, have this remain (i.e Yorke, Wakefield, Northern Areas and Mid Murray).
247	3	26-Nov-19	Phase 2	Development Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Overlays	Limited Land Division Overlay	Creates inconsistency between one council area to the next with what type of fivision land owners may or may not undertake. We would like for consistency to see land division for similar sized lots (min 40ha) permissible for the RC of Wakefield and Mid Murray Rural Zoning when the land is being used for similar farming purposes.
247	4	26-Nov-19	Phase 2	Development Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Overlays	Limited Dwelling Overlay	For consistency for rural land owners, we request the limited dwelling provision should be considered to be removed from Copper Coast and Yorke Peninsula Councils. This would allow the dwellings to be built as per the zone minimum allotment size.
247	5	26-Nov-19	Phase 2	Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Zones	General Neighbourhood Zone	Within country towns when a Council CWMS/Septic System is not available the TNV Minimum lot size is misleading, larger lots will be required. Where in the code can applicants find larger town lots sizes if onsite was disposal is required.
247	6	26-Nov-19	Phase 2	Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Zones	Rural Zone	The minimum lot size for both copper coast and Wakefield should be amended from 100 to 40ha, to be consistent with all surrounding councils.



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247	7	26-Nov-19	Phase 2	Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	Zones	Rural Living Zone	Battle-axe allotments the driveway (handle) length should be relaxed to a more practical distance to suit the typical length of a rural living lot.
247	8	26-Nov-19	Phase 2	Industry	David Jericho	Mosel Surveyors - Land Solutions	Multiple	General policy	Land Division in Urban Areas General Policy	Under these provisions for a major land division in excess of 20% open space where slope in excess of 1:4 we deem this percentage inconsistent with current open space areas. This should be removed from DTS/DPF 8.2.
248	1	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	Land use Definitions	small-scale ground mounted solar power facility	It is noted that the draft Code refers to 'small-scale ground mounted solar power facility' but this is not defined within the land use definitions in the Code. This has the potential to result in confusion and discrepancies in how smaller scale facilities such as those developed by Yates Electrical are processed by various Councils. It is recommended that the Code utilise the AEMO and SAPN classifications/categories listed above and to differentiate between small and larger utility scale facilities.
248	2	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	Land use Definitions	small-scale ground mounted solar power facility	'Renewable Energy Facility' is the only term defined within the Code. It is noted that the definition excludes domestic systems with a capacity of under 5MW that supply power to uses upon the site. In our experience it is very rare for a solar facility of up to 5MW to be utilised only for the supply of power to the site upon which it is located. Most solar farms, and other forms of renewable energy facilities, export power to the grid and therefore would be caught within the definition of a Renewable Energy Facility. Within the Rural Zone, where most of these facilities are located/proposed, this would result in such applications being assessed against all the relevant provisions of the Code regardless of their size/capacity. It is our submission that solar facilities of less than 5MW (or at a minimum under 200kW) be separately defined within the Code and included within Table 3 of the Rural Zone to have a specific set of policies against which they are assessed.
248	3	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	Zones and Subzones	Rural Zone	Within the Rural Zone, 'small scale ground mounted solar power facility' is listed in Table 3 and within DTS/DPF 1.1 but is not defined.
248	4	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	Zones and Subzones	Policy amendment - rural zones	Given the clear intent for the development of renewable energy facilities within the current rural type zones across numerous Development Plans 'Renewable Energy Facility' should be listed within DTS/DPF 1.1 as an envisaged use within the zone.
248	5	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	General Feedback	Rural Zone	PO 9.2 notes that small scale solar facilities should support rural production or value adding industries. This is our experience however such facilities predominately support these activities and industries by exporting power to the grid to achieve a supplementary income alongside other rural uses. This is not reflected in DTS/DPF 9.2 which restricts such facilities to 30kW and does not allow for the export of power and therefore places a direct limit on the ability of a farmer/land holder to make a return on their investment. The rationale for the desired setback within DTS/DPF 9.2 of 100 metres from a neighbouring dwelling is unknown and does not appear to correlate to the intent of PO 9.2.
248	6	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	General Feedback	Public notification of solar farms	In relation to the Procedural Matters within the zone it is noted that all renewable energy facilities are to be notified other than solar farms under 30kW. We request that the notification trigger be lifted to 200kW DC to align with the AEMO and SAPN classification of solar facilities as outlined above.
248	7	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	General policy	Renewable Energy Facilities - application of policy to solar farms	In relation to the General Infrastructure and Renewable Energy Facilities provisions it is noted that under the heading 'Renewable Energy Facilities (Solar Power) PO 9.1 is specifically directed at solar facilities over 5MW. The majority of provisions within this section are best directed towards the larger scale facilities however PO 9.2 and DTS/DPF 9.3 would be applicable to any solar farm regardless of their size. It is requested that this section be specifically directed towards solar farms greater than 5MW because it is at this scale that impacts in relation to wildlife movement and visual amenity start to become a concern and require further direction and guidance within the Code. Under this size the scale of the farms is such that these issues are less prevalent and can be easily assessed and accommodated with a lower level of prescription within the Code.
248	8	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	General policy	Renewable Energy Facilities - landscaping	A consistent approach to the use and need for landscape screening around solar facilities should be incorporated within the new Code.
248	9	29-Nov-19	Phase 2	Business	Damian Dawson (Planning Chambers)	Yates Electrical Services	Multiple	General Feedback	Adopt industry guidelines for solar farms	It is our view that the State Planning Commission should adopt similar policies to industry partners by adapting their guidelines to suitably account for variables such as solar farm size and capacity, while also considering the effectiveness of existing screening practices over the requirements for large setback distances on smaller scale developments.
249	1	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	In the first item of the first row of Table 2, "Advertisement attached to a building or structure", delete the words "attached to a building or structure".
249	2	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS
249	3	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	Amend DO 1 as follows: DO1 – A low rise medium density environment accommodating a variety of housing and accommodation types co-existing with a mix of employment-generating land uses, including land uses which serve the needs of residents for convenient access to goods and services during daytime and night-time hours, and which have no materially adverse amenity impact.
249	4	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	Amend PO 1.1 as follows: PO 1.1 – Shops, office, consulting room and other non-residential uses which have no materially adverse amenity impact, including land uses which serve the needs of residents for convenient access to goods and services during daytime and night-time hours, supported by a variety of compact, medium density housing and accommodation types.
249	5	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	Amend PO 1.2 as follows: PO 1.2 – Business and commercial land uses complement or enhance the prevailing neighbourhood character or respond appropriately to emerging changes in that character.
249	6	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Business Neighbourhood	Amend DTS/DPF 5.1 as follows: DTS/DPF 5.1 – Freestanding advertisements: (a) Do not exceed 9m in height above natural ground level; and (b) Do not have a face that exceeds 13.5m <sup>2</sup> per side.
249	7	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Caravan and Tourist park Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS
249	8	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Employment Zone	In Table 3, for the Class of Development Retail fuel outlet, delete the following item from the column General Development Policies: Interface Between land Uses [Hours of Operation]: PO 2.1.

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249	9	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Employment Zone	Amend DTS/DPF 7.1 as follows: DTS/DPF 7.1 – Freestanding advertisements: (a) Do not exceed 9m in height above natural ground level; and (b) Do not have a face that exceeds 13.5m <sup>2</sup> per side.
249	10	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	General Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS
249	11	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	General Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	12	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	13	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Greenfield Suburban Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	14	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Home Industry Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	15	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Home Industry Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet
249	16	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Housing Diversity Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	17	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Housing Diversity Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet
249	18	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Infrastructure (Airfield) Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	19	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Infrastructure (Airfield) Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet
249	20	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Infrastructure (Ferry and Marina Facilities) Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	21	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Infrastructure (Ferry and Marina Facilities) Zone	Amend DTS/DPF 1.2 to include the following new land use: Retail fuel outlet.
249	22	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Motorsport Park Zone	Full submission on this zone to come.
249	23	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Residential Park Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	24	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Residential Park Zone	Amend PO 1.2 to include the following new land use: (e) Retail fuel outlet.
249	25	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Residential Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	26	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Residential Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	27	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Zone	Include Retail fuel outlet as Deemed-to-Satisfy with the same policies as a shop but without Hours of operation PO/DTS.
249	28	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	29	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	30	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural horticulture Zone	Include Retail fuel outlet as Deemed-to-Satisfy with the same policies as a shop but without Hours of operation PO/DTS.
249	31	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural horticulture Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	32	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural horticulture Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	33	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Living Zone	Include Retail fuel outlet as Deemed-to-Satisfy with the same policies as a shop but without Hours of operation PO/DTS.
249	34	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Living Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	35	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Rural Settlement Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	36	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Employment Zone	In Table 3, for the Class of Development Retail fuel outlet, delete the following item from the column General Development Policies: Interface Between land Uses [Hours of Operation]: PO 2.1.

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249	37	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Employment Zone	Amend DTS/DPF 6.1 as follows: DTS/DPF 6.1 – Freestanding advertisements: (a) Do not exceed 9m in height above natural ground level; and (b) Do not have a face that exceeds 13.5m <sup>2</sup> per side.
249	38	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Activity Centre Zone	In Table 3, for the Class of Development Retail fuel outlet, delete the following item from the column General Development Policies: Interface Between land Uses [Hours of Operation]: PO 2.1.
249	39	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Activity Centre Zone	In DO1, delete the following words: neighbourhood scale.
249	40	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Activity Centre Zone	Amend DTS/DPF 5.1 as follows: DTS/DPF 5.1 – Freestanding advertisements: (a) Do not exceed 9m in height above natural ground level; and (b) Do not have a face that exceeds 13.5m <sup>2</sup> per side.
249	41	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Business and Innovation	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	42	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Business and Innovation	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	43	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Business and Innovation	In PO 1.2, delete the following words: of a scale.
249	44	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Business and Innovation	Amend DTS/DPF 5.1 as follows: DTS/DPF 5.1 – Freestanding advertisements: (a) Do not exceed 9m in height above natural ground level; and (b) Do not have a face that exceeds 13.5m <sup>2</sup> per side.
249	45	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Main Street Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	46	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Main Street Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	47	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	48	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Suburban Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	59	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	50	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Zone	Amend DTS/DPF 1.2 to include the following new land use: Retail fuel outlet.
249	51	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Main Street Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	52	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Main Street Zone	Amend DTS/DPF 1.2 to include the following new land use: Retail fuel outlet.
249	53	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Activity Centre Zone	In Table 3, for the Class of Development Retail fuel outlet, delete the following item from the column General Development Policies: Interface Between land Uses [Hours of Operation]: PO 2.1.
249	54	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Township Activity Centre Zone	Amend DTS/DPF 5.1 as follows: DTS/DPF 5.1 – Freestanding advertisements: (a) Do not exceed 8m in height; and (b) Do not have a face that exceeds 6m <sup>2</sup> 12m <sup>2</sup> per side.
249	55	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Tourism Development Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	56	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Tourism Development Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet
249	57	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Urban Activity Centre Zone	In Table 3, for the Class of Development Retail fuel outlet, delete the following item from the column General Development Policies: Interface Between land Uses [Hours of Operation]: PO 2.1.
249	58	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Urban Activity Centre Zone	Amend DTS/DPF 5.1 as follows: DTS/DPF 5.1 – Freestanding advertisements: (a) Do not exceed 10m in height; and (b) Do not have a face that exceeds 8m <sup>2</sup> 15m <sup>2</sup> per side.
249	59	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Urban Renewal Neighbourhood Zone	Include Retail fuel outlet as performance assessed with the same policies as a shop but without Hours of operation PO/DTS.
249	60	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Zones and Subzones	Urban Renewal Neighbourhood Zone	Amend DTS/DPF 1.1 to include the following new land use: Retail fuel outlet.
249	61	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend sub-paragraph a(i) of DTS/DPF 1.1 as follows: “(i) entry and exit movements are left turn only or, if not left turn only, have been designed by a qualified and experienced traffic engineer to operate in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable.”

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249	62	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend PO 2.1 as follows: "Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all reasonably anticipated vehicle queues are contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and safe vehicle movement."
249	63	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend DTS/DPF 3.1 by including additional paragraph (c) as follows: "(c) will service development that will result in an increase in traffic using the existing access point, or a larger class of vehicle expected to access the site using the existing access, and the ability of the access point to operate in a safe and convenient manner in accordance with Australian Standards and/or AustRoads guidelines, as applicable, is confirmed by a qualified and experienced traffic engineer (including any modifications required for the purpose of such operation)."
249	64	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend PO 4.1 as follows: "PO 4.1 New access points are widely appropriately spaced apart from any existing access point or public road junction to not impede traffic flow and ensure safe and efficient road operating conditions."
249	65	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend DTS/DPF 4.1 as follows: "DTS/DPF 4.1 Where access from an alternative road at least 25m from the Key Outback and Rural Route is not available, a new access point is: (a) not located on a section affected by double barrier lines between either edge of the access point; and (b) located in accordance with the requirements and guidance provided in the AustRoads Guide to Road Design, the AustRoads Guide to Traffic Management and relevant Australian Standards."
249	66	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Key Outback and Rural Routes Overlay	Amend DTS/DPF 5.1 as follows: "Drivers approaching or exiting a new access point have an unobstructed line of sight to or from the new access point in accordance with the sight distance requirements provided within the AustRoads Guide to Road Design."
249	67	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend sub-paragraph a(i) of DTS/DPF 1.1 as follows: "(i) entry and exit movements are left turn only or, if not left turn only, have been designed by a qualified and experienced traffic engineer to operate in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable."
249	68	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend sub-paragraph b(iii)B of DTS/DPF 1.1 as follows: "B. where vehicles exceeding 6.4m in length are expected to access the site, the access point has a width at the site boundary which is sufficient to accommodate access by all such vehicles in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable."
249	69	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend PO 2.1 as follows: "Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all reasonably anticipated vehicle queues are contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and safe vehicle movement."
249	70	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend DTS/DPF 2.1 by including additional paragraph (c) as follows: "(c) will service development that will generate 60 more vehicle movements per day, and internal driveways, intersections, car parking spaces, car park aisles and any other internal obstructions have been designed by a qualified and experienced traffic engineer to operate in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable."
249	71	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend DTS/DPF 3.1 by including additional paragraph (c) as follows: "(c) will service development that will result in an increase in traffic using the existing access point, or a larger class of vehicle expected to access the site using the existing access, and the ability of the access point to operate in a safe and convenient manner in accordance with Australian Standards and/or AustRoads guidelines, as applicable, is confirmed by a qualified and experienced traffic engineer (including any modifications required for the purpose of such operation)."
249	72	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend PO 4.1 as follows: "PO 4.1 New access points are appropriately spaced from any existing access point or public road junction to not impede traffic flow and ensure safe and efficient road operating conditions."
249	73	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend DTS/DPF 4.1 as follows: "DTS/DPF 4.1 Where access from an alternative local road at least 25m from the Major Urban Route is not available, and the access is not located on a Controlled Access Road, a new access point is: (a) not located on a section affected by double barrier lines between either edge of the access point; and (b) located in accordance with the requirements and guidance provided in the AustRoads Guide to Road Design, the AustRoads Guide to Traffic Management and relevant Australian Standards."
249	74	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Amend DTS/DPF 5.1 as follows: "Drivers approaching or exiting a new access point have an unobstructed line of sight to or from the new access point in accordance with the sight distance requirements provided within the AustRoads Guide to Road Design."
249	75	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Major Urban Transport Routes Overlay	Delete DTS/DPF 10.1.
249	76	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend sub-paragraph b(iii)C of DTS/DPF 1.1 as follows: "C. where vehicles exceeding 8.8m in length are expected to access the site, the access point has a width at the site boundary which is sufficient to accommodate access by all such vehicles in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable."
249	77	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend PO 2.1 as follows: "Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all reasonably anticipated vehicle queues are contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and safe vehicle movement."
249	78	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend DTS/DPF 2.1 by including additional paragraph (c) as follows: "(c) will service development that will generate 60 more vehicle movements per day, and internal driveways, intersections, car parking spaces, car park aisles and any other internal obstructions have been designed by a qualified and experienced traffic engineer to operate in a safe and convenient manner and in accordance with Australian Standards and/or AustRoads guidelines, as applicable."
249	79	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend DTS/DPF 3.1 by including additional paragraph (c) as follows: "(c) will service development that will result in an increase in traffic using the existing access point, or a larger class of vehicle expected to access the site using the existing access, and the ability of the access point to operate in a safe and convenient manner in accordance with Australian Standards and/or AustRoads guidelines, as applicable, is confirmed by a qualified and experienced traffic engineer (including any modifications required for the purpose of such operation)."
249	80	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend PO 4.1 as follows: "PO 4.1 New access points are appropriately spaced from any existing access point or public road junction to not impede traffic flow and ensure safe and efficient road operating conditions."
249	81	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend DTS/DPF 4.1 as follows: "DTS/DPF 4.1 Where access from an alternative local road at least 25m from the Major Urban Route is not available, and the access is not located on a Controlled Access Road, a new access point is: (a) not located on a section affected by double barrier lines between either edge of the access point; and (b) located in accordance with the requirements and guidance provided in the AustRoads Guide to Road Design, the AustRoads Guide to Traffic Management and relevant Australian Standards."



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249	82	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	Overlays	Urban Transport Routes Overlay	Amend DTS/DPF 5.1 as follows: "Drivers approaching or exiting a new access point have an unobstructed line of sight to or from the new access point in accordance with the sight distance requirements provided within the AustRoads Guide to Road Design."
249	83	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Advertisements	Delete DTS/DPF 1.3 paragraph (b).
249	84	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Advertisements	Delete DTS/DPF 2.1.
249	85	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Advertisements	Amend DTS/DPF 2.2 as follows: "DTS/DPF 2.2 Advertisements for multiple-business or activity complex incorporating information regarding each business or activity in one or more co-ordinated advertisement fixtures or structures."
249	86	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Advertisements	Amend DTS/DPF 4.1 as follows: "DTS/DPF 4.1 An advertisement does not incorporate any illumination or, if it does incorporate illumination, is not within 25 metres of a sensitive receiver."
249	87	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Advertisements	Amend the Table to provide for: <ul style="list-style-type: none"> <li>A maximum height of 9 metres, and an advertised area not exceeding 13.5m2 per side, for freestanding advertising in each of the following zones: <ul style="list-style-type: none"> <li>Urban Activity Centre</li> <li>Suburban Activity Centre</li> <li>Township Activity Centre</li> <li>Suburban Main Street</li> <li>Township Main Street</li> <li>Suburban Business and Innovation</li> <li>Business Neighbourhood</li> <li>Employment</li> <li>Suburban Employment</li> <li>Urban Corridor (Boulevard)</li> <li>Urban Corridor (Business)</li> <li>Urban Corridor (Living)</li> <li>Urban Corridor (Main Street).</li> </ul> </li> <li>A maximum height of 7 metres, and an advertised area not exceeding 10.5m2 per side, for freestanding advertising in any zone other than a zone referred to above.</li> </ul>
249	88	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Interface Between Land Uses	Delete PO 2.1.
249	89	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend PO 1.3 as follows: "PO 1.3 Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas, or are designed and managed in an appropriate manner, to ensure efficient and safe movement and minimise potential conflict."
249	90	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend PO 1.4 as follows: "PO 1.4 Development sited and designed so that loading, unloading and turning of all traffic likely to be generated avoids, to the extent reasonably appropriate, substantial and frequent to interrupting the operation of and queuing on public roads and pedestrian paths."
249	91	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend DTS/DPF 3.5 as follows: "DTS/DPF 3.5 The access point does not involve the removal or relocation of mature street trees, street furniture or utility infrastructure services, unless those items are replaced or reinstated with items of equivalent utility in an appropriate location."
249	92	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend DTS/DPF 3.6 as follows: "DTS/DPF 3.6 Driveways and access points: <ol style="list-style-type: none"> <li>for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided.</li> <li>for sites with a frontage to a public road greater than 20m: <ol style="list-style-type: none"> <li>a single access point no greater than 6m in width is provided; or</li> <li>not more than two access points with a width of 3.5m each are provided.</li> </ol> </li> <li>alternatively, access points of an appropriate width and number are provided to accommodate the vehicles which are expected to access the site in a manner which is safe and convenient and in accordance with Australian Standards and/or AustRoads guidelines, as applicable, as confirmed by a qualified and experienced traffic engineer."</li> </ol>
249	93	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend PO 5.1 as follows: "PO 5.1 The provision of sufficient on-site vehicle parking and specifically marked accessible car parking places to meet the needs of the development or land use having regard to factors that may support a varied reduced on-site rate such as: <ol style="list-style-type: none"> <li>availability of on-street car parking</li> <li>shared usage of other parking areas</li> <li>in relation to a mixed-use development, where the hours of operation or commercial activities complement the residential use of the site the provision of vehicle parking may be shared</li> <li>where evidence of the rate of car parking demand and utilisation has been gathered which demonstrates that the demand for on-site vehicle parking will be less than the amount calculated using Transport, Access and Parking Table 1 or Table 2 (whichever is relevant)</li> <li>without limiting paragraph (d), in relation to a Retail fuel outlet, where vehicles standing at fuel filling points will satisfy in part the requirement for provision of vehicle parking."</li> </ol>
249	94	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend PO 6.5 as follows: "PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with suitable and sufficient lighting to entry and exit points to ensure clear visibility to users."
249	95	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	In Table 1 amend the item "Retail fuel outlet" as follows: Retail fuel outlet – 2.5 spaces per 100m2 of gross leasable floor area."
249	96	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Transport Access and Parking	Amend Table 2 as follows: <ul style="list-style-type: none"> <li>In the left-hand column, twice occurring, add after the words "excluding tourist accommodation" the words "and Retail fuel outlet".</li> <li>Add the following new row to Table 2:</li> </ul>

