



Agenda Report for Decision

Meeting Date: 2 November 2023

Item Name	Code Amendment Initiation Advice to the Minister for Planning – Proposal to Initiate the Tintinara Airfield Code Amendment
Presenters	Jason Bailey
Purpose of Report	Decision
Item Number	4.1
Strategic Plan Reference	4. Discharging Statutory Obligations
Work Plan Reference	4.2 Advice the Minister on Code Amendments
Confidentiality	Not Confidential (Release Delayed). To be released following final decision by the Minister for Planning on initiation of the Code Amendment. Anticipated by December 2023.
Related Decisions	N/A

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of this item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by December 2023.
2. Advise the Minister that it:
 - 2.1 Recommends the approval of the Tintinara Airfield Code Amendment under section 73(2)(b)(i) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following condition applied under section 73(5) of the Act:
 - a) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
 - 2.2 Recommends that the Chief Executive of the Department for Trade and Investment (the Department) be the Designated Entity for undertaking the Code Amendment process.
3. Specify that the Designated Entity consults with the following nominated individuals and entities under section 73(6) of the Act:
 - Owners or occupiers of the land and adjacent land
 - Aboriginal Affairs and Reconciliation Division
 - Civil Aviation Authority (CASA)
 - Department for Environment and Water (DEW)
 - Department of Primary Industries and Regions (PIRSA)

- Environment Protection Authority (EPA)
 - ElectraNet
 - Regional Development Australia Murraylands and Riverland
 - SA Power Networks
 - SA Tourism Commission
 - South Australian Country Fire Service (CFS)
 - South East Australia Gas Pty Ltd (SEA Gas)
 - South East Natural Resources Management Board
 - South Australian Water Corporation
 - State and Federal Members of Parliament for the electorates in which the proposed Code Amendment applies.
4. Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters (**Attachment 2** and **Attachment 3**).
 5. Approve and authorise the Chair of the Commission to sign the advice to the Minister as provided in **Attachment 4**.
 6. Authorise the Chair of the Commission to make any minor amendments to the advice and attachments as required to finalise.

Background

Section 73(2)(b)(i) of the Act provides that a proposal to amend the Planning and Design Code (the Code) may be initiated by the Chief Executive of the Department with the approval of the Minister, acting on the advice of the Commission. The Commission's role includes the following matters:

- Undertaking a strategic assessment against the State Planning Policies (SPPs) and relevant Regional Plan and providing advice to the Minister;
- Specifying any person or body that must be consulted by the Designated Entity, pursuant to section 73(6)(e) of the Act; and
- Specifying any investigations to be carried out or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The purpose of this report is therefore to provide the Commission with advice to the Minister in relation to the initiation proposal submitted by the Chief Executive (**Attachment 1**).

Discussion

Affected Area

The area affected by the Code Amendment is contained entirely within the existing Infrastructure (Airfield) Zone at Tintinara in The Coorong District Council. The Infrastructure (Airfield) Zone is located approximately 650 metres north-east of the Tintinara township and surrounded by rural zoned land that is currently utilised for primary production purposes including the grazing of animals and the growing of crops.