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										"Retail Fuel Outlet --- 2.5 spaces per 100m2 of gross leasable floor area --- None Specified --- Where located in accordance with the Table 2 - Criteria in any zone".
249	97	29-Nov-19	Phase 2	Business	Andrew Caspar	Peregrine Corporation	Multiple	General Development Policies	Referrals	Amend the first paragraph of the item "Petrol stations" to read as follows: "The conduct of a petrol station, being a facility for the storage and retail sale of petroleum products and other liquid organic chemical substances, but only if: (a) the shortest distance between a potential source of petroleum fuel vapour and the boundary of a sensitive receiver is less than 50 metres; or (b) the total on-site storage capacity for petroleum products exceeds 120,000 litres.
250	1	29-Nov-19	Statewide	General Public	Evonne Moore	n/a	Norwood, Payneham and St Peters	General Comment	General comment	The draft Planning and Design Code contains numerous errors so that it is difficult to make sensible submissions to it. The rural part of the Code closes for comment today. Some items in this part of the Code may relate to the urban and suburban areas. So it would be appropriate to delay introduction of the Code for a year to enable proper community consultation.
251	1	29-Nov-19	Phase 2	Community Group	Heather Smith	Coalition for Community Energy	Multiple	Land use Definitions	Renewable Energy microgrids	The draft Code appears to have been prepared with only domestic and commercial forms of renewable energy facility in mind, not community scale energy. I would like to ensure that the system you are implementing adequately caters for community and locally scaled energy installations. Given the significant triple-bottom-line benefits of communities, and also mining ventures (which may not constitute 'existing use of land'), investing in locally-generated renewable energy and storage to reduce their power costs, improve reliability of supply etc., the Code's policy and definitions should facilitate a wider range of such community-level or local facilities.
251	2	29-Nov-19	Phase 2	Community Group	Heather Smith	Coalition for Community Energy	Multiple	Land use Definitions	Renewable energy facility definition	Definition of Renewable Energy Facility (Land Use Definitions): The definition includes the following exemption: "The use does not include a renewable energy facility principally used to supply and/or store electricity to an existing use of land that has a generating capacity less than 5MW (e.g., domestic solar panels, domestic wind generators, domestic battery storage)." Thus a facility with generating capacity of less than 5MW is a Renewable Energy Facility if it principally supplies a community or range of users, but not if it principally supplies an existing use. This may make it harder to establish a renewables-based community energy facility in some locations. As a Renewable Energy Facility, it is a defined use that is 'Restricted Development' in some zones and overlays regardless of scale. The 5MW threshold is not the issue – rather the criterion of supplying a single land use when the benefits and impacts of shared facilities may be superior. Amend definition as follows: "The use does not include: (a) a renewable energy facility principally used to supply and/or store electricity to an existing use of land, that has a generating capacity less than 5MW (e.g., domestic solar panels, domestic wind generators, domestic battery storage); or (b) a community energy scheme that has a generating capacity less than 5MW."
251	3	29-Nov-19	Phase 2	Community Group	Heather Smith	Coalition for Community Energy	Multiple	General policy	Renewable Energy Facilities	General Provisions for Renewable Energy Facilities: These provisions adopt a negative framework that could sometimes have perverse outcomes. For example: "Renewable Energy Facilities (Solar Power) PO 9.1 – Solar power facilities generating 5MW or more are not located on land of high environmental, scenic or cultural value." Without a more precise description and mapping of areas of environmental, scenic or cultural values, the main thrust of this policy is likely to deter relatively small solar facilities that could support community and business resilience. In reality, existing settlements, activity and tourism centres, plus a range of resource industries, are already located inside areas of high environmental, scenic and cultural value, and in some circumstances (like mining), the Code cannot, or may not seek to, prevent more establishing. The impacts of renewable versus non-renewable supply and infrastructure need to be considered and addressed in a balanced way. The latter can have significant impacts on environmental, scenic or cultural value.
251	4	29-Nov-19	Phase 2	Community Group	Heather Smith	Coalition for Community Energy	Multiple	Zones and Subzones	Solar power facilities	Rural Zone: The Rural Zone policies support only Renewable Energy Facilities that support rural production or value adding industries. More specifically: "PO 9.2 – Small-scale ground mounted solar power facilities support rural production or value adding industries. DTS/DPF 9.2 – Solar power facilities: ...(b) generate power which is to be used wholly in association with a primary production industry, a value adding industry or local infrastructure facility on the same allotment... " This unfairly and unnecessarily discriminates against community energy where the intent is to supply to a community rather than only supply only or principally to particular industries. The Rural Zone is large and is not confined to areas in primary production or areas where primary production is the highest and best use. Renewable energy can be and is often compatible with rural production. As an aside, the focus on limiting the size of individual solar farms is not an effective strategy of limiting impact on those parts of the Rural Zone with good or the best agricultural land. It does not address land capability or directly address issues of land use compatibility. Recommended: Re-draft PO 9.2 to encourage the establishment of community energy schemes utilising solar power facilities that would supply a range of uses. PO 9.2 as currently drafted would have the perverse effect of discouraging the establishment of small-scale solar facilities for communities as a way of minimising costs and disruptions to supply, as well as reducing emissions.
251	5	29-Nov-19	Phase 2	Community Group	Heather Smith	Coalition for Community Energy	Multiple	Overlays	Assessment Pathways	Significant Landscape Protection Overlay and Character Preservation Area Overlay: A Renewable Energy Facility is Restricted Development in the Significant Landscape Protection Overlay and the Character Preservation Area Overlay. Under the draft Code, this means any proposal for renewables-based community energy (regardless of merit, scale, impacts etc.) in these Overlays faces a high degree of uncertainty because it is subject to the most onerous approval process in the Planning and Infrastructure Act system. In the Significant Landscape Protection Overlay, this may create a potentially insurmountable barrier to provision of clean, reliable and affordable alternative power supply for indigenous communities and townships like Hawker and Leigh Creek, as well as potentially any use that would like to benefit from a scheme that is not exclusively or principally supplying that use. In the Character Preservation Area, communities and businesses in the Barossa and Willunga Basin would face similar obstacles if they sought to build local resilience via community energy. Again, the relative impacts of renewable versus non-renewable supply and infrastructure need to be considered and addressed in a balanced way. Recommended: Either make Renewable Energy Facility a Performance-Assessed Development (not Restricted) in these Overlays, or Performance-Assessed Development in specific situations calibrated to support appropriate community energy schemes that will supply a range of uses.
252	1	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General Feedback	General comment	My approach to writing this submission has been to read through the design code and explore the mapping (not fully developed) and take notes on what and how this affects this council and potential future development within our council area. I have not put my questions, comments or thoughts in any specific order, but have placed them in separate paragraphs as comments, questions and notes. I hope that the person or persons that read this, understand that it has been a difficult exercise to comment on information that is not fully developed or easily interpreted and still requiring further development and to be completed within a very short timeframe.
252	2	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General Feedback	Building rules	Building rules consent for accepted development does not seem to have any triggers to suggest that building rules consent may be required, too much energy put into the planning aspect and not enough put into the intertwined relationship between both planning consent and building rules consent.
252	3	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Rainwater tanks	Given the current drought and the long term effects of climate change, the saving of rainwater has not been considered. Currently we only make a 1000L water-tank mandatory, for toilet/laundry use, it would be good if we can introduce a rainwater tank policy to save more than 1,000L (bigger blocks, bigger tanks) and make these mandatory.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
252	4	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Undercover parking	Undercover car parking – is this mandatory for residential, township etc? If so why are we making land division with blocks down to 100 square metres in size, as it won't be possible to have undercover car-parking associated which will then in turn lead to overcrowding of street parking which most councils seem to be reducing with street side encumbrances. Please excuse my ignorance if I have missed this.
252	5	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Flooding	Port Germein – very low lying is not in coastal flooding or inundation overlays. Can we have fixed heights above AHD to use as a guide for the town?
252	6	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Acid sulfate soils	Will Port Germein get picked up? As currently no triggers for Port Germein as it a settlement zone, but is very low lying and we have to put levies in when we know of storms and/or big tides, problem will only get worse! Flood Mapping?
252	7	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Acid sulfate soils	Coastal acid sulphate overlay is different to existing mapping, especially in and around Port Germein, significant areas removed, why? Will this be changed?
252	8	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Zones and Subzones	Rural Living Zone	Rural Living Zone: Township Fringe Policy blocks at four towns are being changed to Rural zone, currently these are treated as rural living type blocks and development of our small towns is through these types of development, changing these areas to Rural zone will have a profound affect on these small towns in being able to attract new people and development to the towns on rural living blocks. These changes do not line up with the Community Engagement Charter and meet desired character criteria for these areas. Council would like the smaller blocks (up to 4 hectares) kept as rural living, especially at Wirrabara and Wilmington where we have a lot of these blocks and consistent enquiry on potential rural living developments.
252	9	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Dwelling excision	Land Division: Currently we have a good policy for a house and up to five hectares in the Primary production zone and with a house built prior to 1987 to be subdivided off a larger property (farm). Changing this down to a sub-division of minimum one hectare (good) but with a driveway with a maximum length of 50m (battleaxe block), will make this difficult for most farms to comply! I suggest having a minimum width driveway if length exceeds 50 metres?
252	10	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Wastewater	How do wastewater applications tie in with development applications if a private certifier does both planning and building certification? Will they just approve and expect Council to approve, or can Council hold it up for waste water approvals?
252	11	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Wastewater	(Waste Water approvals will be subject to the Public Health Act, what relationship will there be between the PDI Act and the Public Health Act.)
252	12	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Contamination	Will there be an online register of contaminated sites? Do the EPA cover this? I suggest that this be incorporated into the eplanning system and be able to be picked up at lodgement or prior to lodgement when doing a search via the mapping system.
252	13	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	LMAs	Will existing LMAs be available online in the portal? These should be provided through the portal.
252	14	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Heritage	In the future, will it be easier or more difficult to add buildings or sites to a Heritage List, e.g. Local Heritage. The new system is supposed to make it easier and cheaper to do amendments to the Design Code. But this will be limited to what parcels of land are zoned. You won't be able to change the wording or policies contained within the Design Code as the policies will apply state wide.
252	15	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Plans	Will we need to get shadow plans for residential dwellings and including sheds etc. for solar design impact? Yes, the documentation will have to meet minimum requirements before an application is accepted by the portal. My only problem with the previous lines is who controls what is accepted on the portal? In our region most future development applications will be presented in hardcopy at council offices for council staff to put on the portal and I understand that it will be up to council staff to accept this information. This will fail when poorly trained staff do not understand the actual requirements as happens now.
252	16	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	site coverage	What are the actual % area of development on land – where can I look this up, as mapping and design code don't give this? The Code is performance based. If the design is a good design and works well on the allotment there will not be any reference to the actual %area of development on land. The State Government has an agenda to promote and encourage infill and to make better use of land already developed to reduce the need to develop farming land. The actual %area of development on land has probably been removed from the Design Code, but who are the arbiters of good design! Interpretation is very subjective on good design.
252	17	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Underground tanks	Underground water tanks – accepted development - but if any of this type of development is built near a boundary, it can impact on neighbouring properties, and can potentially lead to collapse or damage to neighbouring infrastructure. It would be worthwhile specifying/identify a minimum distance from the property boundary.
252	18	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General policy	Sloping ground	Wall height does not exceed 3m from natural ground. How will this be determined on sloping ground? Will this be measured on mapping!! Site inspections still need to happen to understand the actual site in question, very few being done now, new system will reduce on-site inspections!
252	19	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	Overlays	Rural Landscape Protection	We have had some Rural Landscape Protection/Water Protection areas changed to Rural – particularly around the Baroota Reservoir! This seems madness that an area that is quite protected can now be farmed and potentially have chemicals sprayed at will, and then let water drain into the Baroota dam, where did this poor decision come from?
252	20	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General Feedback	General comment	This is obviously not a comprehensive research of the Design Code and its effects on development for this council area, but given the time frames allowed it is all that could be achieved.
252	21	29-Nov-19	Phase 2	Local Government	Tammy Bastian	District Council of Mount Remarkable	Mount Remarkable	General Feedback	General comment	I sincerely hope that questions raised in our response/submission are at least considered and that some form of response that reflects an understanding of our particular requirements are provided.
253	1	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Infrastructure and Renewable Energy Facilities: Desired Outcomes (DO1) – The desired outcomes does not include maintaining the health and safety of rural residents. The health and safety of rural residents should be paramount in the planning process. Desired Outcomes must include “...and that is safe to human health”.
253	2	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Visual amenity: PO 2.1 – Wind farms are excluded. This should not be the case. There is no reason why the visual impacts of wind turbines should not be minimised. They can and should be situated below ridgelines.
253	3	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Visual amenity: PO 2.2 – In our experience the ancillary structures are never buffered by vegetation to reduce adverse visual impacts. The process to ensure this happens and is monitored must be included in the Code.
253	4	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Rehabilitation: PO 3.1 – There is no mention of the removal of the turbines, the many tons used in the concrete pads and other associated infrastructure on de-commissioning of the wind farm. This should be included as well as the process for monitoring the removal and the landscape being returned to its original status.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										Other: There are reports of disturbance to telecommunications namely television reception caused by the establishment of wind farms. Mitigation of this problem should be included in the Code.
253	5	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Renewable Energy Facilities (Wind Farm): PO 8.1 – The draft talks about reducing the visual impact of wind turbines through appropriate separation. This is a very ambiguous term which should be defined so there is clear and consistent understanding. What is judged as appropriate separation by one person may not be the same as another.
253	6	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	DTS/DPF 8.1 - The setbacks in the Draft Code are not referenced. The question is: what scientific evidence has been used to determine these setbacks? The Discussion Paper on Proposed Changes to Renewable Energy Policy in the Planning and Design Code states that the National Health and Medical Research Council have found no peer reviewed evidence that exposure to windfarms affects a person's health and wellbeing. Conversely, there is also no evidence to show that wind farms do not have an adverse effect on health and wellbeing. The expansion of wind farm facilities in Australia has been associated with widespread community complaints regarding noise, sleep disturbance and adverse health effects. Many of these complaints are from people living further away than the setbacks described. Because we live in an area where there are a plethora of turbines we are only too well aware of the experiences of people who live near turbines and the disturbances caused. These issues are reported worldwide and the matter is so serious in Australia that the National Health and Medical Research Council have awarded \$3.3 million to enhance the evidence based understanding of the effects of wind farms on human health. One of these is currently being undertaken here in South Australia at Flinders University. The noise used in their studies include sounds with frequencies that can be heard and those that cannot be heard. Furthermore, the Australian Administrative Appeals Tribunal has declared that noise annoyance caused by wind turbine generated low frequency noise and infrasound is a plausible pathway to disease. The World Health Organisation stance is that there is a proven link between exposure to environmental noise and adverse health effects. Until wind farms have been proven to have no adverse effects on health and wellbeing the Code should take a precautionary approach and extend the setbacks to at least 10kms from towns and dwellings. This is even more important given that the size of the turbines now installed has increased so markedly.
253	7	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	Land use Definitions	Renewable Energy Facilities	PO 8.2 – It needs to be recognised that wind farm developments are massive. Wind farms are industrial electrical generating complexes with all the implications that go hand in hand with heavy industry including noise, environmental concerns, disruption to lifestyle to name a few. They have a large footprint, and have a massive impact on the visual amenity of the rural landscape. Another way of reducing the disgusting visual impact that these developments have on landscapes is to include in the Draft Code, that wind turbines not be placed on ridgetops.
253	8	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	PO 8.3 – Bird and bat strike is an inevitable result of wind turbine development. It needs to be clear in the Code how this will be minimised.
253	9	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	PO 8.4 – Examples of recognition systems are not included in the Draft Code so it is difficult to comment on this. However, lighting of the turbines at night would not be acceptable to rural communities.
253	10	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Renewable Energy Facilities (Solar Power): PO 9.1 – The Draft Code says that solar power facilities must not be located on land with high environmental, scenic or cultural value. Once again these are ambiguous terms and need to be clearly defined. Our question is: Who determines what environmental, scenic or cultural value is, and what criteria are used?
253	11	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Cumulative effect of wind farm developments: Each wind farm development is currently assessed individually without consideration for how many other wind farms are in the area. For example, within a 45km radius of our home in the Mid North there are 9 wind farms operating, 1 under construction and 2 in the planning phase. This means hundreds of wind turbines. The Mid North of South Australia is saturated with these massive structures. It is very clear that the Mid North has accommodated more than its fair share of wind farms and borne the disadvantages that come with these types of developments. It is vital that this cumulative effect is taken into consideration and each area shoulders no more than its fair share of these developments.
253	12	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	General policy	Renewable Energy Facilities	Public Notification: Because of the enormous scale and impact of wind farm developments as outlined above, we agree that the public must be notified of all wind farm proposals. However, all affected residents should also have appeal rights.
253	13	29-Nov-19	Phase 2	General Public	Liz Traeger and Dennis Dale	n/a	Northern Areas	Overlays	Significant Landscape Protection Overlay	Significant Landscape Protection Overlay: It is not clear in the Draft Code what constitutes a significant landscape. This needs to be clearly defined.
254	1	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Mapping	Township Activity Centre Zone	In the Tumby Bay Township DPA, which was authorised in February 2018, Council enlarged the extent of the Town Centre Zone to incorporate areas to the north and south of the core of the township and provide the capacity for a broader range of uses, residential infill and adaptive reuse opportunities in these locations. While the areas to the north and south are predominantly residential, they contain a variety of institutional uses, including the hospital, churches and a number of tourist accommodation facilities and other small businesses. Additionally, much of the building stock in these areas dates from the early times of the township and features a variety of character elements. The inclusion of this area in the Town Centre Zone was a deliberate, considered approach in the DPA. The DPA underwent public and agency consultation and the final DPA that was adopted as policy was ultimately supported and endorsed by DPTI. Council is disappointed that, less than two years later, the effort expended in creating this policy outcome is effectively being reversed by the imposition of the Planning and Design Code. Given that Council has been through an extensive process very recently to establish the zoning, Council requires that the extent of the Township Activity Centre Zone remains the same as that of the current Town Centre Zone.
254	2	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Mapping	Limited Land Division Overlay	The current restriction of land division policy in the Caravan and Tourist Park Zone in Tumby Bay has not been transitioned. We require that this policy should be included in the Land Division Overlay similar to which currently applies to our Township zones.
254	3	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Mapping	Township Activity Centre Zone	The zone module relating to Suburban Employment is not appropriate as a replacement for the existing Commercial Zone in Port Neill and the use of "suburban" terminology and policy in rural areas and small towns is not considered to be appropriate. The Council's requirement is for this area to be included in the adjoining Town Activity Centre Zone which was previously recommended in the February 2018 review and subsequent advice put forward by Council staff.
254	4	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Mapping	Building Near Airfields Overlay	Building Near Airfields Overlay is listed in the Deferred Urban Zone but not applicable. The zone is approximately three (3) kilometres away from the airstrip (further than all existing urban zones within the Tumby Bay township). The overlay should only apply to the zones adjoining the Airstrip.
254	5	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Mapping	Dwelling Subzone	In the Coastal Conservation Zone of Council's current Development Plan, a dwelling is currently non-complying, with the following exception: Except where one of the following applies: (e) for a detached dwelling developed in accordance with the Land Management Agreements applying to: (i) Allotments 1 to 9 in Deposited Plan 60630 (ii) Allotments 10 to 16 in Deposited Plan 62478. Council has noted this policy is not included in the Code, and given the high level of community concern when the Coastal Conservation Zone was created, have requested consistency with current policy.
254	6	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Coastal Zoning	Council considers that the approach of not having a Coastal Zone as a basic zone is fundamentally flawed. South Australia's coastline is a key character element of the whole state that is a cornerstone in defining the state economically, socially and environmentally. While it is understood that Zones revolve around use and activity, Council considers that the status and complexity of the coastal interface needs to be the underpinning definition of the policy response. The approach in the draft Planning and Design Code results in policy frameworks for both urban and extra-urban coastal areas in the District Council of Tumby Bay that appear to be less refined and sophisticated than the Development Plan zones they are replacing.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										More specific comments on Coastal Conservation and Coastal Open Space Zones provided - see below.
254	7	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Coastal Open Space Zone	The Coastal Open Space Zone currently applies to the public areas adjacent to Tumby Bay and Port Neill. This zone was imposed following the outcomes of the Eyre Peninsula Coastal Strategy and was specifically designed to reflect that in coastal regional townships, the coastal interface is frequently the dominant characteristic in defining the character of the township. To suggest in policy that this interface is not worthy of a defined and properly focussed zone and, instead needs to be 'shoehorned' into a zone that is better suited to urban parks and sporting fields within metropolitan Adelaide is an affront to rural communities across South Australia. The transition to an Open Space Zone grossly downgrades the importance of these areas of the coast and without a sub zone fails to transition the existing policy appropriately. It should provide policy and refer to land uses common to these areas including jetty, boat ramp, pontoons, kiosks, public car parking and sporting activities related to water activities.
254	8	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Coastal Conservation Zone	The transition of the Coastal Conservation to Conservation Zone with a Coastal Overlay is generally accepted but the wording and the nomenclature of the Visitors Experience Sub-Zone does not comfortably fit with the character and use of the land. The Coastal Conservation Zone in Tumby Bay frequently extends a significant distance inland and covers significant areas of privately held land. As a key example, tourist accommodation is a desired outcome and yet it is listed restricted development. The policy contained within the Zone and Sub-Zone appears to be directed primarily towards public land and yet applies to all the sub-zone, which is predominantly private land and extends a considerable distance from the coastline. Given the high levels of community concern that accompanied the introduction of the Coastal Conservation Zone a number of years ago, further changes to the policy framework for coastal areas need to be clear in their intent and policy outcomes. Ideally, the policy should mirror the intent and policy outcomes of current policy unless clear justification is presented for policy changes.
254	9	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	General Neighbourhood Zone	The transition of the Marina Policy Area and Town Policy Area to a General Neighbourhood Zone is supported and the minimum allotment areas listed are correct except for the Town Policy Area which needs to be corrected to be 350 square metres in lieu of 300 square metres to be consistent with current policy.
254	10	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Suburban Neighbourhood Zone	The transition of the remainder of the residential area in Tumby Bay and Port Neill to a Suburban Neighbourhood Zone is not considered to constitute the appropriate Zone for this area. It should not be a "suburban" module but rather needs to be the Residential Neighbourhood module which is more appropriate to rural residential areas. Again, Council would question the nomenclature of many of the Zones as being inappropriate for areas outside of metropolitan Adelaide, other than large regional cities.
254	11	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Rural Shack Settlement Zone	The 200 square metre minimum allotment size for the Rural Shack Settlement Zone is picked up at Mottled Cove but the different height policy between the front and back shacks, which is important to the existing and desired character for this area has not been included and is required to adequately preserve the existing character. The TNV of 200 square metres minimum allotment size is not included for the existing Cape Burr and Elfreida areas.
254	12	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Rural Shack Settlement Zone	The use of the terminology, 'Rural' Shack Settlement Zone is not considered appropriate for the relevant areas given they are all located within the existing towns (Tumby Bay and Port Neill).
254	13	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Rural Living Zone	There is an existing buffer principle in the Rural Living Zone applying to the adjoining landfill site at Tumby Bay (PDC 11) which is not included. This policy was added to the Development Plan in the Tumby Bay Township DPA at the request of the EPA so needs to be retained in policy going forward.
254	14	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	General Feedback	General Feedback	Council would express concern in respect of the timeframe for the review and submissions on what is a large, unwieldy and difficult to read document. While it is understood that the document will ultimately reside on the Planning Portal in a form that allows all of the policy applicable to a particular site and locality to be easily assembled, the lack of this functionality for the consultation period is most unfortunate. Regional Councils have limited resources to apply to such processes and given what has been seen on consultation, Council remains concerned as to the resource implications of the early stages of implementation of the Code and assessment of applications against it in April 2020. These concerns would be particularly pertinent if the electronic version of the Code is not available in a fully functional form by the implementation date.
254	15	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	General Feedback	General Feedback	Council would also seek confirmation that the electronic planning system will be operational prior to the implementation of the Code in April 2020. The electronic planning system has been a key element of the overall reform process in offering potential productivity improvements, particularly for regional Councils.
254	16	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	General Feedback	General Feedback	Council seeks that if these critical elements of the system are not ready for implementation at the time that Phase 2 of the Code is implemented, the implementation should be delayed until they are ready. If a delay is not possible, Council seeks to understand what contingencies are in place to mitigate the impacts of having to manually process applications through the new system.
254	17	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	General Feedback	General Feedback	We would also augment our specific comments above by highlighting that the language adopted throughout the Code is frequently unapproachable and jargonistic. The importance of language in planning policy cannot be overstated, and poor choice and construction of language can serve to subjugate and marginalise particular groups. The language in the draft Planning and Design Code frequently adopts nomenclature and expression which is highly urban and is considered inappropriate to regional areas. The implementation of a document containing such language has the potential to reinforce perceptions held in regional communities that the reform process is primarily focussed on the Adelaide metropolitan area. Council would implore DPTI and the Commission to reconsider the language and expression used throughout the document prior to it being finalised in order to make it suitably inclusive.
254	18	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Infrastructure (Airfield) Zone	No visitor accommodation ancillary to aviation or caretakers dwelling which is current policy. No mention of other ancillary facilities such as a solar renewable energy facility that were identified in Council's 2018 Devt Plan Review for inclusion in the Code for this zone.
254	19	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Coastal Conservation Zone	Desired Outcome's and Performance Outcome's encouraging tourist accommodation, tourist facility, café, shops, restaurants, and yet Tourist Accommodation is Restricted. Visitor Experience Sub Zone policy does not reflect that the majority of the zone which is in private rather than public ownership. Insufficient policy exists to reflect that much of the zone is currently used for primary production purposes. Given high level of community concern when the Coastal Conservation Zone was created, the transition needs to be more consistent with current policy.
254	20	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Coastal Open Space Zone	The integrity of the Coastal Open Space Zone is lost with the transition to an Open Space Zone. The Visitors Experience sub zone maybe more appropriate. The Zone is very urban in its focus and doesn't reflect the importance of the interface between land and sea that the coastline plays in the character in rural coastal townships. DOs and POs are too broad re: open space. The Zone should refer to recreation and sporting activities related to the coast i.e. jetty, pontoons, boat ramps. Reference to shops should be less than 150m2, not 50m2 to be consistent with current zone. Current PDC 10 in current Coastal Open Space Zone re camping restriction on lot 11 in DP 28246 is not covered. This is suggested to be covered as an overlay.
254	21	29-Nov-19	Phase 2	Local Government	Trevor Smith	District Council of Tumby Bay	Tumby Bay	Zones and Subzones	Multiple	Specific comments relating to how multiple Code Zones have replaced existing zoning have been provided, no requests for changes included. For noting only.
<b>255 DUPLICATE (see submission 126)</b>										
256	1	29-Nov-19	Phase 2	General Public	Craig Patty	n/a	Renmark Paringa	Zones and Subzones	Support for reduced allotment size in Neighbourhood Residential Zone TNV	Respondent supports reduction in minimum allotment size from 5 acres in the Renmark Development Plan to 2000m2 TNV in Residential Neighbourhood Zone.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
257	1	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	General policy	Various Neighbourhood zones	The 2008 Ministerial DPA provided a good policy framework for the development of Residential Parks within Residential Park Zones. Additionally, new residential parks were also able to be developed outside of Residential Park Zones including in both regional and metropolitan areas. Under the current SAPPL Development Plans, residential parks (as a kind of supported accommodation) is envisaged in nearly all residential zones across South Australia. Under the draft Code, they are only envisaged in Residential Parks Zone. Residential parks are a legitimate kind of development that provides affordable housing opportunities for aged persons and others with specific needs. It is our strong view that residential parks should continue to be permitted in residential/neighbourhood zones throughout South Australia. Contemporary residential parks have no material differences to typical retirement villages in that they have smaller allotments than those typically prevailing in a residential/neighbourhood zone (as the sites and dwellings are designed for aged persons). While residential parks typically comprise manufactured style dwellings, those kinds of building forms are appropriate in residential/neighbourhood zones subject to the normal design guidelines found within the Code. With the inclusion of residential parks in residential/ neighbourhood zones as envisaged kinds of development, there should be supporting provisions at the general level (General Development Policies) that deal with site areas (permitting smaller site areas than in the Zone) and dealing with matters like private open space, suitable building setbacks and landscaping. The provisions would also address associated and ancillary activities that are appropriate in a residential park such as offices, common facilities, shops and recreational facilities. In addition to the above, applicable provisions for residential parks should also be listed in Table 3 of the respective residential/neighbourhood zones.
257	2	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	Zones and Subzones	Residential Park	Residential Parks are not listed in Table 3 within the Residential Park Zone. Table 3 should be amended to include Residential Parks and the respective policies.
257	3	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	Zones and Subzones	Residential Park	<ul style="list-style-type: none"> <li>The current list of deemed to satisfy activities is limited in the zone to carports, outbuildings, dwelling additions, excavation and filling and verandahs. In my view, there is an opportunity for dwellings to be considered as a deemed to satisfy kind of development subject to meeting appropriate criteria.</li> <li>Public notification should only be required where the development consists of "all other code development" and not any kind of development that is envisaged in the Zone.</li> <li>Given the nature of the Residential Park Zone as "islands" surrounded by land in a different zone, it is questionable as to whether public notification should be required for all kinds of development (i.e. as per part (a) of the table; this approach is inconsistent with that of the current SAPPL and counter to the current approach to public notification in Development Plans' Residential Park Zones.</li> </ul>
257	4	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	Zones and Subzones	Residential Park Zone	<ul style="list-style-type: none"> <li>All existing kinds of envisaged development should be retained as being contemplated/appropriate including: <ul style="list-style-type: none"> <li>Waste reception/treatment/storage/disposal (particularly notable for regional areas)</li> <li>Office</li> <li>Van Storage Compound</li> <li>Resident Workshop</li> <li>Pool.</li> </ul> </li> <li>Group dwellings should be envisaged in the list of envisaged kinds of development as dwellings within a residential park constitute a group dwelling as defined by the Planning and Design Code.</li> <li>The zone should continue to provide guidance on "travelers/tourist accommodation" as some residential parks still have some short term tourist accommodation.</li> </ul>
257	5	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	Zones and Subzones	Caravan and Tourist Park Zone	The desired site area for each caravan, cabin and dwelling site has increased from 81m2 to 100m2 under the draft Code. This is generally supported given the demand for space at caravan and tourist parks. Increasing the site area does mean that yield is reduced and this further highlights the importance for caravan and tourist parks being able to expand beyond their existing sites.
257	6	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	Zones and Subzones	Caravan and Tourist Park Zone	Similar to our observations for the Residential Parks Zone, Caravan and Tourist Park Zones are "island" zones. This means public notification is required as a default position. Again, this is counter to current to Development Plans and the SAPPL. It is recommended that clause (a) of the public notification table be removed. It is also recommended all envisaged kinds of development be included in Table 3 such that those kind of activities do not trigger public notification.
257	7	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	General policy	Caravan and tourist parks	Outside of existing Caravan and Tourist Park Zones, there appears little support in other Zones for the establishment of new caravan and tourist parks. This means that land will typically need to be rezoned before it can accommodate new caravan and tourist park development. This is similar to the current planning system but presents some difficulties for the expansion of existing facilities. SA Parks looks forward to further advice from the Department in respect to the function and process for rezoning land where that is undertaken by third parties/landowners.
257	8	29-Nov-19	Phase 2	Industry Representative	Simon Channon (URPS)	SA Parks	Multiple	General Feedback	Caravan and Tourist Parks outside zone	Given the difficulties in the expansion of existing caravan and tourist parks beyond of the Caravan and Tourist Park Zone, SA Parks has concerns with the establishment of non-commercial caravan and tourist park activities outside of the Caravan and Tourist Park Zone. SA Parks is particularly concerned with the establishment of free campgrounds in sites such as showgrounds and on Council reserves. These facilities will undermine the viability of existing facilities and are often unmanaged and with little regulation. SA Parks is understandably concerned that these kinds of sites where there is no on-site manager and no amenities have the potential to lead to undesirable amenity and environmental impacts particularly where they are in close proximity to towns and sensitive coastal or riverine environments.
258	1	29-Nov-19	Phase 2	Industry Representative	Darren Peacock / Deobrah Morgan	National Trust of SA	Multiple	General Feedback	General Feedback	The draft Phase 2 Planning and Design Code is inaccessible to non-experts which disenfranchises the community from the process of policy development, a direct and major breach of the Community Engagement Charter created under the Planning, Development and Infrastructure Act. The draft Code and supporting maps are unfit for genuine public consultation and do not meet the objectives set out for them in the Act. They should not have been released for public consultation until they were ready and until the e-planning platform was sufficiently robust to be used as part of that consultation. Full and proper community consultation on the version of the Code which will be used in development assessment processes is essential given that the rights of third parties to participate in development assessment processes are significantly curtailed by the new planning system when compared to that which applied under the <i>Development Act, 1993</i> . Those rural councils and communities scheduled for implementation of the Code in the next six months are particularly disadvantaged by the failure of the Planning Commission and the Department to produce fit for purpose consultation materials or to complete the development of the e-planning system in a timely way. Those councils are least well-resourced to perform the necessary review and community consultation on the draft Code materials and have been given just eight weeks to respond to highly inadequate and deeply flawed materials. Further key material such as the Historic Area Statements were provided to them almost one month into the eight week consultation period. Councils were then expected to rectify the manifold deficiencies of those statements without any clear policy guidance. The Department and Commission should not be using the consultation period to outsource their own work to councils and communities, nor expect them to correct the enormous numbers of errors, inconsistencies, ambiguities and gaps in the draft Code. That is grossly unfair and not at all consistent with the best practice community engagement espoused by the Planning Commission and required under the Act. There are many, many items of concern in the draft Code materials, too numerous to mention or even to identify in the unwieldy and incoherent draft Code, which is completely inaccessible to the general community. I touch on just a few below.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
258	2	29-Nov-19	Phase 2	Industry Representative	Darren Peacock / Deobrah Morgan	National Trust of SA	Multiple	General Feedback	General Feedback	Lack of consultation on policies impacting heritage protection: In respect of heritage protection, there has been no policy debate about the changes to definitions, protections and interpretation emerging for the first time in the draft Code, as the key policy document that was meant to initiate that debate- the People and Neighbourhoods Discussion Paper- was released just one week ahead of the Code, precluding any community consultation or input on the policy informing the Code provisions. As a result, we have gone from the very general aspirational positions of the State Planning Policies to the operational rules of the Code without any genuine public policy debate about heritage protection policy. This is entirely unacceptable and completely at odds with the Community Engagement Charter and all other recognised standards of good policy development. Coupled with the rushed implementation schedule and the failure to allow sufficient time for response to the draft Planning and Design Code, the provisions in respect of heritage protection as they appear in the draft Code are likely to be highly detrimental to the economic and social interests of all South Australians. Perhaps more than any other aspect of the draft Code, the treatment of heritage places and areas is most urgently in need of further, deeper consideration and genuine public debate.
258	3	29-Nov-19	Phase 2	Industry Representative	Darren Peacock / Deobrah Morgan	National Trust of SA	Multiple	Overlays	Historic Area Statements	Of particular concern in respect of the Phase 2 rural councils is the potential losses of significant heritage places because of the inadequacies of the Historic Area Statements provided to councils during the consultation period. The Historic Area Statements provided by the Commission are completely inadequate as they stand, appear to follow no consistent standard or format, and are not backed by any clear policy intent. The Statements require complete redrafting, editing and rewriting to expand the content and incorporate necessary additional information in order to form a robust and unambiguous statement which can be used to protect what is valued in these areas and to guide appropriate development. In their current form, the Statements are too loose and poorly defined to protect the historic values of these areas. This work should be done, with adequate time and resources, by experienced heritage consultants working with communities and councils. In their current format the Statements are inadequate and incomplete and will not support the retention of historic values of these areas.
259	1	29-Nov-19	Phase 2	Industry Representative	Darren Peacock	National Trust of SA	Multiple	General Feedback	General Feedback	Letters sent out by the Commission on 1 November received x5. Reference to website where further information could be found could not be found. This can not be considered meaningful discussion.
260	1	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Caravan and Tourist Park Zone	Caravan & Tourist Park Zone: Zone map OK. Minimum lot size 81m2.
260	2	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Conservation Zone	Conservation Zone: Zone map OK.
260	3	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Infrastructure (Ferry and Marina Facilities)	Infrastructure (Ferry and Marina Facilities): Zone map includes waterways - not previously included. Policy difference between the existing policy and the Code: height limitation should apply.
260	4	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Tourism Development	Tourism Development Zone: Policy difference between the existing policy (Coastal Marina Zone, Tourist Accommodation Policy Area 12) and the Code - height limitation should apply.
260	5	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Open Space	Open Space Zone: Zone Map OK.
260	6	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Suburban Employment	Suburban Employment Zone: Zone Map OK. Light industry included in the new zone.
260	7	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Community Facilities Zone	Community Facilities Zone: Zone Map OK.
260	8	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Conservation Zone	Conservation Zone: Zone Map OK.
260	9	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Deferred Urban Zone	Deferred Urban Zone: Zone Map OK.
260	10	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Township Main Street Zone	Township Mainstreet Zone: Zone Map OK.
260	11	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Employment	Employment Zone: Zone Map OK.
260	12	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Suburban Employment	Suburban Employment: Zone Map OK. Commercial (Highway Policy Area 1) included in new Zone.
260	13	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Township Activity Centre	Township Activity Centre Zone: Zone Map OK. Bushfire - General Risk Overlay - currently excluded.
260	14	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Rural Zone	Rural Zone (existing Primary Production Zone, Township Fringe Policy Area 3): Includes Fringe Policy Area. Fringe Policy Area has allotments of 2000-4000m2 – currently dwellings are envisaged in the fringe policy area.
260	15	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Suburban Neighbourhood	Suburban Neighbourhood Zone: Zone Map OK.
260	16	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	General Neighbourhood	General Neighbourhood Zone: All Policy Areas lumped together - currently the Development Plan has different requirement for allotment sizes - inside or outside of CWMS. The P&D Code shows minimum lot size of 300m2. Should be 600 square metres (inside CWMS area) & 1000 square metres (outside CWMS area).
260	17	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Suburban Greenfield Neighbourhood	Suburban Greenfield Neighbourhood Zone: Zone Map OK.
260	18	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Caravan and Tourist Park	Caravan and Tourist Park Zone: Zone Map OK.
260	19	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Zones and Subzones	Rural Living	Rural Living Zone: Acceptable.
260	20	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	General Feedback	Floor levels	All development should have a minimum site level of 2.4m Australian Height Datum (AHD) and a floor level of 2.65m AHD.
260	21	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	General Feedback	Rainwater tanks	All dwellings should provide for the installation of rainwater tank/s of at least 22,500 litre capacity plus 5,000 litre for every bedroom more than three (3).
260	22	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Concept Plans	Request for Concept Plan	Retain Concept Plan Map King/3 - Industry.
260	23	29-Nov-19	Phase 2	Local Government	Michael Mala	Kingston District Council	Kingston	Concept Plans	Request for Concept Plan	Retain Concept Plan Map King/4 - Residential Golf Course & Rural Living.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
261	1	29-Nov-19	Phase 2	Practitioner	Sandy Hansen	n/a	Kingston	Zones and Subzones	General Neighbourhood Zone	See submission 146.1 for consistent/duplicated submission (included as issue Z-70 in mapping change request tab of issues register). Request to change zoning. Submission extract: Having regard to the history of the site, its location in relation to the Pinks Beach settlement, its availability for residential development and minimal impact on the coastal environment and Conservation Park, the General Neighbourhood Zone has significant merit. In addition, it would not be premature to include the rezoning of the land in the first round of the Development Plan conversion under the Planning Reforms, as it has been intended for residential development as reflect through the approval of the non-complying Development Applications to develop the land for residential purposes.
262	1	29-Nov-19	Phase 2	Infrastructure Provider	Tom Forde	Epic Energy	Multiple	Overlays	Strategic Infrastructure Gas Pipelines Overlay	Strategic Infrastructure Gas Pipelines Overlay: Insufficient in managing risk to public safety for land in the vicinity of high pressure natural gas pipelines. Code will afford less consideration to pipeline risk than existing processes. Would like to propose more specifically defined overlays that recognize the requirements for pipeline safety under the <i>South Australian Petroleum and Geothermal Energy Act 2000</i> (PGE Act). Amended policy and mapping example provided
263	1	29-Nov-19	Phase 2	General Public	Ria Byass (submission 1 of 2)	n/a	Kangaroo Island	General Feedback	Document size and complexity	"Unfortunately, due to size and complexity of the Draft code, information and maps, we have not produced the quality of feedback that may have resulted from a more concise, user friendly version. We feel we have a limited understanding of the repercussions this new zoning may bring and has caused us some anxiety."
263	2	29-Nov-19	Phase 2	General Public	Ria Byass (submission 1 of 2)	n/a	Kangaroo Island	Zones and Subzones	Rural Shack Settlement	Respondent (landowners and residents) of D'Estrees Bay strongly object to the renaming and conditions of this new zoning. They believe it is an insult to residents to call these houses shacks especially in light of the fact the last residence sold for \$730,000.00 and other houses are worth a million dollars. The title of the zone is detrimental to potential resale, valuation and future appropriate development. They support the Councils recommendation to change the zoning to "Settlement Zone"
263	3	29-Nov-19	Phase 2	General Public	Ria Byass (submission 1 of 2)	n/a	Kangaroo Island	Overlays	Coastal Areas and Hazards	Respondents endorse the Councils recommendations that the reference to the Coastal Areas Overlay and the Hazards Overlay be removed from the Rural Shack Settlement Zone to ensure the most practical and streamlined assessment paths are available.
263	4	29-Nov-19	Phase 2	General Public	Ria Byass (submission 1 of 2)	n/a	Kangaroo Island	Zones and Subzones	TNV's	ADH Levels relevant to the Rural Shack Settlement Zone be established within the Technical and Numeric Variations for the relevant zoned areas on Kangaroo island, in the Planning and Design Code.
264	1	29-Nov-19	Phase 2	General Public	Ria Byass (submission 2 of 2)	n/a	Kangaroo Island	Zones and Subzones	Conervation Zone	<ol style="list-style-type: none"> <li>1. Size and complexity of Code is overwhelming. Overview of current content and proposed changes are required.</li> <li>2. Duration and level of consultation is inadequate, tokenistic.</li> <li>3. A revised, clearer and accurate version needs to be developed and consulted on.</li> <li>4. Considers there needs to be an overlay that identifies National and State Threatened Species populations and critical breeding/nesting habitats. Need to provide an early alert to developers to ensure appropriate consideration is undertaken up front. Also needs to apply in the Conservation Zones.</li> <li>5. Seeks inclusion of a Biodiversity layer to include all aspects of functioning ecosystems such as plants, animals, soil, water and the relationships between.</li> <li>6. Development of wind farms, aerodromes and helicopter landing facilities must consider proximity to bitds, bats and raptor breeding and foraging territories across the state. Territories of endangered coastal raptors need to be avoided.</li> <li>7. Considers National and Conservation Parks should be Conservation Zone, not Rural. Critical habitat for listed threatened specaies has also been zoned rural.</li> <li>8. The maps show some offshore islands as 'no information available' others as 'Coastal Waters and Offshore Islands' despite their gazetted as Conservation Parks and in cases in both YP and KI also prohibited areas. This relates to all coastal regions.</li> <li>9. The zoning is too broad and inaccurate. Many parcels within rural zones are in fact in-tact old growth native vegetation, some under Heritage agreements. These should be zoned 'Conservation' as they cannot be cleared or used for primary production without breaching the Native Vegetation Act as it is a change of land use.</li> <li>10. The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.</li> <li>11. Planning for all rural zones should include considerations of Biodiversity.</li> <li>12. Planning for all rural zones should include assessment against sustainable and regenerative primary production methods.</li> <li>13. Planning for all tourism development in conservation should include assessment against ecologically sustainable criteria.</li> <li>14. All private developments in National Parks must be subject to public notification, representation and appeal rights.</li> <li>15. All approved Management Plans for National Parks must be automatically included in the new Planning and Design Code for South Australia. This will ensure that environmental objectives are paramount in deciding what is or isn't appropriate by way of new development in our National Parks.</li> <li>16. Considers Code should align with the goals and objectives of the adopted Kangaroo Island NRM plan 2017 -2017 (and all regional NRM plans).</li> </ol>



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
265	1	29-Nov-19	Phase 2	General Public	Eva Squires	n/a	Multiple	Zones, Subzones, Overlays	Biodiversity, Native Vegetation, National Parks, Conservation Areas, Protection Areas, Threatened Species	<ol style="list-style-type: none"> <li>Code is complex and confusing. Timeframes to comment are inadequate, and clash with key harvest times.</li> <li>Seeks inclusion of a Threatened Species Overlay containing regional, state and federal conservation ratings.</li> <li>Seeks inclusion of a Critical Habitat Overlay in the Code, noting SPP 4.1 makes reference to critical habitat. Also seeks inclusion of Nationally Endangered Glossy Black Cockatoo critical habitat in this.</li> <li>Suggests rewording of Conservation Zone PO 3.1 to read: "Development (shall not occur) in important (feeding) or breeding areas or areas that are important for the movement/migration patterns of fauna.</li> <li>Seeks retention of KI Development Plan policy which relates to the critical habitat for the Nationally Endangered Glossy Black Cockatoo. Notes mapping is available from DEW, and while nesting sites are confidential, there needs to be a trigger for DEW to check for nests in any proposed developments on KI.</li> <li>All reserves and Parks listed in the <i>National Parks and Wildlife Act 1972</i> and <i>Wilderness Protection Act 1972</i> should be included in the Conservation Zone. Also note recent change of Para Wirra to a Conservation Park, so should also be in a Conservation Zone.</li> <li>Does not support application of Visitor Experience Subzone to waterfront Crown Land adjacent areas listed in the National Parks and Wildlife Act and the Wilderness Protection Act. Considers these areas are inappropriate for development outlined in the Subzone, such as tourism accommodation, tourist facility, cafe, shop and restaurant.</li> <li>Does not support application of Visitor Experience Subzone on waterfront crown land near an area previously identified as ecologically sensitive due to threatened species. Relates to a previous PER.</li> <li>Does not support application of the Visitor Experience SubZone over land parcels dedicated for conservation or other purposes under <i>the Crown Land Management Act 2009</i>.</li> <li>Does not support application of the Visitor Experience Subzone over Perpetual Crown Leases or other Crown Leases for the purposes of conservation.</li> <li>Seeks inclusion of a Wilderness Protection Subzone for all areas proclaimed under the Wilderness Protection Act.</li> <li>Does not support private or commercial tourism accommodation in parks and reserves under the National Parks and Wildlife Act and Wilderness Protection Act - public access to a public asset should not be denied for profit, nor should conservation value be reduced.</li> <li>Public notification information is hard to find in the Code.</li> <li>Many policies are missing content, or are missing completely.</li> <li>Heritage Agreements should be removed from the State Significant Native Vegetation Overlay and placed in a dedicated Heritage Agreements Overlay. Heritage Agreements should be placed in the Conservation Zone, and inappropriate developments prohibited, including tourism development. Expert scientific advice should be required on development.</li> <li>In relation to tourist accommodation in National Parks, Conservation Parks and Wilderness Protection Areas - in the Performance Assessed Table. Considers the word 'contemplated by the relevant management plan' in each table in relation to tourist accommodation is too vague and not defined. Word 'contemplated' should be replaced with 'specifically authorised in a management plan created under the NPW Act or WP Act.</li> <li>Public notification should be required for any development that may impact on threatened species, including within the Aquaculture Zone and the Coastal Waters and Offshore Islands Zone.</li> <li>Public notification and comment should be required when development is proposed in areas listed under the NPW Act and WP Act. Particularly in relation to tourist accommodation.</li> <li>Third party appeal rights for the public should apply to development proposed in areas listed under the NPW Act and WP Act as this is public / crown land. Third party appeal rights should apply regardless of the assessment pathway.</li> <li>Considers some areas should be off limits to any development due to environmental sensitivities.</li> <li>Issues with the online mapping tool not working properly.</li> </ol>
266	1	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	General Feedback	Council is extremely disappointed in the time made available to review the Code
266	2	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	Extension of Time	Council is of the strong view that rural councils should go live as of 1 July 2020, as per other parts of South Australia. This will allow more time for review and allow the new State Government Portal to be active and allow for staff training.
266	3	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Community Facilities Zone	The Community Facilities Zone in the Code needs to recognise the specific policy that was recently agreed to by the Minister in the Townships and Settlements Development Plan Amendment, Phase II, 2018. This supported the Careship Coorong community health development initiative (Dementia Care) at Coonalpyn for integrated community activities centre, expansion of the snail farm activities and ability for associated accommodation and land division options for clients needing care.
266	4	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Visitor Experience Subzone	Seek that the Visitor Experience Subzone be applied to the Conservation zone, so as to promote Tourist Accommodation and investment into key areas.
266	5	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Conservation Zone	The Conservation Zone treats all forms of Renewable Energy Facilities as Performance Assessed. This is of concern as it relates to wind farms and large scale solar farms (not small scale solar), as most of the Conservation Zone applies to sensitive areas along the River Murray and designated Conservation Parks. It is noted that the Significant Landscape Protection Overlay has not been applied to the Conservation Zone in the Coorong Council, meaning that Overlay PO 1.2 that restricts wind farms and large scale solar farms would not apply.
266	6	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Employment Zone	The Urban Employment Zone in the current Development Plan transfers to an Employment Zone in the Code. We seek that all of the locational and land use policy that was specifically applied to the Urban Employment Zone (via the Townships and Settlements Development Plan Amendment) Phase I, 2017, be incorporated into the Code.
266	7	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Employment Zone	There is an error in the Employment Zone, where General Industry is marked as 'restricted' yet Special Industry is not. We believe this should be corrected and be drafted the other way around.
266	8	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Employment Zone	Given the high intensity activities envisaged in the Zone, there is a lack of guiding policy for the assessment of such land uses.
266	9	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Suburban Greenfield Neighbourhood Zone	There is a drafting error in the General Neighbourhood Zone, where it references the Suburban Neighbourhood Zone in point (b) of the Notification procedure table. This error appears to be replicated in the Housing Diversity Neighbourhood Zone notification procedural table.
266	10	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	We note that Old Tailem Town has been placed into the Rural Zone in the Code. We ask that Old Tailem Town has the benefit of a Sub-zone with policy that recognises the existing use and to ensure ongoing development opportunity for tourism related activity.
266	11	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	AHD Levels	The Code does not currently carry forward Development Plan AHD levels in zoning policy in the Code. The current Development Plan AHD level policy needs to be included into the Code, via suitable Overlays, TNVs or data layers.
266	12	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Overlays	River Murray Flood Plain Overlay	<p>We note that the 1956 flood mapping of the River Murray Flood Plain (that exists in the Development Plan) is not present in the Code. What exists in the Code is a River Murray Flood Plain Overlay, but that area appears to be based on the current River Murray Water Protection Area (or by some other rationale) and not the flood plain. The River Murray Water Protection Area is not the defined 1956 flood plain and is a much larger geographic area defined more so for environmental management and referral purposes.</p> <p>The 1956 flood plain mapping in the Development Plan shows the extent of the flood that occurred in 1956 and is specifically used for flood hazard assessment. The 1956 flood mapping is crucial to ensure the proper assessment of site constraints and to avoid inappropriate developments occurring in potentially hazardous areas – the mapping must be reinstated in the Code. The name of the River Murray Flood Plain Overlay must also be altered as it is misleading.</p> <p>The areas of Renmark within the flood levee protection area should be excluded from the flood mapping.</p>