Scope of the Amendment

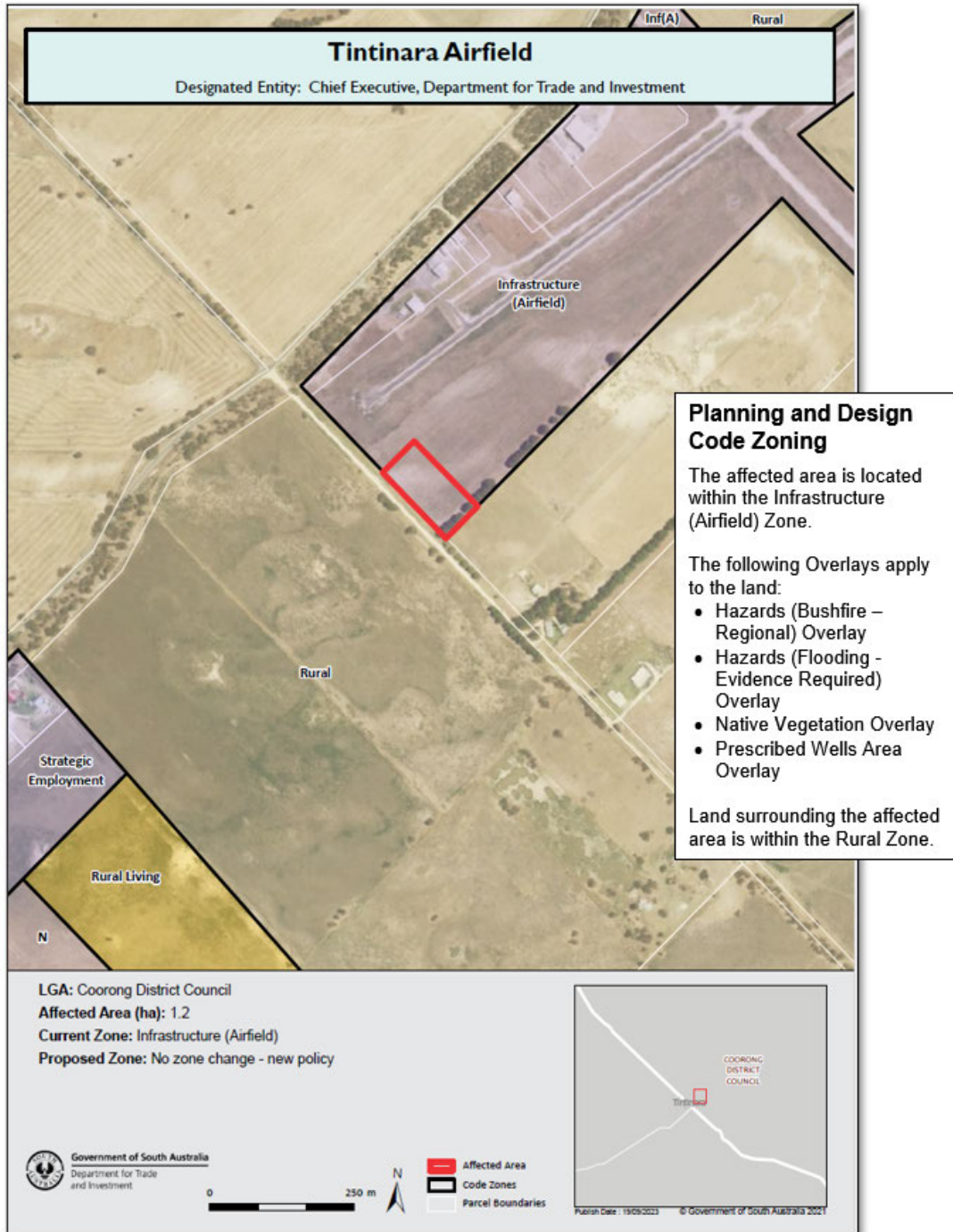
The Code Amendment seeks to spatially apply the Residential Aviation Estate Subzone (the RAE Subzone) to a portion of the affected area (approximately 1.2ha) within the existing Infrastructure (Airfield) Zone at Tintinara in the Coorong District Council area.

The Code Amendment is specific to this locality and will not have broader state-wide implications. The RAE Subzone is an existing subzone with the Infrastructure (Airfield) Zone in the Code Library

and the scope of the Code Amendment does not include changes to the wording of policies within the Planning and Design Code.

The affected area and current zoning are shown in the figure below:

Figure 1 – Affected Area



By way of background, under the former Coorong District Council Development Plan, a Concept Plan Map and additional policy was created for this site in November 2017 to provide for a residential airpark in association with the airfield at Tintinara.

The RAE Subzone was created to accommodate other circumstances of this land use combination across South Australia as part of the transition from development plans to the Code. This subzone was not created at the time of the Phase Two (Rural Areas) Code being implemented, for which the Coorong District Council was included. Had this subzone existed at that time, it would have transitioned to the affected area through the Code implementation. The subzone was available for the Phase Three (Urban Areas) Code and as such was applied where relevant, including the Goolwa Airfield.

As this outcome is not of the Council's making, but rather a result of a three-phase transition to the Code, and because of the low level of resources available to the Council, the Chief Executive of the Department has agreed to progress the Code Amendment.

Advice to the Minister of Planning

The attached advice to the Minister sets out the statutory and procedural elements that must be considered as part of the initiation of a Code Amendment (**Attachment 4**).

The advice recommends that the Minister approve the initiation of the Code Amendment for the following reasons:

Strategic considerations

The Code Amendment is consistent with the intent of the SPPs and *The Murray and Mallee Region Plan*, which seek to facilitate the development of land uses and activities that will encourage further economic diversification, expansion of infrastructure and growth in tourism. The RAE Subzone will support the development of land uses and activities that benefit the local and regional economy, provide local employment and help to attract people to the region.