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
266	13	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Overlays	River Murray Flood Plain Overlay	Township, urban areas and caravan park Zones should be excluded from the River Murray Flood Plain Overlay Area, so as to avoid minor Deemed to Satisfy developments from being tripped in performance assessed – the status quo of the current system should prevail and the new planning system should not be more of a burden with additional red tape.
266	14	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 1.1 should be amended to include a wider list of envisaged uses and associated performance assessed criteria so that appropriate land uses are not inadvertently overlooked. Some land uses which are not contained within this provision but should be included, are, wind farm, waste facility, stock slaughter works/abattoir, renewable energy facilities, workers accommodation and caretaker dwellings.
266	15	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 3.1 limits a greenhouse to 250m2. Commercial greenhouse developments are usually considerably larger than 250m2. Council seeks that there be no floor area limit on the size of greenhouses, and each case be considered on a performance basis – this is the approach stated in the Rural Horticulture Zone, and council see no valid reason to apply a different criteria/approach in the Rural Zone.
266	16	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 4.1 limits industry, storage, warehousing and transport distribution activities to a floor area of 250m2 and allotments at least 20 hectares. The floor area and minimum allotment size are both considered problematic and not realistic for rural/agricultural areas. The 250m2 floor area should be increased and that some consideration be given to having separate Deemed to Satisfy and Performance Assessed criteria for floor areas. The 20 hectare minimum allotment size is considered too large and may “lock out” smaller primary industry developments from developing such facilities. Again, consideration needs to be granted to having separate Deemed to Satisfy and Performance Assessed criteria for allotment sizes.
266	17	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 5.2 requires that a secondary dwelling on an allotment is “located on an allotment not less than 40ha in area”. This size requirement is considered unworkable and will inhibit the implementation of secondary dwellings as envisaged by PO 5.3. Furthermore, the term secondary implies a second dwelling only, whereas PO 5.3 promotes more than one dwelling in the case of farm hands, managers’ residences and aging in place. The term secondary dwelling should be replaced with the term more than one dwelling.
266	18	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 6.3 outlines a 100m2 limit for tourist accommodation. This should be revisited as it will limit the ability for large scale tourism development, innovation in design and developments where more than one type of tourist accommodation facility is proposed. Further, the phrase “in relation to the area used for accommodation” is not entirely clear. Whilst we read it as being the total area used for guest rooms, it could be interpreted more broadly. The phrase may also lead to confusion in developments that propose more than one form of tourist accommodation, for instance, a development that contains hotel-style rooms together with detached, self-contained tourist accommodation buildings. We recommend that this provision be reviewed and amended so that it is entirely clear and does not inadvertently discourage tourism development.
266	19	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	DTS/DPF 12.1 outlines a total floor area limit of 250m2 and minimum allotment size of 10 hectares. This provision may result in acceptable, performance assessed buildings being refused. Put simply in the context of rural/agricultural farms needing very large machinery sheds, shearing sheds, hay sheds and the like, a 250m2 policy is not realistic and must be altered. Again, creating separate Deemed to Satisfy and Performance Assessed criteria for agricultural buildings is considered an appropriate mechanism to “balance” the need for relatively conservative Deemed to Satisfy criteria and more facilitative Performance Assessed criteria.
266	20	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	PO 1.1 of the Rural Land Division general module, which is applied to ensure allotments are suitable for their intended purpose taking into account physical characteristics of the land and the like. However, PO 1.1 of the Rural Land Division module is not called up in the corresponding Performance Assessed table. This must be included in the assessment table.
266	21	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	Land division dwelling excisions may, under the Dwelling Excision Overlay, be permitted regardless of when an allotment was created and where multiple ongoing excisions could occur over time. We urge the Commission to include date criteria into the Code (ie. the date of the authorisation of the Code) or some other method to avoid unwarranted repetitious use of this policy. We also seek that the Coorong District Council excision policy in the current Development Plan be included in the Code not a generic SA wide version.
266	22	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Living Zone	We raise concern that the locational specific land division policy for Rural Living Zones has not been transferred into the Code through the Technical and Numeric Variation data layers. We understand the Commission is rectifying this matter as a high priority.
266	23	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone	The DTS/DPF 9.2 provision in the Rural Zone refers to a “panel” size of 80 square metres per structure. Given that the community’s understanding of what a panel is (i.e. each individual panel), we suggest that this term be revisited to avoid confusion.
266	24	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Rural Zone - Suburban Greenfield Neighbourhood	The Code needs to recognise the locational specific policy of the Warrengie Marina Development Area at Meningie that is contained in the Development Plan. This should include AHD level policy and the Concept Plan Map CoD/3 that contains important site specific data for management of AHD levels, hazards and the like.
266	25	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Suburban Employment Zone	There is a drafting error in the Notification Table of the Suburban Employment Zone, with no exceptions listed as prompted by the drop down points.
266	26	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Notification	We ask that there be a more practical approach to notification requirements in rural and regional areas. Firstly, we note that in the notification tables for zones, Performance Assessed development where “the site of the development is adjacent to land in a different Zone” must be notified. This appears to be an overly onerous requirement where the proposed development adjoins a similar use or is of a lesser intensity than a development it abuts – we ask that appropriate exclusions to the notification “trigger” should be considered to avoid needless notification.
266	27	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Notification	Coorong council believes that the placement of notification signs on land in rural areas is not practical or sensible and that requirement needs to be altered/filtered
266	28	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Restricted v Performance Assessed Development	The balance between what is Restricted Development and Performance Assessed in zones is out of kilter – there is often little policy guidance (or a complete silence) to assess what may be a poor project in a particular zone, where the refusal of such is likely to lead to a higher number of appeals, and confusion and indecision with the Courts and authorities on interpretation.
266	29	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	Concept Plans	Coorong Council are concerned that important Development Plan Concept Plans have not been transferred in to the Code, and ask that they be reinstated into the Code.
266	30	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Land use Definitions	Ancillary Accommodation	Coorong Councils support the inclusion of the new definition for Ancillary Accommodation in the Code, so as to provide greater clarity on defining housing options for granny flats and dependant accommodation. However, we do not support the definition restricting ancillary accommodation not having more than 1 bedroom or room or area capable of being used as a bedroom – this is simply not a practical or reasonable proposition, say for a family member (aging in place) wishing to have an ancillary study/ sewing room and/or guest room for grandchildren or visitors. The definition should be amended to say not more than 2 bedrooms.
266	31	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Land use Definitions	Tourist Accommodation	We support the new definition of Tourist Accommodation in the Code, however there is opportunity for the Code to provide clearer land use definition and policy guidance where boutique style tourist accommodation is envisaged, so as to avoid confusion where such development often has a similar form to a dwelling in riverine, rural and landscape/scenic settings.
266	32	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Land use Definitions	Definitions	Land uses that are stated in the explanatory columns of the Code definition table need definition (for example Private Bushfire Shelter).
266	33	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Wastewater	Generally, there is an accepted development classification criteria that states: The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system. This needs to be re-worded to include ‘the setbacks away from structures must be met’.

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266	34	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Caravan and Tourist Parks	Under Caravan and Tourist Parks there is no consideration given to wastewater for land divisions. There needs to be some requirement for the connection of ablutions, cabins and businesses to a CWMS or on site wastewater system and that the capacity is sufficient to accommodate this additional loading.
266	35	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Community Facilities Zone	Community Facilities Zone: There is no consideration given to wastewater for land divisions. There needs to be some requirement for the connection of ablutions, cabins and businesses to a CWMS or on site wastewater system and that the capacity is sufficient to accommodate this additional loading.
266	36	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Employment Zone	Employment Zone: There is no consideration given to wastewater for land divisions. There needs to be some requirement for the connection of ablutions, cabins and businesses to a CWMS or on site wastewater system and that the capacity is sufficient to accommodate this additional loading.
266	37	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	Zones and Subzones	Home Industry Zone	Home Industry Zone: DTS/DPF4.1 states that "Allotments have: (a) an area being the greater of the following: i. where there is no established land division pattern, 750m <sup>2</sup> ; or ii. no less than an adjacent residential allotment, or the average of adjacent residential allotments where there is more than one adjacent allotment, used for residential purposes in the zone;" This should clarify that 750 m <sup>2</sup> must be connected to a CWMS or SA Water sewerage network.
266	38	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Design in Rural Areas	Under the Design in Rural Areas DTS / DPF 6.1, "effluent disposal drainage areas do not: (a) encroach within an area used as private open space or would result in less private open space than that specified in Design in Rural Areas Table 1 - Private Open Space". It is unclear what this means, however there are minimum sizes required for onsite wastewater disposal systems which are dictated by soil profiles. The 'or would result in less open space.' should be removed. And still under DTS/DPF 6.1 (c) encroach within an area used for on-site car parking or would result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - Off-Street Car Parking Requirements. The section that states "or would result in less on-site car parking" should also be removed due the requirement to have an onsite wastewater system which can vary in size due to different soil types.
266	39	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Infrastructure and renewable energy facilities	PO 12.1 talks about the requirement for wastewater services however there is no legislation that is referenced in this section. The section needs to either reference to South Australian (Wastewater) Regulations 2013 or SA Health's On-site Wastewater Systems Code and the CWMS Code.
266	40	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Infrastructure and renewable energy facilities	DTS, DPF 12.1 – there are some setbacks listed that have been taken from the On-site Wastewater Systems Code however not all setbacks. This should be removed and re-worded to 'meet the setbacks of the On-site Wastewater Systems Code'.
266	41	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Infrastructure and renewable energy facilities	Under the Infrastructure and renewable energy facilities DTS/DPF 4.2 Each allotment can be connected to any of the following: (a) a waste water treatment plant that has the hydraulic volume and pollutant load treatment and disposal capacity for the maximum predicted wastewater volume generated by subsequent development of the proposed allotments; or (b) a form of on-site waste water treatment and disposal that meets relevant public health and environmental standards. The wastewater legislation must be reference in this section. It needs to replace 'meets the relevant public health and environmental standards'.
266	42	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Land Divisions in Rural Area	Under the Infrastructure and renewable energy facilities DTS/DPF 4.2 – Each allotment can be connected to any of the following: (a) a waste water treatment plant that has the hydraulic volume and pollutant load treatment and disposal capacity for the maximum predicted wastewater volume generated by subsequent development of the proposed allotments; or (b) a form of on-site waste water treatment and disposal that meets relevant public health and environmental standards. The wastewater legislation must be reference in this section. It needs to replace 'meets the relevant public health and environmental standards'.
266	43	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	General Feedback	Generally, consideration needs to be given to the On-site Wastewater Systems Code that states land divisions are not to be approved with the use of holding tanks.
266	44	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	General Feedback	Generally, consideration also need to be given to the business activities that require trade waste approval from SA Water or Council.
266	45	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Policy	Land Divisions in Rural Area	Land division sizes in regional areas must remain at a minimum allotment size of 1200m <sup>2</sup> if not serviced by SA Water Sewerage or a CWMS, and only an on-site wastewater system.
266	46	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	General Feedback	We urge the Commission to undertake a thorough audit of the Code before it goes live. This is considered critical to resolving errors, anomalies, inconsistencies, incorrect formatting and policy labelling, policy issues and running-in issues before the new Planning System goes live. It is far too important and poses serious risks if the Commission allows the system to go live in the absence of thorough road testing. The Commission needs to allocate more time to testing, verification and running in of the new system in a safe 'non-live' or 'testing environment'.
266	47	29-Nov-19	Phase 2	Local Government	Louise Henderson	Coorong District Council	Coorong	General Feedback	Extension of Time	The Commission is strongly urged to allocate more time towards the equally critical task of road-testing a draft Portal and to allow more lead time to the training and education of users of the Portal being the community, businesses, councils and agencies.
267	1	29-Nov-19	Phase 2	Community Group	Natasha Davis	Trees for Life	Multiple	Zones and SubZones, Overlays	Native Vegetation and Biodiversity	1. Primary concern is to ensure strong protection for biodiversity and native vegetation, and climate change resilience. Healthy and abundant green infrastructure will underpin capacity of all systems to adapt to climate change. 2. Considers Code needs to be strengthened to ensure appropriate protection and enhancement of critical biodiversity. In particular, policies, overlays and zones need to be underpinned by strong commitment to biodiversity protection, including retaining and expanding critical habitat for threatened species and protection and enhancement of climate refugia. 3. Concerned about the impact of cumulated tree clearance in rural areas, and recommends a Cumulative Assessment Overlay to ensure these impacts are accounted for. 4. Seeks improved treetop canopy policy in urban areas, to mitigate climate change, in particular: • reference for regulated trees in general to indigenous to the local area and important habitat for native fauna being criteria for considering retention • reference for significant trees to indigenous to the local area, important habitat for native fauna, part of a wildlife corridor and importance to maintenance of biodiversity being criteria for considering retention • Retention test be amended to "Significant Trees should be preserved" rather than "where they make an important visual contribution to local character and amenity" • test for significant trees of "all other remedial treatments and measures have been determined to be ineffective" 5. Considers the Code is complex, timeframes for implementation are unrealistic and consultation inadequate.
268	1	29-Nov-19	Phase 2	Community Group	Jasemin Rose	North Eastern Hills Environmental Conservation Assoc Inc	Multiple	Zones and SubZones	Conservation Zone	1. Considers it is essential that the impact of Climate Change is included across the whole State. The recent impact and increase of fire, flood, drought and future very high-rise in sea levels should always be considered. 2. The relevant mapping and overlays in the Conservation Zone are not easily accessed and the on line version of the draft Code is confusing and difficult to understand. 3. Significant omissions and mistakes were noted in the overlay maps and zone. 4. The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies. Significant non-indigenous trees should also be included. Droughts and the increasing impact of Climate Change makes it extremely important that trees and native vegetation are much better protected eg. Development Plans be required to avoid approving clearance unless absolutely necessary.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										<p>5. Seeks to have a revised, more clear and accurate version of the Code be peer reviewed and accessible to the public for comment before being 'activated'. Considers the whole process is being rushed through - this is likely to result in on-going problems.</p> <p>6. The Conservation Zone should not have merit assessed for alternative energy facilities – this use, apart from where physically contemplated in a park management plan, should be restricted.</p> <p>7. Significant and Regulated tree provisions should be extended across the whole State and be aligned to ensure biodiversity. It is important that even dead trees are retained for their hollows.</p> <p>8. Planning for all zones should include considerations of Biodiversity.</p> <p>9. Native Vegetation: Lodgments of development applications need to be made after applications have been made to and response have been received from the Native Vegetation Council (NVC)</p> <p>10. Considers Native Vegetation Council should give advice with a view to retention, not removal of native vegetation before designing.  (a) Offsets for NV removal; note re-vegetation does not substitute for mature tree replacement eg. Mallee trees for example take 100s of years to grow – how should these be valued re hydrological aspects?  (b) Eg. Greybox Gum trees are an endangered species. Endangered species – should be included as trees worthy of retention.</p> <p>11. Protection of trees - seeks more accurate valuations of mature tree benefits and inclusion of the many ways that trees are essential for a great many reasons.</p> <p>12. Urges that the draft Code refer to standards and valuations.</p>
269	1	29-Nov-19	Phase 2	Industry Representative	Andrew Robertson	Aust Pipelines and Gas Association	Multiple	Overlays	Strategic Infrastructure Gas Pipelines Overlay	Submission written in support of proposed position put forth by SEAGas and Epic Energy. Would like to be involved in further engagement/consultation with DPTI to progress policy amendments to the Strategic Infrastructure - Gas Pipelines Overlay.
270	1	29-Nov-19	Phase 2	State Government Agency	Michael Malavazos	Department of Energy and Mining				<b>NOT FOR PUBLICATION</b>
271	1	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	General Feedback	General Feedback	What is the relationship between the P&D Code and other legislation that is used for wine making (e.g. liquor licensing, EPA regulations)
271	2	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	General Feedback	General Feedback	The consultation process has been very difficult for the industry to understand how they are affected.
271	3	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	Zones and Subzones	Rural Zone	They do not understand the value in specifying metrics (farm size, outbuilding floor area etc.) within zones that are used for wine grape growing
271	4	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	General Feedback	General Feedback	Will the Code consider and capture requirements for wine grape growing that are controlled outside of the planning system (i.e. permits, licensing etc.) to make it easier for the industry? I would assume not as this isn't planning's role.
271	5	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	General Feedback	General Feedback	Complaining about the public notification process generally.
271	6	29-Nov-19	Phase 2	Industry Representative	Lisa Bennier	Wine Grape Council of SA	Multiple	Zones and Subzones	Rural Zone	<p>The Rural Zone, in relation to wine grape growing, should help to:</p> <ul style="list-style-type: none"> <li>• Protect watersheds</li> <li>• Encourage use of recycled water</li> <li>• Encourage water-efficient cropping techniques</li> <li>• Protect the land from 'urban', non-agricultural development</li> <li>• Protect the land from mining land uses</li> <li>• Protect the land from chemicals (i.e. introduce buffers).</li> </ul>
272	1	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Zones and Subzones	Peri-Urban Zone	The Peri-urban zone be amended to add ancillary accommodation within the class of Development in Table 3 along with a list of defined policies (rather than all policies)
272	2	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Zones and Subzones	General Feedback	All residential zones add 'Residential Park' and 'Caravan Park' as subject to Performance Assessment against the same, or similar range of defined policies for retirement facilities and supported accommodation.
272	3	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Zones and Subzones	Residential Neighbourhood Zone Rural zones and Township zones	Ancillary accommodation be subject to DTS within the Residential Neighbourhood Zone. Ancillary accommodation be at least via performance assessment with limited provisions in Rural and Township zones.
272	4	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Land use Definitions	Ancillary accommodation definition	<p>Supports the proposal to enable ancillary accommodation via this definition. Support for legal clarity in relation to other forms of accommodation including dwelling as well as workers accommodation. Most tiny homes including on wheels have a space capable of being used with a bed, but whether a 'room' is another matter. Likewise, most tiny homes main space is adaptable to also be slept in. Such main spaces are created to be adaptable, and innovative.</p> <p>ATHA would not want a definition to inhibit this innovation. Regarding mezzanines - ATHA requests that the definition be reviewed to not rule out the adaptable design approach of multiple use of spaces/rooms, as well as use of spaces that are similar to mezzanines, characteristic of tiny homes on wheels. ATHA requests that a Practice Direction specifically cover the 'bedroom or room or area capable of being used as a bedroom' topic in order to avoid different interpretations in practice, such as between councils or planners.</p> <p>We note the lack of specificity in the proposed definition 'shares the same utilities of the existing dwelling'. Tiny homes on wheels may 'share' the same utilities of the existing dwelling, but the degree of sharing will be the question. The definition of sharing be legally reviewed to be as flexible as possible.</p> <p>Guidelines, such as a Practice Direction, be developed in consultation with ATHA around acceptable methods or techniques that constitute 'sharing'.</p>



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272	5	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Land use Definitions	Residential Park	We request that the definition be reviewed to ensure tiny houses on wheels in a tiny village form are able to fit within the Residential Park definition.
272	6	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Land use Definitions	Caravan and Tourist Park	We request that the definition be reviewed to ensure tiny houses on wheels in a tiny village form are able to fit within the Caravan and Tourist Park definition.
272	7	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Land use Definitions	Workers Accommodation	The 'workers accommodation' definition be widened to apply to a broad range of infrastructure via being amended to read (d) in infrastructure construction
272	8	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	General policy	Design in Rural / Urban Areas General Policy	Provided an assessment of ATHA Planning template/THROW against policies relevant to ancillary accommodation.
272	9	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	General Feedback	General Feedback	Tiny homes on wheels not lose approval status when moved and then returned, and that this be commented on as specifically applying to THOW (Tiny Houses of Wheels) within a practice direction. Additionally ATHA requests that a Practice Direction about the intent of ancillary accommodation specifically speak against the DNA test. The DNA test is a way of referring to a past and probably current practice by some planning authorities to condition the use of a dwelling to be by 'family' members.
272	9	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	General Policy	Transport, Access and Parking Overlay	Table 1 – General Off-Street Car Parking Requirements proposes no additional parking as being necessary when ancillary accommodation provided. We note this should in most situations be appropriate and enable parking and potentially vehicles to be shared.
272	10	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	Land use Definitions	Tourist Accommodation, Transportable Dwellings and Cabins	Use of terms 'transportable dwelling' 'cabin' 'caravan' should be reviewed within the Code. The goal should be to provide policy clarity through careful drafting. There are degrees of temporary and permanency and terminology should be reviewed.
272	11	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	General Feedback	General Feedback - Planning Schemes	ATHA has recently prepared the ATHA Planning Template (Attached). This template aims to enable a level of consistency in planning schemes across Australia, acknowledging that each jurisdiction has a distinct system. With SA reforming the entire system, consideration of the national template in finalising the Code presents opportunity for SA to be on the leading edge. We ask the Commission to review the Template in relation to the draft Code.
272	12	29/11/2019	Phase 2 and 3	Community Group	Peter Willems	Australian Tiny House Association (SA Branch)	Multiple	General Feedback	General Feedback - Building Approval, Road Registration, LG Act	We ask the Commission to be aware of the need for reform of the NCC – prepared with regard to road registration standards - to enable THOW. We advise that ATHA is commencing some work about possible reform of the NCC
<b>273 DUPLICATE (see submission 125)</b>										
<b>274 DUPLICATE (see submission 234)</b>										
275	1	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Historic Areas Overlay	List contributory items in the Historic Areas Overlay
275	2	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General Feedback	Consultation Timeframe	Two months is actually not sufficient time to seek feedback on Phase Two (Rural Areas). It should be noted that many community members are constantly torn between which Government consultation process they try to participate in, and the often unsatisfactory circumstances around Government planning and consultation circumstances. There are near continuous consultation processes underway which impact on native vegetation, biodiversity and other environment related impacts. It would have been preferable for this consultation to have extended to 30 January, and it is unlikely that Phase two by itself will lead to an operational planning framework that will deliver better planning outcomes. At risk are fire risk impacts, climate change resilience and protection of native vegetation and ecosystems.
275	3	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Native Vegetation	Please acknowledge the following summary key issue in the What We Have Heard document A "Develop on Clear Land" Principle. It is requested that the Planning Commission acknowledge the recommendation for a Develop on Clear Land Principle. This principle should underpin the direction of the State Planning Framework to support economic growth in a way that does not continue the destruction of native vegetation and natural assets as incidental to planning approvals. Poorly located infrastructure, land divisions, broad scale native vegetation clearance for solar farms and inappropriately located tourism developments in parks and native vegetation, highlight planning areas where urgent reform is required.
275	4	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	The concept of general, low, medium and high bushfire risk used as a basis for planning decisions as fundamentally flawed. Under extreme and catastrophic conditions, there is an extreme and catastrophic risk almost everywhere across rural South Australia. This has always been the case and should be better recognized by the planning framework. With climate change and hotter drier conditions, South Australia will experience even more fast moving extreme grass and crop fires. In many cases, native vegetation is where these fires slow down and provide opportunities for control and have in fact been utilised as last resort refuge. Pinery, Wangary, Keyneton (1&2) Yorketown and many other fires provide examples of difficult and fast moving grass and crop fires that were all or largely within general bushfire risk zones, but the impacts of these fires were or could have equally been extreme and catastrophic. Planning should transition towards looking at how to improve the resilience of critical infrastructure and occupied dwellings and businesses across all risk zones, rather than simply approving developments with native vegetation removal.
275	5	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / Desired Outcomes (DO) –DO 1: RE: "Development is located to minimise the threat and impact of bushfires on life and property", where is the environmental objective? Why is it missing? This is inconsistent with the CFS Mission to protect life, property and environmental assets. Planning should share the same value in its construct. Please add a desired outcome to develop on cleared land and in cleared areas.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
275	6	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / Desired Outcomes (DO) – DO 2: RE: “To facilitate access for emergency service vehicles to protect assets and lives from bushfire danger”. This is over- aspirational and unachievable. Such an outcome is only possible with small fires, but once conditions become severe, extreme or catastrophic, emergency services vehicles and fire crews cannot be expected to save lives and property. They do what they can to assist, but cannot “protect”.
275	7	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / Performance Outcomes and Deemed to Satisfy / Designated Performance Outcome Criteria / Habitable Buildings – PO 1.1: RE: Residential and tourist accommodation “(b) minimise the need to clear native vegetation”. This clause is so weak that it is meaningless. It continues the current situation where developments are approved first and then consequential Native Vegetation Clearance Approval is granted by the Native Vegetation Council and the best they can do is suggest minor reductions in clearance or changes in location within the site. The Native Vegetation Council should be able to assess and rule on the full clearance impact of a development, including the direct footprint, the Asset Protection Zone, the need for a Bushfire Buffer Zone, any potential need for fuel reduction burning in Conservation Zones that should not be undertaken for life and property issues, but is commonly undertaken under DEW and CFS approval mechanisms for just that reason. Recommendations: <ul style="list-style-type: none"> <li>It is recommended that clause (b) is strengthened to read: Development is not built on, or encroaches within, an area that will result in significant native vegetation clearance.</li> <li>It is recommended that the CFS Development Assessment Service be able to provide advice and say no, where new developments are unsafe and will never be safe.</li> <li>It is recommended that the Native Vegetation Council be able to say no, when the impact of native vegetation clearance on all aspects of the development is too high. The CFS Development Assessment Service should provide advice within the constraints of native vegetation clearance approval</li> <li>It is recommended that there be a classification for an unprotectable approval of a detached dwelling where a person seeks to build a habitable structure within an unsafe environment without destroying the environment. This would be similar the actual current situation where many houses are built in the Adelaide Hills, Island Beach, American River, Tulka, Coffin Bay, Vivonne Bay, D’Estrees Bay and many other places where people actually choose to live within the environment despite being within intact native vegetation and without any substantial asset protection zones.</li> </ul>
275	8	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / DTS/DPF 1.1 – RE: “an asset protection zone with a minimum width of 50m already exists and can continue to be maintained around the accommodation; and (b) the asset protection zone is contained wholly within the allotment of the development”. This clause is deeply concerning. Current native vegetation clearance exemptions around dwellings is up to 20 metres around the dwelling only. Why is the Planning framework increasing this to 50 metres, which as a circular area will result in excessive clearance of native vegetation? Any native vegetation clearance greater than the 20 metre distance between a structure and a fuel source that may impact on the BAL resilience should be referred to the CFS Development Assessment Unit for advice and the Native Vegetation Council for approval before approval is granted.
275	9	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / Vehicle Access –Roads and Driveways – PO 2.1: Re Roads are designed and constructed to: “(b) avoid the unnecessary clearance of native vegetation”, strengthen to Roads must not be built on, or result in significant native vegetation clearance.
275	10	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire) Overlays: Assessment Provisions (AP) / Vehicle Access –Roads and Driveways – PO 2.2: RE: Where the furthest point of the building from the nearest public road is greater than 30m, driveways are designed and constructed to: “(b) avoid the unnecessary clearance of native vegetation”, suggest strengthening to “(b) avoid significant impacts on native vegetation and the unnecessary clearance of native vegetation.
275	11	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire – General Risk): Land Division, PO 4.1 – RE: Land division is designed to: “c. ensure each allotment contains a suitable building envelope that is located away from any vegetation that would pose an unacceptable risk in the event of bushfire”. There is no clarity on what defines an unacceptable risk. Throughout the landscape, buildings are approved, then native vegetation is cleared or modified for Asset Protection Zones, Bushfire Zones and additional fuel reduction I Conservation zones. This goes beyond achieving BAL resilience. If a land division is approved with a given BAL resilience and an asset protection zone, but a bushfire Buffer Zone is then required up to 1km wide then what defines how this will be assessed in the development approval. If Bushfire Buffer Zones are omitted at approval and subsequently required, then why was the full clearance impact not considered at the time of approval? The land division at Penneshaw on the boundary of the Baudin Conservation Park is a classic example where planning failed to address the full impacts. Recommendation: Strengthen the clause to read: “c. ensure each allotment contains a suitable building envelope that is located away from any vegetation that would pose an unacceptable risk in the event of bushfire including that reasonable steps have been undertaken to ensure that additional subsequent asset protection and bushfire buffer zones will not be required”.
275	12	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire – General Risk): Land Division, PO 4.3 – RE: Bushfire Buffer Zone around a land division to isolate residential allotments from areas that pose an unacceptable bushfire risk. Figure I is unrealistic when considered in the context of many, potentially most land divisions near native vegetation. The diagram is more closely aligned to an Asset Protection Zone of up to 100m for multiple dwellings, including a roadway. Bushfire Buffer zones typically extend from beyond an asset protection zone and can be up to 1000m wide. It is unacceptable for the Planning Design code to be showing a diagram that looks like an Asset Protection Zone but using the words Bushfire Buffer Zone. It is of extreme concern that land divisions are still being approved without regard to the full impact assessment of what is required. There is also general confusion across Planning and the CFS around terminology of zones. This has been created by the stubbornness by some in Government agencies to act when concerns were raised over many years. In Bushfire Management Planning the South Australian Zone Standard does not properly define the area immediately surrounding occupied dwellings and outbuildings, but does define the larger zones which should be applied for and approved via a DEW process or a CFS process. These larger zones should also be identified and incorporated in planning approvals for land divisions and tourism developments etc. Recommendation: It is strongly recommended that before the Planning Design Code is commenced, that CFS, DPTI and DEW agree on common terminology and provide planning guidance that makes sense and is consistent across agencies. A recommended solution is: <ul style="list-style-type: none"> <li>DEFENDABLE SPACE: 0 to 20 metres surrounding a residential dwelling or 10 metres surrounding a council approved shed or outbuilding where vegetation is managed to low fuel levels.</li> <li>ASSET PROTECTION ZONE: 0 to 100 metres surrounding a group or line of residential dwellings, occupied commercial/industrial sites, critical infrastructure or tourism where vegetation is managed to low fuel levels (can sit over the top of the defendable space).</li> <li>BUSHFIRE BUFFER ZONE: 100 to 1000 metres strategically located to reduce risks to group or line of residential dwellings, occupied commercial/industrial sites, critical infrastructure. Please note that Bushfire Buffer Zones usually extending from an asset protection zone when needed to increase protection for built assets, but can be detached from an asset protection zone in some circumstances, typically when placed to protect environmental assets.</li> </ul> This matter was addressed in a previous consultation response! It would also be beneficial to identify that the Bushfire Zone Overlay is a for Risk Classification which is different to Defendable Space, Asset Protection Zones and Bushfire Buffer Zones which are Management Zones.



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275	13	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Bushfire Risk	Hazards (Bushfire – High Risk) Overlay : DTS/DPF 4.2 – RE: Development meets the following requirements: (a) an asset protection zone with a minimum width of 100m already exists and can be maintained around the accommodation; and (b) the asset protection zone is contained wholly within the allotment of the development. By definition under the State Bushfire Zoning Standard that describes bushfire management zones, and Asset Protection Zone must not be more than 100 metres. It appears that there is considerable confusion regarding Asset Protection Zones and Bushfire Buffer Zones. Recommendation: It is strongly recommended that DPTI assemble the key players covering CFS, DEW, NVC and conservation nominees to complete the work to have input into the Planning Design code and prevent widespread confusion next year.
275	14	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Renewable Energy Facilities	RENEWABLE ENERGY: The Significant Landscape Protection Overlay described on p1552, and described from pg. 1656 does not provide adequate protection for native vegetation, or groundwater or surface water, or ecosystems that may be impacted by renewable electricity development that will continue to rapidly expand. I strongly reject the proposition under Renewable Energy Facilities PO 7.1 that “Renewable energy facilities located as close as practicable to existing transmission infrastructure to facilitate connections and minimise environmental impacts as a result of extending transmission”. This is a business objective, not a planning objective. The planning objective should be to guide development in strategic locations where there is opportunity for co-development and growth without decimating intact native vegetation which is now happening across the state with solar farms trying to plug into existing sub stations regardless of the environmental impact.
275	15	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	Clause PO 9.1 Renewable Energy Facilities (Solar Power) for “Solar power facilities generating 5MW or more are not located on land of high environmental, scenic or cultural value”. Is not sufficient as this will result in largely intact and important native vegetation being cleared for poor planning and short term cost cutting. Cultana and Monash solar farms provide clear examples.
275	16	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	PO 9.2 – RE: “Solar power facilities allow for movement of wildlife ...” I do commend the Planning team for including this section. Thank you! Recommendation: Please add in another option: “(g) or create a fully enclosed predator free area if there is scientific or ecological justified opportunity to contribute to threatened species recovery.”
275	17	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	A general statement suggesting: “Large scale solar farms discouraged from areas of high environmental, scenic or cultural value” will be grossly inadequate. It is likely that only established Conservation Parks would meet the threshold of “high environmental value”, whilst all other areas of native vegetation intact or otherwise, will be described as not intact, not high quality, not significant etc. In South Australia, it could almost be argued that all remnant native vegetation under private ownership is somewhat degraded. Recommendation: It is strongly recommended that the New System Policy strongly discourages development of solar farms in areas of native vegetation, and incorporates suitable asset protection and bushfire buffer zones in cleared land to prevent harm to native vegetation.
275	18	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	The full environmental impact of the development should be considered and addressed before planning approval is granted. It is an absurd loophole that the Native Vegetation Council only gets a say after a Solar farm receives planning approval, and that much of the consequential native vegetation clearance and Bushfire Asset Protection Zines and Buffer Zones are not considered in the original planning approval. This loophole makes a mockery of the claim that the planning system has regard for the environment. All native vegetation and biodiversity habitat clearance should be defined and addressed by the Native Vegetation Council before planning approval or ministerial approval is granted, particularly because there are so many better alternatives across South Australia. Recommendation: The full direct and consequential impact of native vegetation clearance should be quantified by the Native Vegetation Council and a decision of any native vegetation clearance should be obtained by the Native Vegetation Council before planning or ministerial approval is granted for a solar farm.
275	19	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	All native vegetation should be protected, not just significant native vegetation. Experience has shown that one of the first claims made by development proponents is that the native vegetation that they wish to clear is degraded and not significant. It could actually be argued that most of South Australia’s remnant native vegetation is degraded and not significant. With climate change, species extinction and risk of widespread desertification, there is no longer any scope for clearing native vegetation at scale when it is just not necessary. South Australia has enough cleared marginal land to accommodate vast amounts of solar electricity generation, but it is acknowledged that it will be necessary to plan ahead as to where substations and transmission links should be located to support such development.
275	20	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	Pumped Hydro Electricity, Groundwater and Desalination: The Planning Design Code must anticipate the key impact trigger issues and ensure that there are approval constraints and conditions to prevent significant and cumulative harm to the environment. Recommendation: With pumped hydro schemes the following issues must be addressed, noting the assumption that all water storages and piped systems leak or have the potential to leak: 1. Stygofauna in groundwater beneath pumped hydro operations may be placed at risk 2. Any sea water that could be potentially used could leak destroying groundwater ecosystems and potentially creating salt scolds that could cause serious and irreversible harm to surface vegetation, streams and ecosystems. 3. Any brackish water or partially treated/shandied seawater used in the pumped hydro scheme could leak destroying groundwater ecosystems and potentially creating salt scolds that could cause serious and irreversible harm to surface vegetation, streams and ecosystems. 4. Polluted water such as from existing mine sites or low quality groundwater, and polluted water at low pH levels could result in serious and irreversible harm to surface vegetation, streams and ecosystems.
275	21	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Tourist Accommodation	Use ‘Restricted’ classification for Tourist Accommodation in areas proclaimed under the <i>National Parks and Wildlife Act 1972</i> and the <i>Wilderness Act 1992</i> .
275	22	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Admin Definitions	Public Amenity	Define the phrase “public amenity”
275	23	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	General policy	Tourist Accommodation	Clarify whether tourist accommodation is to be considered in reserves areas beyond temporary tents rather than permanent facilities (cabins), and under what conditions (preferably in safer locations that do not require native vegetation destruction). Ensure it applies spatially to all reserves and wilderness protection areas and also include Native Forest Reserves.
275	24	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Rules of Interpretation	Public Notification	Public notification and exemptions for performance assessed development and what is restricted development should be consolidated in one location in the code.
275	25	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Historic Areas Overlay	Replace current demolition controls in Historic Area Overlay with: “A Contributory Item should not be demolished or removed, in total or in part unless: (a) the part of the item to be demolished or removed does not contribute to the heritage value, historic character or desired character of the zone; or

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										(b) the demolition part of a building, or addition to that building, in a manner which does not diminish the level of contribution to the historic character of the zone made by the building on the site of the demolition."
275	26	29-Nov-19	Phase 2	General Public	Tim Kelly (submission 1 of 2)	n/a	Sailsbury	Overlays	Historic Areas Overlay	The poor appearance or condition of a contributory item should not serve as justification for its demolition or significant modification. Heritage Area Statements for State Heritage Areas and Historic Areas should contain detailed policy in line with those that currently apply. The Heritage Overlays should clearly express the importance of preserving heritage values. Include pictorial guides. Remove deemed to satisfy provisions for conservation work. Include public notification provisions in Heritage Overlays. Clarify which policies apply to properties within the State Heritage, Local Heritage and Historic Area Overlays and which apply to adjacent sites. Clarify what are acceptable changes in the Historic Area Overlay. Clarify what is suitable development for applications involving alterations and additions to properties in the State Heritage Area and State Heritage Places Overlays. State Heritage Place Overlay should refer to preservation of whole landscapes. Define or clarify the phrase "extent of listing" in the State and Local Heritage Place Overlays and the phrase "visible from the public realm" in the Historic Area Overlay.
276	1	29-Nov-19	Phase 2	General Public	Karen Irons	n/a	n/a	General feedback - policy Land use Definitions	Tiny homes	Would like to build and live in a Tiny House on Wheels (THOW). Currently no definition of tiny houses, therefore classified by Councils as a caravan or outbuilding and not permitted onsite for permanent residential accommodation. Submits to the Planning Commission that amendments to the new planning codes are made to allow South Australians to take advantage of this exciting and innovative form of shelter and give councils specific planning tools to allow this to take place.
277	1	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	General policy	Wind Farm Setbacks	The Planning Commission cannot legitimately justify shoe horn more wind energy projects into the settled areas of this State thereby subjecting more rural residents to unacceptable amenity impacts when AEMO already limits the amount of wind energy which can enter the SA grid. Consequently, it is completely unacceptable to many residents in the Rural Areas that more wind farms would be envisaged in such close proximity to their homes as proposed by the Draft Code Phase Two (ie 1200 metres). I will provide further detailed comments on setbacks in response to the Renewable Energy Discussion Paper. It was disappointing to see that the Draft Code has not taken into account the impact of siting turbines at height on a ridgeline overlooking dwellings on lower ground or the acoustics research carried out by the University of Adelaide and Flinders University at operating SA wind farms since 2011. A minimum 3.5 km setback is recommended.
277	2	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	Referrals	Wind Farms	Agency Referrals: Code says: Environment Protection Authority to provide "direction" (instead of existing system of "advice" only). Response: This is an improvement. All preconstruction noise reports, and post construction noise monitoring plans and post construction noise reports should be independently audited as per Victorian EPA system. All noise reports and audit reports should be made publicly available on line. Other consultants' reports should be subject to independent audit (e.g. ecological studies, shadow flicker, aviation).
277	3	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	Rules of Interpretation	Assessment Pathways	Wind farm Assessment Type: Code says: "Performance Assessment" on rural land (e.g. Rural Zone); "Restricted Assessment" in Significant Landscape Protection Overlay and Character Preservation Districts Overlay. Response: All wind farm proposals in the Rural Areas should be classed as "Restricted Assessment" especially in proximity to Cropping, Horticulture and Viticulture areas due to microclimate impacts – warming, drying and cooling.
277	4	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	Rules of Interpretation	Assessment Pathways	Planning Authority making the Assessment: Code says: Council Assessment Panels for "Performance Assessment"; State Commission Assessment Panel for "Restricted". Response: From my experience with several local wind farm assessments, (Waterloo stage 2 wind farm, Stony Gap wind farm, Palmer wind farm, Twin Creek wind monitoring mast) Council Assessment Panels are not adequately resourced to seek peer review of consultants reports and are more likely to rubber stamp wind farm approvals without question, as opposed to the higher level of scrutiny applied by the SCAP panel members. Recommend all wind farm assessments be via SCAP.
277	5	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	Rules of Interpretation	Public Notification	Public notification: Code says: Category 2 where it meets the required setbacks. Category 3 in other cases. All wind farms will require public notification. In the Remote Areas Zone if the turbine is more than 2 km from the dwelling – it is excluded from notification. Additional notification and appeal rights for "Restricted". Response: The National Wind Farm Commissioner's Annual Reports identify that residents within 5 km of a wind farm may be affected, not just adjoining landowners. All wind farms should be category 3, with appeal rights. The draft code discriminates against residents in remote areas who are accustomed to a quiet noise environment and naturally uninterrupted skyline views. Public notification and appeal right should apply to all wind farms.
277	6	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	General policy	Renewable Energy Facilities	Environmental impact policy: Code says: General policy seeking minimisation of impact (vegetation removal and bird / bat strike). Response: Code is far too vague and generic and is far more relaxed than the Eastern States. Environmental code needs to be more prescriptive (e.g. defined raptor nest setbacks, surveys and reporting). Some developers apply a 500 m nest buffer, yet Waterloo wind farm stage 2 developers ignored the NYNRM written advice to provide 500- 1000m buffer for a wedge tailed eagle nest and proceeded to build 3 turbines within 500 metres of that nest. Stony Gap wind farm provided no eagle nest buffers, yet the same ecological consultant recommended 500 m buffers for all wedge tailed eagle nests (CERES project, Palmer wind farm, Hornsdale wind farm, Keyneton wind farm,, Twin Creek wind farm all had 500 m buffer) Monitoring and reporting should be mandatory, reports audited and publicly available as in NSW, VIC and Tasmania. Suggest that Department of Environment and Water and Native Vegetation Council Assessment Panel should provide "direction", not just advice. Need to consider the impact of noise and shadow flicker on fauna living within the footprint. Post construction surveys should be required to quantify the impact on disturbance sensitive species. To date, NO post construction studies have been done in SA to quantify the impacts on bird and bad species. Apparently DEW has been provided with no wind farm operator reports quantifying the impact individual wind farms or the cumulative impact on the Mid North Agricultural District in the Northern and Yorke NRM. Councils do not appear to enforce compliance of Consent conditions (e.g. In the 9 years since that wind farm commenced operation, Clare and Gilbert Valleys Council has not enforced the Waterloo wind farm stage 1 consent condition that waterbird surveys must be carried out when Porters Lagoon is filled with water).
277	7	29-Nov-19	Phase 2	General Public	Mary Morris	n/a	Goyder	General policy	Renewable Energy Facilities	Shadow Flicker: This is hardly mentioned in the Draft P&D Code or Renewable Energy Discussion Paper, yet with larger turbines the shadow flicker goes a much greater distance. This is exacerbated when turbines are sited at elevation compared with dwellings. Mitigation should specify software engineering solutions to turn off specific turbines during certain hours of the day. Screening from tree planting is not a sufficient or practical remedy.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
278	1	29-Nov-19	Phase 2	State Government Agency	Bengy Paolo	Primary Industries and Regions South Australia (PIRSA)				<b>NOT FOR PUBLICATION</b>
279	1	29-Nov-19	Phase 2	Industry Representative	Jillian Davidson	Robe Branch National Trust of SA	Robe	Overlays	Historic Area Statements	Concern around demolition controls in State Heritage Places Overlays involving assessment using a single set of criteria 'including' "the building's existing heritage value" and "the structural condition of the building and risk to safety". Clarity sought around what else needs to be considered within this assessment.
279	2	29-Nov-19	Phase 2	Industry Representative	Jillian Davidson	Robe Branch National Trust of SA	Robe	General Feedback	General Feedback	Timeframe to digest information not adequate and the level of information not adequate to digest - specific issues with formatting of the Draft Planning and Design Code - District Council of Robe Council Specific Code Extract October 2019.
279	3	29-Nov-19	Phase 2	Industry Representative	Jillian Davidson	Robe Branch National Trust of SA	Robe	General Feedback	General Feedback	SA Planning Portal difficult to understand and find information that is required
280	1	29-Nov-19	Phase 2	State Government Agency	Benjamin Cooper	SA Housing Authority				<b>NOT FOR PUBLICATION</b>
281	1	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	General Feedback	General Feedback	Coober Pedy does not have the resources to undertake some of the procedural requirements of the PDI Act and regulations.
281	2	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Zones and Subzones	Underground	In the Underground subzone provisions there is reference to underground dwellings, however underground constructions should not be restricted to dwellings.
281	3	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Zones and Subzones	Underground	Underground development needs to be accommodated for in other Zones in Coober Pedy.
281	4	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Zones and Subzones	Underground	Differing references to excavation in the Code, including excavation or fill greater than 0.75m (total difference of 1.5m) and greater than 1.0m (total difference of 2.0m).
281	5	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Zones and Subzones	Underground	Reference in the Performance Outcomes and Deemed to Satisfy/Designated Performance Outcome Criteria of the Suburban Neighbourhood Zone for slopes equal to or greater than 12.5° which is not appropriate for underground buildings
281	6	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	General Policy	Design in Urban Areas	Throughout Coober Pedy there are minimal sealed roads with fewer roads having kerbs, therefore reference to top of kerbs for drainage of sites is not relevant
281	7	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Zones and Subzones	Underground	Specific provisions for underground buildings contained in the "Guidelines for the Construction of Underground Buildings in Coober Pedy". This may be included within the TNV?
281	8	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Land Use Definitions	Tourist Accommodation	The definition "means premises in which temporary or short-term accommodation is provided on a commercial basis". Clarification is sought as to the intent of this definition. Should accommodation be offered in a dwelling the travelers are not changing the use of the dwelling? Whether or not people, related or unrelated occupy a dwelling for a short term or a long term, it is still being used as a dwelling, the purpose for which the building was designed and adapted for use. There is a significant difference between self-contained units and the occupation of bedrooms in a dwelling. If a whole dwelling/apartment is rented for a night, week or year it is still being used as a dwelling. If a room/rooms are offered as a part of a dwelling and commercial services not provided with such stays am I correct that it is not for a "commercial basis"? Also who determines if the person is a tourist or not – what is a tourist? The definition doesn't refer to tourists other than in the heading. There is no formal reception etc. that one would anticipate in a premise being used on a commercial basis. Accordingly, this definition requires clarification as especially the reference to the term "commercial".
281	9	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Land Use Definitions	Site	The definition of Site in the Administrative Definitions, Part 8, states: Means the area of land (whether or not comprising a separate or entire allotment) on which a building is built, or proposed to be built, including the curtilage of the building, or in the case of a building comprising more than 1 separate occupancy, the area of land (whether or not comprising a separate or entire allotment) on which each occupancy is built, or proposed to be built, together with its curtilage. It appears the definition relates only to a building on one allotment whereas the Development regulations provides for the use of land over one or more allotments. The proposed definition will create confusion especially where there has been a land division. It will require separate applications for buildings on separate allotments (including community allotments) which will be inappropriate when assessing a multiple building development. This should be amended to include more than one allotment.
281	10	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Building	Staged Consents	Confusion has been centred on the issuing of staged consents since the Development Act was introduced. The confusion started when differing opinions and advice came from the Department in 1994 and thereafter. Initially the advice was that nothing has changed from the practices of the Building Act and building work can be approved in stages i.e.: excavation, footings, wall framing, pool, shed etc. however Councils and other advice from the Department contradicted that original advice. This needs to be clarified - that staged building rules consent can be granted by the relevant authority assessing the building consent application. No application or consent should be sought for the issuing of building rules consent in stages at the time of lodging a planning consent application. Due to the amalgamation of the Planning and Building Acts the references to stages being different consents or stages of consents has caused numerous problems with different Councils applying the rules in different ways.
281	11	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	General Feedback	General Feedback	Not an adequate amount of time to respond to Consultation
281	12	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Building	Certificate of Occupancy	Attention needs to be made to the suggestion a Certificate of Occupancy being required for Class 1a buildings prior to occupation. This was introduced under the Development Act and soon rescinded as it was too difficult to enforce. Nothing has changed to suggest C of O's are now required. It will be too difficult to have such a requirement enforced in Coober Pedy
281	13	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Building	Inspections	Coober Pedy should be exempted from undertaking mandatory inspections for swimming pool barriers
281	14	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Assessment Pathways & Policy	Farm buildings and outbuildings	The procedure for dealing with large Farm Buildings and Farm sheds contradicts the object of this new legislation. The object of the new Code is to promote business, trade and employment in South Australia however the procedure for dealing with large glasshouses, piggeries, poultry farms, hay sheds has the opposite effect. The requirements of the BCA for these types of buildings when greater in floor area than prescribed has forced numerous businesses to move interstate or build without approval. The referral to the CFS pursuant to regulation 28 of the Development Act will not change under regulation 45 of the PDI regulations. This procedure would have cost the State millions of dollars in initial development costs and substantially more on going revenue.
281	15	29-Nov-19	Phase 2	Local Government	Grant Riches	Coober Pedy Council	Coober Pedy	Referrals	Bushfire	The MBS 008 Draft Bushfire referral is unclear as it in one area referrals to development, no longer just dwellings etc., but all forms of development, additions greater than 50% floor area over 3 years and elsewhere referring to 10%? The requirements of this procedure are planning related, not building. This MBS has performance requirements but only for class 1, 2 and 3 buildings contrary to the referral requirements. Once again there are numerous issues relating to implementation of these rules which will create problems for building owners as the rules are unclear and contradictory.
282	1	02-Dec-19	Phase 2	Business	Samantha Coras	Canadian Solar (LATE SUBMISSION)	Multiple	General policy	Solar farm setbacks	Prescribed setback distances: The draft Code sets out new setback distances for solar farms, including a 30-metre setback from all adjoining land boundaries. While Canadian Solar is committed to minimising environmental impacts from both construction and operations, we support performance-based assessments to determine noise and visual impacts, rather than the use of prescriptive setbacks.

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										The flexibility to use a performance-based approach has already proven critical to the successful delivery of many solar projects. This gives us the opportunity to work with both the community needs and the specific design goals of each project. The introduction of a mandatory 30-metre setback from every neighbouring property boundary has the potential to discourage solar energy development in appropriate areas.
282	2	02-Dec-19	Phase 2	Business	Samantha Coras	Canadian Solar (LATE SUBMISSION)	Multiple	General policy	Solar farms	Landscaping requirements for solar farms: Canadian Solar does not support a requirement for mandatory landscaping to 'buffer' the local community from a solar farm. Solar farms currently operating both within Australia and overseas are often visible from the local roads. This enables us to celebrate our solar farms, by creating positive discussion, interest from local schools, tourism and a sense of pride within the community. Further to this, buffering is not necessary to protect the community from the solar farm, as operations are quiet and odourless. Glare from a solar farm is minimal, with solar panels typically reflecting a lower percentage of light than flat water or a steel building. This is why solar farms around the world are operating successfully near major airports. To further reduce any light reflections, module manufacturers now offer solar panels with anti-reflective treatments. This increases light transmission through the panel and minimises ocular hazard. We do acknowledge that landscaping may be appropriate and required in sensitive areas and we support minimising vegetation removal where possible during construction and operations. However, it is critical for each solar farm to have the flexibility to work with each community on local vegetation requirements, including those in drought effected areas.
282	3	02-Dec-19	Phase 2	Business	Samantha Coras	Canadian Solar (LATE SUBMISSION)	Multiple	General policy	Solar farms	Wildlife movement: Canadian Solar supports the principle that wildlife corridors and habitat refuges can be incorporated into solar farms as appropriate. Solar farms are high voltage power stations, however, and perimeter fencing is needed to ensure safety and security during both construction and operation, for personnel, animals and equipment. This aspect of the new Code should again give proponents flexibility to meet the wildlife movement objectives without compromising safety of the solar farm.
283	1	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - general comment	The Motorsport Park Zone should allow an appropriate degree of flexibility to accommodate land use change as the facility evolves.
283	2	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - General industry	Greater support is desired for general industry in the Motorsport Park Zone.
283	3	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - Assessment pathways - performance assessment	Development in the Motorsport Park Zone should only be performance assessed when it has the potential to have material impacts beyond the boundaries of the zone. Where there are no impacts beyond the zone boundaries it is expected the land use will be accepted or deemed-to-satisfy development (based on appropriate DTS criteria to be determined) and only require building certification of certification by an accredited planner.
283	4	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - Retail policy	Further clarity is required around retail development that can occur in the Motorsport Park Zone that is in 'harmony with Taillem Bend township'. The DTS criteria for shop in DTS/DPF 1.2 should be expanded where the shops excluded from the operation of this DTS should be identified and agreed.
283	5	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - dwellings	Dwellings in the Motorsport Park Zone are deemed-to-satisfy if DTS/DPF 1.5 and 1.6 are met. It is suggested that dwelling also be DTS if it is within a subzone (based on the area designated on the Masterplan) when it is in association with vehicle garaging, storage or workshops. In addition, such dwellings may also include facilities for the accommodating persons where it is not their principle place of residence.
283	6	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - advertisements	Suggests advertisements be DTS when: (a) up to 15m high and at least 50m from an arterial road boundary; (b) up to 10m high and at least 10m from an arterial road boundary.
283	7	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - public notification	There should be no public notification of any development proposed that is more than 50m from the boundary of the Motorsport Park Zone unless the use is of a nature or scale that it is likely to have material off-site impacts which will require further consideration.
283	8	2-Dec-19	Phase 2	Motorsport Facility	Melissa Eglington (Future Urban)	The Bend Motorsport Park (LATE SUBMISSION)	Coorong	Zones and Subzones	Motorsport Park Zone - envisaged land uses	To remove doubt about the land use expectations for the Motorsport Park Zone, the zone should cover the following uses: <ul style="list-style-type: none"> <li>All motorsport activities, including refueling and testing facilities</li> <li>Business Park (comprising retail, business, industrial and commercial)</li> <li>the villa development (a significant component of the endorsed Masterplan for the area)</li> <li>Recreation, amusemenand leisure activities / facilities</li> <li>Festivals and special events</li> <li>Sports events</li> <li>Transport activities (including an airstrip)</li> <li>Tourism.</li> </ul>
284	1	02-Dec-19	Phase 2	Community Group	Melissa Ballantyne	Environmental Defender's Office (LATE SUBMISSION)	Multiple	Overlays	Historic Area Statements	A generic policy of requiring new development to reflect the design of surrounding buildings does not provide sufficient customisation and detail to guide new development in these areas. There needs to be a link between policies in the overlay and the content of the draft statements.
284	2	02-Dec-19	Phase 2	Community Group	Melissa Ballantyne	Environmental Defender's Office (LATE SUBMISSION)	Multiple	Overlays	Historic Area Statements	The maps provided are too basic and are inconsistent in the mapping style between Histori Areas. Do not provide and detail including street layouts/sudivision patterns, already listed local and state heritage places. Table has no has no title and no headings – needs to be clarified.
284	3	02-Dec-19	Phase 2	Community Group	Melissa Ballantyne	Environmental Defender's Office (LATE SUBMISSION)	Multiple	Overlays	Historic Area Statements	Information provided in the tables is confused, inadequate and would provide no basis against which to measure development application. Some of the information comes from existing Development Plan provisions, but is selective and ad hoc. These tables as outlined do not "identify and articulate the key elements of historic importance in a particular area."
284	4	02-Dec-19	Phase 2	Community Group	Melissa Ballantyne	Environmental Defender's	Multiple	Overlays	Historic Area Statements	Queried the use of Historic Area Statements for State Heritage Areas - EDO has raised whis with DPTI and are yet to receive a response - would appreciate one.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
						Office (LATE SUBMISSION)				
285	1	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Feedback	General Feedback	General feedback
285	2	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	Intensive Animal Husbandry and Dairies should be specified in Table 3 - Applicable policies for Performance Assessed Development because the overlay is not specific enough. They do not believe that intensive animal husbandry and dairies should always be performance assessed or restricted, as Development Plans currently allow for these to happen quickly (as complying development with referrals)?
285	3	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	Most animal husbandry and dairies will be performance assessed, meaning it may be notified which requires a sign on the land. They feel this will result in representations from people "against livestock farming" but this is the intent of the performance assessed assessment pathway.
285	4	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	ACGC should have been consulted more during the drafting of the code.
285	5	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	In zones where Intensive Animal Husbandry and Dairies will occur, the assessment tables should be modified to consider the following for 'accepted' water tanks: 2. The tank is part of a roof drainage system. For biosecurity reasons roof drainage water can't be used in a broiler shed, as the water may be contaminated by wild bird faeces, presenting a biosecurity risk. 3. Total floor area - not exceeding 15m2. On a hot day, a single shed at peak bird density will use around 100,000 litres of water in its evaporative cooling and drinking systems: it is not practical to hold such a volume in tanks with 15m2 floor areas. Broiler farms typically use tanks of around 130,000 litres capacity, which may have diameters of 8.6 metres, and floor areas of 58 square metres each. Intensive Animal Husbandry and Dairies should be an exception to these two criteria.
285	6	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	In zones where Intensive Animal Husbandry and Dairies will occur, the assessment tables should be modified to consider the following for excavation and filling: Excavation and Filling. DTS 8.1 Design in Rural Areas (Earthworks) DTS / DPF 8.1 - Development does not involve either: (a) excavation exceeding a vertical height of 1m; (b) filling exceeding a vertical height of 1m; or (c) a total combined excavation and filling vertical height of 2m or more. With modern poultry sheds being 160 – 180m long, and a typical bank of 12 x 1 sheds requiring a levelled earthworks pad of perhaps 400m x 200m, it will not be possible to achieve DTS 8.1 (a), (b) or (c) in many chicken growing parts of South Australia. Although Intensive Animal Husbandry developments are intended to be performance assessed, in which case allowance for non-compliance with DTS 8.1 might be made, it would be more efficient if Intensive Animal Husbandry and Dairies was an activity excluded from these criteria.
285	7	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	In zones where Intensive Animal Husbandry and Dairies will occur, the assessment tables should be modified to consider the following for restricted dwellings: Restricted Classes of Development: Dwelling within the Limited Dwelling Overlay. A dwelling in the Rural Zone is a restricted development 'except where it is a replacement dwelling'. It is imperative that chicken farm managers live adjacent to their farms in order that emergencies can be quickly dealt with. Where there is more than one chicken farm on one allotment, or a chicken farm is large enough to require a manager and assistant manager, more than one dwelling will be required. Dwellings DTS/DPF 5.2 – A secondary dwelling on an allotment is: (a) located within 20 metres of an existing dwelling on the same allotment; This is not practical where two chicken farms are established on one allotment and separated by a 1000 metre biosecurity buffer, and not practical where one staff member will be off shift and trying to sleep while the other staff member may be using vehicles or alarms around their dwelling. It would be useful if the Planning and Design Code recognised the need for well separated supplementary housing under such conditions.
285	8	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	Do not think that additional evidence needs to be provided as part of the assessment of intensive animal husbandry and dairies.
285	9	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	Are concerned that Accredited Professionals can assess intensive animal husbandry and dairies when they are 'not qualified' to make a decision. This would only apply to DTS applications though.
285	10	29-Nov-19	Phase 2	Industry Representative	Michael Moore	Australian Chicken Growers Council	Multiple	General Policy	Intensive Animal Husbandry and Dairies General Policy	Think that EPA as a referral agency is unnecessary
286	1	29-Nov-19	Phase 2	General Public	James Everett	n/a	Campbelltown	General Feedback	General Feedback	Heritage management and listings should stay with local councils and previously undertaken heritage studies accepted and maintained by the Council. Additional support to be received by the support of the State Heritage Branch.
286	2	29-Nov-19	Phase 2	General Public	James Everett	n/a	Campbelltown	General Feedback	General Feedback	The State Heritage Branch should be restructured with adequate staff and resources to support heritage.
286	3	29-Nov-19	Phase 2	General Public	James Everett	n/a	Campbelltown	General Feedback	General Feedback	Planning panels should be made up of elected members and only 1/2 outside appointed members.
286	4	29-Nov-19	Phase 2	General Public	James Everett	n/a	Campbelltown	General Feedback	General Feedback	Increase notification requirements for adjoining owners to have the opportunity to consult on any planning proposal which affects their property and reister objections.
286	5	29-Nov-19	Phase 2	General Public	James Everett	n/a	Campbelltown	General Feedback	General Feedback	State Planning Commission should be replaced
287	1	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	General Feedback	General Feedback	Code is confusing and is in need of a number of corrections and does not provide a simpler outcome
287	2	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Overlays	Historic Area Overlay	Uncertain whether the latest decision of the Commission is that existing contributory items within a Heritage (Conservation) Zone will be carried over into the Code.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
287	3	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Overlays	Historic Area Overlay	If Code policies contemplate replacement buildings for contributory items, I submit that the same siting, set back site coverage, massing and built form must be required by any proposed replacement. This approach would protect the overall heritage character of the area or zone, and allay legitimate concerns expressed thus far regarding the possibility of uncontrolled and increased density in replacement buildings. My concern is that this will affect places in the Phase 2 Rural Areas and negate the significant investment made by those Councils who currently use these policy provisions for the sake of a one-size-fits-all planning system. The State Planning Commission's judgement that the listing process for Contributory Items has lacked rigour is misinformed. Councils concerned have all prepared Heritage Plan Amendment Reports generally with a high standard of rigour. It is agreed that some are inconsistent and some vary in standard but this does not justify the proposed action to remove the contributory item category and throw out a system that has provided protection
287	4	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Zones and Subzones	Conservation Zone	Conservation Zone must fully cover all gazetted reserves and wilderness protection areas
287	5	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Zones and Subzones	Conservation Zone	Land Use PO1.1 – small scale and low impact uses needs to be clearly defined
287	6	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Zones and Subzones	Conservation Zone	DTS/DPF1.1- public amenity needs to be clearly defined
287	7	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	Zones and Subzones	Conservation Zone	All tourism proposals on reserves should be classified as restricted development.
287	8	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	General Feedback	General Feedback	Include specific references to biodiversity protection, including public land in relevant overlays and zones. There are a number of overlays that are related to public land that do not acknowledge the importance of long lived, large trees and their contribution to ameliorating predicted temperature rises.
287	9	29-Nov-19	Phase 2	Practitioner	Iris Iwanicki	n/a	Mitcham	General policy	Regulated trees	3. Regulated trees overlay does not recognise the need to transition across all current development plan provisions. Whilst the general premise is that trees should be retained there is a lack of strong policy setting out the value of trees and avoiding tree damaging activity where at all possible. (a) Include reference for regulated trees in general to indigenous to the local area and important habitat for native fauna being criteria for considering retention. (b) Include reference for significant trees to indigenous to the local area, important habitat for native fauna, part of a wildlife corridor and importance to maintenance of biodiversity being criteria for considering retention. (c) Retention test "retained where they make an important visual contribution to local character and amenity" should be replaced with "Significant Trees should be retained and not removed" (d) In the case of significant trees include test of "all other remedial treatments and measures have been determined to be ineffective".
288	1	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	General Feedback	General Feedback	The new Code based system, as the key state document guiding planning decision making, has the potential to address future development in a rapidly changing world, as we face growing challenges including significant biodiversity loss, increasing temperatures and extreme weather events. The challenge is to protect our state assets, both natural and cultural, against destruction in times of environmental and economic stress, and to enable producers and Councils to provide resilient ways for adapting to changing circumstances. It is an opportunity to make the planning system clearer and more certain in direction, and to enable consideration of longer-term impacts on public wellbeing and the environmental resources on which we rely. We acknowledge the enormous effort by the Planning Commission and DPTI staff in their attempt to meet the legislated Code implementation date of July 1 2020. However, we are deeply concerned the timeframe is simply inadequate for the size of the task. As a result, the process has become deeply problematic, and community concern is high and growing. There are four main reasons for this concern: 1. A clash of expectations 2. Are we dealing with a change in rules or a change in the process? 3. A moving target 4. Truncated timing.
288	2	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	Overlays	Native Vegetation	We acknowledge and support: • The proposed new Native Vegetation Overlay, which will provide a formal link between the land-use planning and native vegetation protection regimes. We believe this will lead to more coordinated implementation of current legislative settings and awareness-raising regarding existing obligations, and • Policies for encouraging more 'green infrastructure' and Water Sensitive Urban Design in new developments, particularly by including requirements for trees in the Deemed-to-Satisfy assessment pathway. Encouraging the establishment of the new tree canopy is critical for cooling our city in a warming climate, as well as providing a range of other benefits.
288	3	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	General policy	Climate change	We note that the words 'climate change' is not specifically referenced in this version of the draft Code, which is a surprising and significant omission. The Code must better articulate the need for climate resilience in all forms of development including consideration of what, where and how we build to adequately mitigate future climate impacts and reduce carbon emissions.... There are significant opportunities in the Code to strengthen protection for natural spaces in our regional and outer metropolitan areas.
288	4	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	General policy	Biodiversity	The Code fails to adequately reflect the State Planning Policy 4 - Biodiversity. RECOMMENDATIONS: 1. The Code is reviewed to contain an overarching biodiversity policy (e.g. Desired Outcome) and includes important policies included in Development Plans and the Planning Policy Library. 2. Consider a Biodiversity Overlay for the Conservation Zone, including all areas proclaimed under the National Parks and Wildlife Act 1972 and Wilderness Act 1992, (p.154 Guide to Draft Planning and Design Code, Attachment 2: Alignment of the Planning and Design Code with State Planning Policies) 3. Include the definition of biodiversity in all key zones and overlays and the new general provisions. 3. Include the full definition of biodiversity is found in State Planning policy; namely the variety of all living things; the different plants, animals and micro-organisms, the genetic information they contain and the ecosystems they form. 4. Include Native Forest Reserves (16,000 hectares in total) in the Conservation Zone. These areas are managed by Forestry SA for conservation purposes. 5. Ensure mapping to accurately zone existing reserves as Conservation (this applies to all Phases of the Code).



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
288	5	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	Overlays	Regulated Tree Overlay	RECOMMENDATIONS: 1. Propose State Policy 4.1 references to the ongoing protection of trees in areas to include 'to minimize impacts of development on areas of recognized natural character and values'. 2. Include 'the retention of all large, long-lived and drought-resistant trees' within the context of biodiversity policies. 3. The City Of Melbourne has an Exceptional Tree Register where the trees are assessed against clear criteria. A similar approach should be considered in the Code. 4. Regulated trees overlay policy to include: a) reference for regulated trees in general to indigenous to the local area and important habitat for native fauna being criteria for considering retention; b) reference for significant trees to indigenous to the local area, an important habitat for native fauna, part of a wildlife corridor and importance to the maintenance of biodiversity being criteria for considering retention; c) Retention test "Significant Trees should be preserved" rather than "where they make an important visual contribution to local character and amenity"; and d) test for significant trees of "all other remedial treatments and measures have been determined to be ineffective".
288	7	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	Zones and Subzones	Conservation Zone	RECOMMENDATIONS: 1. Correct overlays to include Conservation Zoning to apply to all areas of parks. 2. Review vague terms to provide specific meanings: e.g. 'contemplate' undermines the purpose, use and protection of reserves expected by the public. 3. Campgrounds are shown in some management plans. It needs to be clarified whether tourist accommodation is to be considered in these areas beyond temporary tents rather than permanent facilities (e.g. cabins) Camping is an option for members of the community as an accessible and inexpensive way of connecting with park environments. It would be a pity if such areas were to be commercialised. 4. 'Restricted' is the appropriate default assessment path for Tourist Accommodation in areas proclaimed under the National Parks and Wildlife Act 1972 and the Wilderness Act 1992. Code amendments could make provide exemptions to the 'restricted' category for sites for Tourist Accommodation designated in Park Management Plans and extended where no management plan exists to apply to historic buildings such as lighthouses, farm buildings and homesteads. 5. Consider notification to apply beyond the 50m area around a proposed development site and include Park volunteer groups who have invested significant time and effort in caring for natural areas, as well as the general public who have a clear interest in public open spaces and parks.
288	8	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	Overlays	Significant Landscape Protection Overlay	Amend the Significant Landscape Protection Overlay to include Wilpena Pound
288	9	29-Nov-19	Phase 2	Community Organisation	Craig Wilkins	Conservation SA	Multiple	Zones and Subzones	Conservation Zone	It is strongly recommended that under Procedural matters the Friends of Parks and Nature Conservation Society be enabled to be a comment on tourism accommodation and other land uses that may compromise the integrity of park management.
289	1	29-Nov-19	Phase 2	Infrastructure Provider	Claire Pullan	SA Water				<b>NOT FOR PUBLICATION</b>
290	1	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	<ul style="list-style-type: none"> <li>There are 2300 State Heritage Places (SHP) registered in the South Australian Heritage Register. Of the 2300, approximately 1500 State Heritage Places do not have confirmed Statements of Heritage Significance.</li> <li>The South Australian Heritage Register is the point of truth for description or notes relating to State Heritage Places and State Heritage Areas as per section 14 of the <i>Heritage Places Act 1993</i>.</li> <li>Council agreed that the Statements of Heritage Significance are a critically important resource for decision making that will be linked to the Planning and Design Code and that the resourcing implications are substantial for all SHP to have a Statement of Heritage Significance.</li> </ul>
290	2	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Related to the above, the Council seeks clarity on how Statements of Heritage Significance are to be integrated into the Planning and Design Code after it is operational.
290	3	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	Overlays	State Heritage Area Overlay	There are 17 State Heritage Areas in South Australia, each with a confirmed Statement of Heritage Value. Delegates of the Minister for Heritage use these Statements when assessing the impact of development proposals on the heritage values of an Area. Further, the community and property owners use these statements to understand the heritage values of an Area. Online access to these statements is recommended, through the planning portal.
290	4	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	Overlays	State Heritage Area Overlay	The 17 Statements of Heritage Significance for State Heritage Areas are generally well written and appropriate. Council suggests that the 'table' approach suggested to record heritage/ character attributes of an Area is not appropriate for State Heritage Areas and consideration should be given to producing a detailed Statement of Heritage Significance and schedule of heritage attributes contributing to that significance, as recently drafted as a trial by Heritage South Australia.
290	5	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	A State Heritage Place is defined by Certificate of Title (CT), not building footprint. Therefore, proposed development within that CT, or where it affects the setting of the CT is the trigger for referral under the current Development Regulations. Does the mapping associated with the Planning and Design Code recognise the Certificate of Title or the place/building as the 'development site'?
290	6	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Council has concern about the impact of future land division on State Heritage Places. Council believes there is a need for a legal instrument to prevent the incremental impact of land division on State Heritage Places
290	7	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	State Heritage Area Overlay	Council suggests that the test for demolition needs further interpretation
290	8	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	Overlays	General Feedback	Further guidance sought on 'irredeemably beyond repair'.
290	9	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Council seeks some clarity on Guidelines as they relate to State Heritage Places. State Heritage Places are diverse in nature and therefore it may be difficult to prepare overarching guidelines applicable to all of them.
290	10	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	Overlays	State Heritage Place Overlay	It is noted that the Code has a 'visible from the public realm' test which means that development not visible from the public realm does not require referral to the Heritage Minister. Council seeks clarity on the philosophy behind this public realm test, and seeks further discussion about it before commenting further.
290	11	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Council queries the mechanism that picks up development that is adjacent to a State Heritage Place or State Heritage Area. Is there one? If so, where and how does it work? If there is no mechanism, Council strongly proposes there should be one.
290	12	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	It is noted that consultation on the Code is occurring in the absence of the Electronic Planning Portal. This Electronic Planning Portal needs to be made available for review / testing as soon as possible to better facilitate community engagement on the Draft Code. On this point, Council suggests that DPTI develop and communicates a contingency plan if the electronic system is not online in time for 1 July 2020.
290	13	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Council seeks advice from the Planning Commission about the process required to amend the Code after it is operational. This is critical to the ongoing success of the Code assuming that errors / upgrades will be necessary to such a transformational planning tool.
290	14	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	Council recommends the re-instatement of State and Local Heritage Advisers in the field to assist property owners / assessing planners as well as funding by Government to facilitate this.
290	15	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	There is typically a need for professional advice in relation to development of State Heritage Places given the complex nature and variety of State Heritage Places. <ul style="list-style-type: none"> <li>It is noted that the Outback Community Authority has limited planning expertise and is not resourced to prepare development applications for State Heritage Areas. In out-of-Council unregulated areas – a dedicated person in DPTI needs to be available to provide advice to proponents.</li> <li>Council noted that the level of information about the heritage value of Local Heritage Places is variable, bringing further resource implications if the system is intended to rely on it.</li> </ul>

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290	16	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	General Feedback	General Feedback	In the new system, referral to the Minister is mandatory unless it is deemed 'minor'. It is important that 'minor' is clearly defined and the Heritage Council is happy to work with the Planning Commission to ensure this work is done.
290	17	29-Nov-19	Phase 2	Industry Representative	Keith Conlon	SA Heritage Council	Multiple	Land Use Definitions	Definitions	Clear definitions of 'heritage' and 'character' are needed. It is agreed that the use of the word 'historic' should be avoided so as not to cause confusion.
291	1	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback	General Feedback	It was our understanding that there would be a 'like for like' transition from the current City of Norwood Payneham & St Peters (NPSP) Development Plan (DP) to the new code. It is obvious that this is not the case.
291	2	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	Overlays	Historic Area Overlay	We have many concerns about the Draft, particularly as it relates to the NPSP Historic areas. We have yet to consider the effect on the non-historic parts of the district, however we expect that the concerns will be similar.
291	3	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback		<ul style="list-style-type: none"> <li>The Draft is incomplete and riddled with errors and should not have been released for public consultation.</li> <li>The Draft Code is incomprehensible even for professionals.</li> <li>The interactive mapping tool is obviously still in a development phase and is almost impossible to navigate.</li> <li>The Code will not make planning easier, quicker, simpler, and more equitable.</li> <li>It will be a 'goldmine' for lawyers, planning professionals, and consultants.</li> <li>Lack of the promised Historic Area Statements to enable proper consideration.</li> <li>Lack of Sub-zones to provide for local area variation.</li> <li>Errors in referencing to tables of zone provisions.</li> <li>Minimum site areas incorrect and different from the existing minimums.</li> <li>No protection for development on the NPSP laneways as contained in the current NPSP DP.</li> <li>Inconsistent or missing frontage provisions.</li> <li>Loss of minimum site coverage provisions.</li> <li>Loss of fencing detail provisions.</li> <li>Loss of, or inconsistent, front and side setback provisions.</li> <li>Loss of details of materials.</li> <li>Maximum height provisions different to the current DP.</li> </ul>
291	4	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback	General Feedback	The Commission has tried to assure the concerned community that changes can be made after April 1st (for Phase 2) and July 1st (for Phase 3) to change and rectify these errors. This is an absurd proposal, and will allow a Code to be implemented which is clearly not fit for purpose.
291	5	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback	General Feedback	In addition, there has been no confirmation about a "companion document" to be issued which corrects the many acknowledged errors and omissions. Therefore, there will be no opportunity to properly consult on the final Code before it is released.
291	6	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback	General Feedback	The lack of ease of workability of the Code, confusion of the process, poor community consultation (it has been presentation of material, not consultation), broken promises, and general inept implementation of the whole planning process has resulted in a Code which is clearly not fit for purpose. In addition, the proposed date of implementation (Phase 2, April 1st) and Phase 3 (July 1st) is clearly unrealistic and this time frame should be extended to ensure an outcome which works for the state of South Australia.
291	7	30-Nov-19	Phase 2	Community Group	Andrew Dyson	Kensington Resident's Association (LATE SUBMISSION)	Norwood Payenham and St Peters	General Feedback	General Feedback	According to the Chair. State Planning Commission (DPTI Planning Ahead e-newsletter – Edition 27): "Earlier this month I gave an important briefing to South Australia's Cabinet members on the draft Planning and Design Code. The main point I wanted our parliamentary representatives to take away was that this first generation of the Planning and Design Code is largely about transitioning and consolidating existing contemporary policy from individual council development plans into the Code." Quite clearly, the draft does not transition and consolidate the existing Council Development Plans into the code!
292	1	02-Dec-19	Phase 2	State Government Board	Nicole Westbury	Premier's Climate Change Council (LATE SUBMISSION)	Multiple	General Policy	Climate change	<p>The Council suggests that further opportunities for generation 1 reforms to better protect and reduce the loss of natural climate systems, biodiversity and tree canopy should be explored.</p> <p>It is encouraging and fitting that climate change is considered as a mandatory policy element of the planning system (State Planning Policy 5). However, as development can only be assessed against the Code it is vitally important that climate change mitigation and adaptation requirements are explicit throughout the Code itself. While it is important that further work to build data and improve hazard mapping is fast tracked, it is also important for existing data and knowledge about climate risks to be incorporated into the Code at the earliest opportunity to provide broad and longterm benefits. An ongoing commitment to incorporate improved and updated data in to the Code should also be a future priority.</p> <p>The Council acknowledges that the Phase Two draft Code includes progressive approaches to mitigating climate impacts, particularly in relation to greening and water sensitive urban design.</p> <p>The importance of maintaining and building upon these improvements in future iterations of the Code is emphasised. Overall, it is advised that climate considerations still need to be better articulated and more consistently applied throughout the Code. Importantly, the Council notes that the words 'climate change' are not specifically referenced in this version of the draft Code, which is a significant omission.</p>
292	2	02-Dec-19	Phase 2	State Government Board	Nicole Westbury	Premier's Climate Change Council (LATE SUBMISSION)	Multiple	General policy	Hazards	It is suggested that reinstating the performance outcomes included in the Phase One draft relating to environmental protection (including native vegetation and water management) and hazard risk minimisation, with the additional reference to future hazards under a changing climate, could remedy this. While many issues could be managed through the overlays, the existing limitations associated with the flood overlays in particular, requires specific reference to future hazards and hazard risk minimisation at least until the point where all flood hazard mapping is updated to a consistent level.
293	1	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	General Feedback	Retail - centres hierarchy	Concerned that existing centres will be undermined in transitioning existing centres zones under the current hierarchy to their proposed new categories as a result of out-of-centre development. There is also a lack of retail planning policy to properly assess out-of-centre development.

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293	2	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	General policy	Assessment of out-of-centre retail development	Zones that permit retail development may undermine existing centre, such as the Employment and Suburban Employment zones. Suggest that general planning policy should be incorporated into the draft Code for assessing out-of-centre retail which exceeds DTS/DPF criteria as follows: 1. Shop or group of shops that exceeds the DTS floor area criteria for a zone should be located within an Activity Centre or Main Street zone. 2. A shop or group of shops located outside of an Activity Centre or Main Street zone should: (a) be of a size and type that will not hinder the development, function of viability of any centre zone (b) not demonstrably lead to the physical deterioration of any designated centre (c) be developed taking into consideration its effect on adjacent development. 3. Bulky goods outlets located within centre zones should: (a) complement the overall provision of facilities; (b) be sited towards the periphery of those zones where the bulky goods outlet has a gross leasable area of 500sqm or more.
293	3	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	General policy	Bulky goods outlet - policy intent	In relation to Bulky Goods Outlet, it is considered that the term 'periphery' is unclear and jeopardises SPP 9 for Activity Centres. More prescription is needed to understand how this is intended to apply: (a) in-centre; and (b) within a defined inside-edge of an Activity Centre or Main Street zone.
293	4	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	General policy	Out-of-centre GLFA restrictions	Proposed changes to restrictions for retail gross leasable floor in out-of-centre locations are not justified or explained. Many development plans establish non-complying floor space limits in industry zones (refer to submission for examples), whereas the proposed Employment Zone proposed a DTS floorspace up to 500 sqm, which does not represent a transition of policy from development plans. The Code should establish proportional and equitable retail floor area restrictions for out-of-centre zones.
293	5	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	Zones and Subzones	Public notification of shops in non-centre zones	Understands that the draft Code seeks a consistent approach to notification and would occur where a performance assessed development does not meet DTS criteria. However, considers that there are inconsistencies in notification requirements between zones in this regard. It is suggested the following zones be reviewed to require notification if a DTS criteria for a shop is not met: General Neighbourhood Zone; Greenfield Suburban Neighbourhood Zone; Suburban Employment Zone; Suburban Neighbourhood Zone; and Urban Renewal Neighbourhood Zone.
293	6	29-Nov-19	Phase 2	Industry Representative	Sahil Prasad	Shopping Centre Council of Australia	Multiple	Zones and Subzones	Public notification of shops in centre zones	Considers that circumstances in the draft Code that require retail development in a centre zone to be notified are unreasonable. In this regard, the following circumstances requiring notification in an activity centre should be deleted: • the site is next to / adjoins a dwelling • development identified as 'all other Code assessed development' • fails to comply with relevant DTS provisions.
294	1	29-Nov-19	Phase 2 and 3	Industry Representative	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	General policy	General Feedback	Deemed to satisfy pathways for all land divisions that follow on from: - approval of built form land use, creation of up to 5 allotments, create a community strata scheme, accommodate housing trust dwellings.
294	2	29-Nov-19	Phase 2 and 3	Industry Representative	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	Land use Definitions	Land use Definitions	The Code should identify the difference between torrens and community titles by providing separate definitions for each
294	3	29-Nov-19	Phase 2 and 3	Industry Representative	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	General Feedback	General Feedback	Licensed surveyors under accredited under the Scheme, should be granted decision making authority to assess land division applications. High degree of expertise and professionalism should be utilised, and a greater role would benefit the planning system.
294	4	29-Nov-19	Phase 2 and 3	Industry Representative	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	General policy	Land Division	Minor land divisions should be categorised as the creation of up to 5 allotments (not 20 as is in the draft Code). This will align better with notification exclusions (often triggered where 4 or more additional dwellings or allotments are created).
294	5	29-Nov-19	Phase 2 and 3	Industry Representative	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	General policy	Land Division	The Code should provide a mechanism for the unique assessment of Community Divisions, taking into account the differences between 'Torrens' allotments and Community lots. Many of the provisions are not suited to community lots, so the Code provisions should focus on the ultimate land use, and the requirements for land division should follow on from land use approval.
294	6	29-Nov-19	Phase 2 and 3	Industry	Michael Nietschke	Surveying and Spatial Sciences Institute (South Australia)	Multiple	Land use Definitions	Group dwelling definition	Properly define type of dwellings i.e. group dwellings (without a frontage to a public road) should be clearly spelt out in concept.
295	1	29-Jul-19	Phase 2	Local Government	Mayor Karina Ewer	District Council of Streaky Bay	Streaky Bay	General policy	Renewable Energy Facilities	As new renewable energy technologies emerge such as wave generators and solar ponds, the Coast Protection Board would need to be listed as a referral agency as some of the infrastructure may be located within the coastal zones.
295	2	29-Jul-19	Phase 2	Local Government	Mayor Karina Ewer	District Council of Streaky Bay	Streaky Bay	General policy	Renewable Energy Facilities	Not much content in the paper about new or emerging technologies for which impacts are not yet known. Is there anything that can be considered that allows for the as yet unknowns?
296	1	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General policy	Renewable Energy Facilities	There is a need for policy to address end-of-life decommissioning and site remediation, for wind and solar farms.
296	2	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General policy	Renewable Energy Facilities	Further consideration to the allocation of the assessment authority for large-scale renewable energy projects involving wind energy. Council Assessment Managers should be able to request SCAP be appointed the assessment authority in defined circumstances.
296	3	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General policy	Renewable Energy Facilities	Would prefer that policy to manage the impacts of Renewable Energy Facilities continues to be developed and updated over time as opposed to a situation where impacts are managed only by conditions of consent, particularly for forms of development for which policy is perceived to be lacking such as Solar Facilities under 5MW generation capacity.
296	4	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General policy	Renewable Energy Facilities	Concerned with the use of the Clean Energy Council definition of 'large scale' solar farms (being over 5MW). The threshold is not established for land use policy purposes. Every MW of generation capacity takes up about 1.4ha of land. In more sensitive or higher amenity rural landscapes in particular, it is important that such generation facilities have robust land use policy to guide decision making and orderly and appropriate development.
296	5	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General policy	Renewable Energy Facilities	Suggest using the NSW SEPP on Solar Farms to guide how to better define 'small scale ground mounted solar farms', as facilities currently defined as small scale in the Code (i.e. up to 5MW) cannot be readily compared to domestic rooftop solar systems in terms of their scale and impact.
296	6	30-Jul-19	Phase 2	Local Government	Myles Somers	Berri Barmera Council	Berri Barmera	General Feedback	Renewable Energy Facilities	Think about including in a Practitioner Guide, a checklist for applicants and assessment officers, which would include a list of relevant information for inclusion in a solar farm development application including a glare assessment, a CEMP, a pest animal and weed control study, an ongoing environmental management plan, a stormwater management report, cultural heritage report and other relevant reports. The NSW Guideline for Large Scale solar energy development may provide a good reference.
297	1	09-Aug-19	Phase 2	Local Government	Craig Grocke	RDA Barossa	Barossa	General policy	Renewable Energy Facilities	Our primary concern is the mandated 100m setback from neighbouring properties or townships, which is quite arbitrary and needs more finesse in qualifying this requirement and should be a guide with some provision for flexibility for development assessment on a case by case basis.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
										A case in point is a new urban development (greenfield expansion) at Mallala to increase the footprint of the town with the intention to be a more sustainable development than what South Australia typically experiences with traditional developers. A requirement of the development is an area of land as a buffer for the town to improve resilience to bush fires. This has come out of the impact of the Pinery Fires. Rather than have vacant land with not return for the community in public benefit other than a fire buffer zone, the development proposes as solar farm with battery storage to be structured as a community energy cooperative. The solar farm is integrated into the design of the land division and as such the 100m buffer proposed is contrary to the economic, environmental and community benefits of a solar farm as an integrated design of the development which benefits future residents and surrounding community. Both Council and existing residents support and welcome this feature of the land division.
297	2	09-Aug-19	Phase 2	Local Government	Craig Grocke	RDA Barossa	Barossa	General policy	Renewable Energy Facilities	So our submission is to have more foresight and flexibility to understand that urban development of the future will see many more large, small and micro embedded energy systems in developments to create a web of networked and often locally contained energy grids that can support rural communities and their businesses. Arbitrary setbacks, mandated in policy is neither visionary nor adaptable to changing technology and urban design practice for sustainable communities. We agree that potential impacts such as glare need to be assessed but these can be managed through principles of good urban design. The concern for heat is negligible compared to a roof and walls of a house. Solar panels in a solar park provide shelter for animals, invertebrates and native ground covers that can double up in solar parks to become a local ecosystem and to encourage much needed biodiversity, especially in rural areas such as Mallala that suffer from monoculture crops creating pest and disease issues.
298	1	22-Aug-19	Phase 2	Business	Andrew Lothian	Scenic Solutions	Multiple	General policy	Renewable Energy Facilities	I note that the Discussion Paper states: "current planning policies do not specifically restrict solar farms from being developed in more environmentally sensitive zones or where landscape character attributes are more prominent and worthy of greater protections." While this relates to solar farms, it should apply equally to wind farms. The Paper also states: "The Significant Landscape Protection Overlay will identify significant landscapes in which wind farms are discouraged." South Australia's coast is an important landscape resource with areas of the high landscape quality including the west coast of Eyre Peninsula, parts of Kangaroo Island and the South East. I conducted research to measure and map the State's coastal views for the Coast Protection Board and the report is available at my website: <a href="http://www.scenicsolutions.world/projects">www.scenicsolutions.world/projects</a> . There is a real risk that in the future, large scale wind farms will become viable on the west coast of Eyre Peninsula and as this contains some of South Australia's most outstanding landscapes, this would affect them adversely. It is therefore essential that any wind farm be set well back from the coast. The Discussion Paper proposes a setback of 2 km, plus 10 metres per additional metre over 150 metres in overall turbine height from township zones and the like. I propose that the same provision apply to the entire State's coastline. It may be necessary to increase this setback in cliff-top coastlines such as occur on the west coast and on the northern coast of Kangaroo Island. Recommendation: That the 2km setback proposed for towns apply also to the entire South Australian coast with provision to increase this in coasts of high landscape quality.
299	1	23-Aug-19	Phase 2	Practitioner	Paul Mickan	n/a	n/a	General Policy	Infrastructure and Renewable Energy Facilities General Policy	The paper only deals with large commercial scale renewable energy facilities and provides no policy direction for domestic scale renewable energy facilities.
299	2	23-Aug-19	Phase 2	Practitioner	Paul Mickan	n/a	n/a	General Policy	Infrastructure and Renewable Energy Facilities General Policy	Scope exists to introduce more flexibility and streamlined approval procedures for ground-based solar panels/systems, particularly in primary production and rural living areas.
299	3	23-Aug-19	Phase 2	Practitioner	Paul Mickan	n/a	n/a	General Policy	Infrastructure and Renewable Energy Facilities General Policy	The Code should provide clearer direction about domestic scale wind generation.
299	4	23-Aug-19	Phase 2	Practitioner	Paul Mickan	n/a	n/a	General Policy	Infrastructure and Renewable Energy Facilities General Policy	Domestic scale battery storage facilities have been overlooked - small systems require performance assessment.
299	5	23-Aug-19	Phase 2	Practitioner	Paul Mickan	n/a	n/a	General Policy	Infrastructure and Renewable Energy Facilities General Policy	Missed opportunity to facilitate new forms of domestic scale energy production and storage facilities.
300	1	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	3km wind turbine setback from townships and settlement zones.
300	2	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	2km wind turbine setback from non-associated dwellings.
300	3	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	500m solar farm setback from conservation areas.
300	4	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	750m solar farm setback from township boundaries.
300	5	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	100m solar farm setback from neighbouring land.
300	6	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	Solar farms are a rapidly emerging land use requiring clear policy guidance to support co-existence with primary production activities. Current policies do not provide guidance on cumulative impacts of renewable energy developments on neighbouring land.



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
300	7	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	There are few planning policies dealing with solar farms, hydro and battery storage facilities.
300	8	26-Aug-19	Phase 2	Local Government	CEO David Stevenson	Regional Council of Goyder	Goyder	General Policy	Infrastructure and Renewable Energy Facilities General Policy	Support for policies being updated to keep pace with new technology and offer fair equitable assessment process.
301	1	27-Aug-19	Phase 2	Local Government	David Read	City of Victor Harbor	Victor Harbor	General Feedback	General Feedback	At its meeting held on 26 August 2019, the City of Victor Harbor endorsed the following for consideration when drafting Renewable Energy Policies in the new Planning and Design Code: <ol style="list-style-type: none"> <li>1. It is essential to conserve primary production land (food bowl) in 'Primary Production', 'Rural' and 'Water Protection' zoned land (or similar areas/zones), which are based on soil types, transport infrastructure, irrigation/water and, grey water re-use potential.</li> <li>2. The Waitpinga cliff line has a high level of landscape amenity and is to be identified and preserved in a Code overlay.</li> <li>3. The City of Victor Harbor, through the Resilient Hills and Coast partnership under Southern Hills LGA, are considering future climate change mitigation and strategic adaptation options which, if applied, may lead to alternative consideration of some renewable energy aspirations.</li> <li>4. Renewable energy development proposals should consider potential impact on water, particularly regarding access and supply.</li> <li>5. Pumped hydropower could possibly be considered for the SA Water reservoir located at Hindmarsh Valley as a potential trial case study, as the site is also used for waste water detention and re-use for the greater Victor Harbor region.</li> <li>6. Having access to the potential energy source of the Southern Ocean, Council reserves the right to form a position on wave energy in the future, taking into consideration rapidly evolving technologies. Environmental and aesthetic impacts will need to be considered.</li> <li>7. Residential solar panels – create consistent state-wide provisions in the Code to assess the impact of solar panels on residential buildings, particularly to protect existing and proposed development that has power generation capacity from impacts introduced by neighbouring development e.g. due to height, overshadowing, etc.</li> <li>8. Councils require more data, facts and figures when considering issues concerning renewable energy e.g. what is the proportion of state 'consumption' of renewable energy as opposed to energy 'generation'? Additionally, what amount of renewable power is imported into South Australia from interstate?</li> <li>9. There may be a need to consider policies and/or Code principles which target and focus on renewable energy 'consumption' and not solely 'generation'.</li> <li>10. When applying the Code during the development assessment phase for a renewable energy proposal, there should be a requirement to also consider broader infrastructure requirements beyond the specific renewable energy site/proposal, which are subject to development assessment e.g. underground infrastructure, transport routes, water supply, etc.</li> <li>11. Principles and policies may be needed to encourage and facilitate research and development, as well as emerging technology, relating to renewable energy e.g. design, testing etc.</li> </ol>
302	1	30-Aug-19	Phase 2	General Public	Jackie Rovensky (submission 1 of 2)	n/a	n/a	General Feedback	Wind turbines	Wind turbines shouldnt use SF6 fire retardant gas as this is toxic/greenhouse gas.
303	1	02-Sep-19	Phase 2	General Public	Greg Hatter	n/a	Port Pirie	General Feedback	Renewable Energy Facilities	Setback for wind durbines should be increased proportional to the increase in potential height - 240m tall turbine should have a setback greater than 1.2km
304	1	29-Sep-19	Phase 2	General Public	Jackie Rovensky (submission 2 of 2)	n/a	n/a	General Feedback	Wind turbines	See submission #302 for further details.
305	2	16-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	Zones and Subzones	Rural Zone	Renewable Energy: In principle we agree smaller scale facilities may be appropriate in the rural zone however we would like to see a practice direcionwhich requires the proponent to demonstrate that the land in question is not viable for agricultural activities.
305	3	17-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	Overlays	General Feedback	Renewable Energy: Overlays are stated to to be used to restrict environmentally and culturally significant areas from contemplating these facilities. Based on current policy we understand that these facilities will be restricted in the McLaren Vale Character preservation district Overlay. Whilst we envisage larger facilities to be restricted there may be some locations suitable for smaller facilities however any support would be subject to appropriate policy guidance in relation to adequate setbacks and landscaped buffers
305	4	18-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	Land use Definitions	Renewable Energy Facilities	Defintiion for renewable Energy Facilities: We agree that the definition fore renewable energy facilities will need to be updates and we consider there are several parts to this; the type of use, scale and whether sited on a building or on-ground. The definition should also make a distinction between 'domestic' versus 'commercial'. We want to encourage renewable energy and at present particularly solar, but we question if this scale is too large within our region noting tha Character Preservation District and proximity to to our towns and residential areas.
305	5	19-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	General Feedback	Renewable Energy Facilities	Increase the 100m setback for solar farms to 500m from any national park or conservation area. Also, make large scale solar farms restricted in these areas (and relevant zones/overlays) combined with policy to mandate greater setbacks from non-host landowner boundaries and that a portion of the setback is allocated for landscaped buffer treatments where required
305	6	20-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	General Feedback	Renewable Energy Facilities	Pumped Hydro: General support for assessment against general development provisions with regard to clearance of native veg, earthworks, etc.
305	7	21-Oct-19	Phase 3	Local Government	Mayor Erin Thompson	City of Onkaparinga	Onkaparinga	General policy	Renewable Energy Facilities - battery storage	Battery Storage: Agree that the Code can rely on existing SAPPL policy and does not need additional policy. Notwithstanding, we support additional perimeter landscaping being required to obscure/mitigate visual impact of battery storage facilities.
306	1	22-Oct-19	Phase 2	Local Government	Anita Crisp (CEO)	Upper Spencer Gulf Common Purpose group	Multiple	General policy	Renewable Energy Facilities - cummlative impacts	Cumulative impact has been noted but no explicit guidance or assessment criteria for this has been formally considered. The cumulative impact on visual amenity, noise, telecommunications, the environment and other land uses like tourism must be taken into account.
306	2	22-Oct-19	Phase 2	Local Government	Anita Crisp (CEO)	Upper Spencer Gulf Common Purpose group	Multiple	General policy	Renewable Energy Facilities - setbacks	The proposed differential setback distances between residences located within or outside townships / settlements remains inconsistent and inequitable, residents should expect the same level of protection regardless of where they live. It would be logical that the policy be amended to require a minimum 3.5km setback to any non-associated residence regardless. Noise protection requirements remain as per the current system even though the height of turbines has increased and the number of noise complaints increased.

Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
306	3	22-Oct-19	Phase 2	Local Government	Anita Crisp (CEO)	Upper Spencer Gulf Common Purpose group	Multiple	General Feedback	Renewable Energy Facilities - impacts during construction	Traffic Impact: Concerns about traffic management and asset damage on local roads during construction. Lack of clarity regarding make good provisions has meant local roads are negatively impacted.
306	4	22-Oct-19	Phase 2	Local Government	Anita Crisp (CEO)	Upper Spencer Gulf Common Purpose group	Multiple	General Feedback	Renewable Energy Facilities - Council rates	Rating of renewable facilities in line with what Councils apply to any other industrial development
307	1	12-Nov-19	Phase 2	Local Government	Mark Salver	Adelaide Hills Council	Adelaide Hills	General Feedback	Renewable energy sector	Support for intent of policy discussion paper as it demonstrates the states commitment to ensuring that an adaptive and responsive planning system framework supports the renewable energy sector.
307	2	12-Nov-19	Phase 2	Local Government	Mark Salver	Adelaide Hills Council	Adelaide Hills	General Feedback	Renewable energy facilities approval process	Streamline process for peri-urban and rural zones to fast track solar installations
308	1	12-Nov-19	Phase 2	General Public	N Webster	n/a	n/a	General policy	Renewable Energy Facilities - cumulative impacts	Cumulative impact has been noted but no explicit guidance or assessment criteria for this has been formally considered. The cumulative impact on visual amenity, noise, telecommunications, the environment and other land uses like tourism must be taken into account.
308	2	12-Nov-19	Phase 2	General Public	N Webster	n/a	n/a	General Feedback	Renewable Energy Facilities - zoning	The zoning issue is problematic, as soon as a turbine installation is built it means the Rural Zone is instantly transformed to an industrial zone.
309	1	20-Nov-19	Phase 2	General Public	Tim Kelly (submission 2 of 2)	n/a	Sailsbury	Overlays	Native vegetation	The integrated system plans prepared by AEMO do not have sufficient regard to native vegetation, so there is a need for stronger State Level Planning to provide clear planning direction.
309	2	20-Nov-19	Phase 2	General Public	Tim Kelly (submission 2 of 2)	n/a	Sailsbury	General policy	Renewable Energy Facilities	The comment that 'large scale solar farms are discouraged in areas of high environmental, scenic or cultural value' will be inadequate and likely refer to Conservation Parks.
309	3	20-Nov-19	Phase 2	General Public	Tim Kelly (submission 2 of 2)	n/a	Sailsbury	General Feedback	Renewable Energy Facilities - environmental impacts and process	The full environmental impact of the development should be considered and addressed before planning approval is granted. This should be done by the Native Vegetation Council and should be done prior to planning or ministerial approval is granted.
309	4	20-Nov-19	Phase 2	General Public	Tim Kelly (submission 2 of 2)	n/a	Sailsbury	Overlays	Native vegetation	All native vegetation should be protected not just significant vegetation.
310	1	24-Nov-19	Phase 2	General Public	Genevieve Wells	n/a	Port Pirie	General policy	Renewable Energy Facilities	Whilst the size of the towers and generation capacity have increased the setback distances have not. Based on most recent research a minimum setback of 5km should be achieved.
310	2	24-Nov-19	Phase 2	General Public	Genevieve Wells	n/a	Port Pirie	Overlays	General comment	Concerns about the use of Overlays to restrict environmentally and culturally significant areas. Surely some areas such as the Flinders Ranges should be protected as a matter of priority in a stronger manner than overlays which could be misinterpreted and manipulated in the future.
311	1	29-Nov-19	Phase 2	General Public	Joylene Koch	n/a	n/a	General policy	Renewable Energy Facilities	The proposed development by Georgetown Hills Renewable Energy Pty Ltd will have turbines 185m high with turbine MW yet to be informed. Setback distance has only been increased minimally from 1km to 1.2km from non associated dwellings and an additional 10m per additional metre over 150m from township and settlement zones. This is clearly inadequate and puts too many people at risk. I also fail to see why rural/remote families should be discriminated against just because we live in a rural zone. Setback distance should be the same for everyone. The South Australian Flinders University Hansen team recommends at least 3.5km setback for all dwellings based on their measurements at Waterloo wind farm and Hallett wind farm.
311	2	29-Nov-19	Phase 2	General Public	Joylene Koch	n/a	n/a	General policy	Renewable Energy Facilities	I also believe that Wind farm developments should be classed as "Restricted Assessment" in proximity to Cropping, Horticulture and Viticulture areas due to microclimate impacts – (warming, drying and cooling).
311	3	29-Nov-19	Phase 2	General Public	Joylene Koch	n/a	n/a	General policy	Renewable Energy Facilities	With respect to Public Notification – all wind farms should be a Category 3 with appeal rights and require public notification. The exception in remote areas zone if the turbine is more than 2km from the dwelling - excluded from notification - is once again discriminating against remote area residents.
311	4	29-Nov-19	Phase 2	General Public	Joylene Koch	n/a	n/a	General policy	Renewable Energy Facilities	I also have a concern which is not detailed in draft documents. Currently the school bus route runs at the base of the Bundaleer Hills picking up students from rural residences to travel to both Primary and High Schools in Gladstone. With the proposed development of a wind farm on the West Bundaleer range with turbines proposed to be 185m high there will be an issue with Shadow Flicker along this road during the morning at the time that children will be transported by bus. There is no alternative route for these rural children to be collected by bus. Therefore I believe that planning policies should address this issue and mitigation should specify software engineering solutions to turn off specific turbines during certain hours of the day.
<b>312 SUPERSEDED by submission 153</b>										
313	1	18-Nov-19	Phase 3	General Public	Ken Messenger					<b>ON HOLD - PHASE 3</b>
314	1	19-Nov-19	Phase 3	General Public	Paula Read					<b>ON HOLD - PHASE 3</b>
315	1	21-Nov-19	Phase 3	General Public	Maria Pozenel (submission 1 of 2)					<b>ON HOLD - PHASE 3</b>
316	1	27-Nov-19	Phase 3	General Public	Maria Pozenel (submission 2 of 2)					<b>ON HOLD - PHASE 3</b>
317	1	25-Nov-19	Phase 3		Graham Porter					<b>ON HOLD - PHASE 3</b>
318	1	25-Nov-19	Phase 3	General Public	Peter Croft					<b>ON HOLD - PHASE 3</b>
319	1	26-Nov-19	Phase 3	General Public	Joe & Connie Tripodi					<b>ON HOLD - PHASE 3</b>
320	1	26-Nov-19	Phase 3	Practitioner	David Bailey					<b>ON HOLD - PHASE 3</b>
321	1	27-Nov-19	Phase 3	General Public	Leon Pipikos					<b>ON HOLD - PHASE 3</b>
322	1	27-Nov-19	Phase 3	General Public	Mary Hood					<b>ON HOLD - PHASE 3</b>



Submission #	Issue #	Date of Response	Phase (2/3/ Statewide)	Sector	Name	Company / Organisation	Council Area	Topic	SubTopic	Summary:
323	1	27-Nov-19	Phase 3	General Public	Chris Wellington					<b>ON HOLD - PHASE 3</b>
324	1	28-Nov-19	Phase 3	General Public	Beverley Gidman					<b>ON HOLD - PHASE 3</b>
325	1	28-Nov-19	Phase 2	Community Group	Mark Pedlar	Friends of Belair National Park	Multiple	General Comment	Policy clarity	The Friends of Belair are very pleased to see the development of this code. Anything which improves clarity and certainty of decisions around development planning in the state is good for both developers and conservationists.
325	1	28-Nov-19	Phase 2	Community Group	Mark Pedlar	Friends of Belair National Park	Multiple	General Comment	Code framework	Support the reduction in zones.
325	1	28-Nov-19	Phase 2	Community Group	Mark Pedlar	Friends of Belair National Park	Multiple	General Feedback	Conservation Zone	Support the zoning of all parks as Conservation Zone.
325	1	28-Nov-19	Phase 2	Community Group	Mark Pedlar	Friends of Belair National Park	Multiple	Zones and Subzones	Conservation Zone	Believe Park Management Plans need to be updated or developed before Phase 3 in order to provide clarity to whether tourist accommodation is contemplated in an area. Management plans should include provision for the protection of historic 'built' structures and must be reviewed regularly (every 5 years is suggested) to ensure they remain relevant. Any proposed revisions must be published for comment before institution.
325	1	28-Nov-19	Phase 2	Community Group	Mark Pedlar	Friends of Belair National Park	Multiple	Conservation Zone	Land use definitions	With the use of the word 'contemplate' to determine whether tourist accommodation should be considered or not - it is critical that we define what we mean by the word 'contemplate'. This affects the assessment pathway.
326	1	03-Dec-19	Phase 3	General Public	Alex Hodges					<b>ON HOLD - PHASE 3</b>
327		29-Nov-19	Phase 3	Land Owner	Australian Naval Infrastructure					<b>ON HOLD - PHASE 3</b>
328		29-Nov-19	Phase 3	Land Owner	Mel Eglinton					<b>ON HOLD - PHASE 3</b>
329		30-Nov-19	Phase 3	General Public	Pam Cramond					<b>ON HOLD - PHASE 3</b>
330		29-Nov-19	Phase 3	Local Government	City of Onkaparinga					<b>ON HOLD - PHASE 3</b>
331		02-Dec-19	Phase 3	Land Owner	Sunray Strawberries					<b>ON HOLD - PHASE 3</b>
332		27-Nov-19	Phase 3	Local Government	City of Adelaide					<b>ON HOLD - PHASE 3</b>
333		28-Nov-19	Phase 3	Local Government	Town of Gawler					<b>ON HOLD - PHASE 3</b>
334		01-Nov-19	Phase 2	General Public	Micheli Sergi					<b>ON HOLD - PHASE 3</b>
335	1	27-Nov-19	Phase 2	Local Government	Geoff Sheridan	District Council of Elliston	District Council of Elliston	Zones and Subzones	Rural Zone	The District Council of Elliston's submission request that the T-Ports Bunker site at Lot 1 Tod Highway, Lock be rezoned to Employment (Bulk Handling) Zone in the P & D Code - rather than its current transition to Rural Zone.
336	1	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	Zones and Subzones	Suburban Activity Zone	Concern regarding the Rural Planning inconsistencies between regional towns. Strong consideration needs to be given to having Consistency in all Rural and Regional Towns defined as "Township Activity Centres" and "Township Mainstreet Zones" and NOT Suburban Level zoning.
336	2	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	Zones and Subzones	Restricted development triggers for out-of-centre shops	Need to reduce the level of retailing or "shop" development in the various 'employment' and neighbourhood zones to a restricted trigger of 500m2 not 1000m2 which will still allow for several shop and or small cafes to service employment or neighbourhood precincts e.g.- given the current industry zone non complying triggers 500m2 – 1000m2
336	3	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	General Feedback	New centre zoning away from town centres	There is an urgency to ensure that an approach is adopted to avoid unintended consequences of another shopping centre development being facilitated remote from the main street. A lot of damage was done to Renmark as a town when Council changed the Town Zoning and allowed for the Renmark Square development to be built and split the town. As a result there is still approx. 30 plus empty shops in the Town Centre.
336	4	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	General Feedback	New centre zoning away from town centres	Consideration should be given adopting a placeholder approach for activity centre zones where they are not located in the main street or the heart of the township to avoid unintended consequences of full line supermarkets and shopping centres being constructed away from our town centre, as is the case with Renmark.
336	5	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	General Feedback	New centre zoning away from town centres	As part of the Regional Plans there should be a full review of all Suburban and Townships Activity Centre Zones that are remote from the main street or core business areas of the townships with a view to determining if an alternate zone e.g. General Neighbourhood, Employment etc is more appropriate.
336	6	28-Nov-19	Phase 2	Industry	Grenfell and Slavka Koch	Renmark Foodland	Renmark Paringa	General Feedback	Main street programs / funding	Need to work towards a plan and strategy for Councils to invest in Main Street Programs, revitalization and Urban design initiatives in Renmark. There is a plan currently underway, but more Funding Urgency from State and Federal funding buckets will help improve the public realm, streetscapes and the overall presentation of the main streets and townships, which will and should encourage private investment.
423	1	04-Dec-19	Phase 2	Local Government	Stewart Payne	Wudinna Council	Wudinna	Overlays	Dwelling Excision Overlay	Council request that the Dwelling Excision Overlay is applied to the Rural Zone, as the current Development Plan allows for surplus dwelling excision in the Primary Production Zone
424	1	05-Dec-19	Phase 2	General Public	Elizabeth Vines	McDougall and Vines Conservation & Heritage Consultants	Multiple	Overlays	Historic Area Statements	Submission raises strong concerns with the historic area statements, and considers the statements for Phase 2 are entirely inadequate and will not protect areas such as Robe, Auburn or Penola. Considers further information from development plans needs to be included. Also strongly objects to removal of contributory items. Strongly recommends extended timeframe on Code and input from heritage experts.
425	1	10-Jan-19	Phase 2	Planning Practitioner	Damien Dawson	Access Planning	Robe	Overlays	Historic Area Statements	Considers that the policies within the Historic Area Overlay are not clear and straightforward. Raises concerns that because the policies talk to coherent patterns, it does not provide adequate protections for a less consistent area like Robe. Makes numerous suggestions re wording of policies, and provides redrafted version of Historic Area Statement.