Aviation plays an essential role in tourism and provides critical transport, medical, business, education, social and other services to interstate and regional areas. Regional communities also need to be able to effectively access and capitalise on employment and other services while being protected from the impacts of longer-distance transport movements.

The Affected Area comprises an established airfield with a runway and associated buildings and activities, which include a passenger terminal and aviation-related light and service industries, warehouses and storage facilities.

The proposal aligns with the priorities and targets in *The Murray and Mallee Region Plan*, which seek to reinforce the capability of airports, aerodromes and airstrips to support economic and social development ensure land uses surrounding airports, aerodromes and airstrips are compatible with these facilities and do not detract from their operation.

The RAE Subzone was introduced into the Code to provide opportunities for complementary forms of residential development to occur within an Infrastructure (Airfield) Zone. The policies in the RAE Subzone will support residential development that is integrated with and complementary (secondary) to the ongoing operation of the existing airfield and associated industries and activities. The number of potential allotments and dwellings will be limited to ensure new development is of a scale and design that is consistent with the built form that currently exists within the Infrastructure (Airfield) Zone and in-keeping with the rural setting that surrounds the zone.

Policy in the RAE Subzone manages the secondary residential use without impacting the primary aviation operations envisaged by the Infrastructure (Airfield) Zone by seeking close affiliation between dwellings and the airfield. Policy ensures dwellings are located on the same site as an aircraft hangar and maintain generous (20 metre or more) rear setbacks.

Further strategic considerations and discussion are provided in **Attachment 4**.

Procedural considerations

The Proposal to Initiate meets all procedural requirements, as detailed in the attached advice to the Minister (**Attachment 4**).

Conditions proposed and items specified

It is recommended the Commission recommend a condition to be specified by the Minister, pursuant to section 73(5)(b) of the Act, which requires the Amendment to be prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

In addition, it is recommended that the Commission specify persons or bodies to be consulted with by the Designated Entity under section 73(6)(e) of the Act, as outlined in the advice to the Minister (**Attachment 4**).

It is noted that investigations undertaken to support the previous Development Plan Amendment in 2017 are relevant and have been considered in preparing the initiation documentation.

In closing, the code amendment is considered minor in nature and reflects the zone intent under the Coorong District Council Development Plan.

Attachments:

1. Proposal to Initiate the Tintinara Airfield Code Amendment (#19991005)
2. Draft approval letter to the Chief Executive of the Department for Trade and Investment (#20746733)
3. Draft approval letter to The Coorong District Council (#20746729)
4. State Planning Commission advice to the Minister (#20744942)

Prepared by: Jeff Sewart, Senior Planner

Endorsed by: Brett Steiner, Acting Director Growth Management

Date: 24 October 2023

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

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

Contact details:

PlanSA

Email: plansa@sa.gov.au

Phone: 1800 752 664



(Signature)

CHIEF EXECUTIVE, DEPARTMENT FOR TRADE AND
INVESTMENT

Date: 20/10/2023

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

(Signature)

MINISTER FOR PLANNING

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ATTACHMENTS

Attachment A – Map of Affected Area

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Attachment C – Town Centres, Townships and Environs (Part 1) Development Plan Amendment,

Attachment D – Timetable for Code Amendment

1. INTRODUCTION

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

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

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

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

1.1. Designated Entity for Undertaking the Code Amendment

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

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

1.2. Rationale for the Code Amendment

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

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

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

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

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

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

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

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

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

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

2. SCOPE OF THE CODE AMENDMENT

2.1. Affected Area

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

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

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

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

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

2.2. Scope of Proposed Code Amendment

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

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

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

3. STRATEGIC PLANNING OUTCOMES

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

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

3.1. Summary of Strategic Planning Outcomes

Infrastructure and services

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

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

Interface between different land uses

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

3.2. Alignment with State Planning Policies

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

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

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

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

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

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

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

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

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

3.4. Alignment with Other Relevant Documents

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

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

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

4. INVESTIGATIONS AND ENGAGEMENT

4.1. Investigations Already Undertaken

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

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

4.2. Further Investigations Proposed

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

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

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

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

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

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

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

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

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

4.4. Further Engagement Proposed

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

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

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

5. CODE AMENDMENT PROCESS

5.1. Engagement Plan

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

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

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

5.2. Engagement Report

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

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

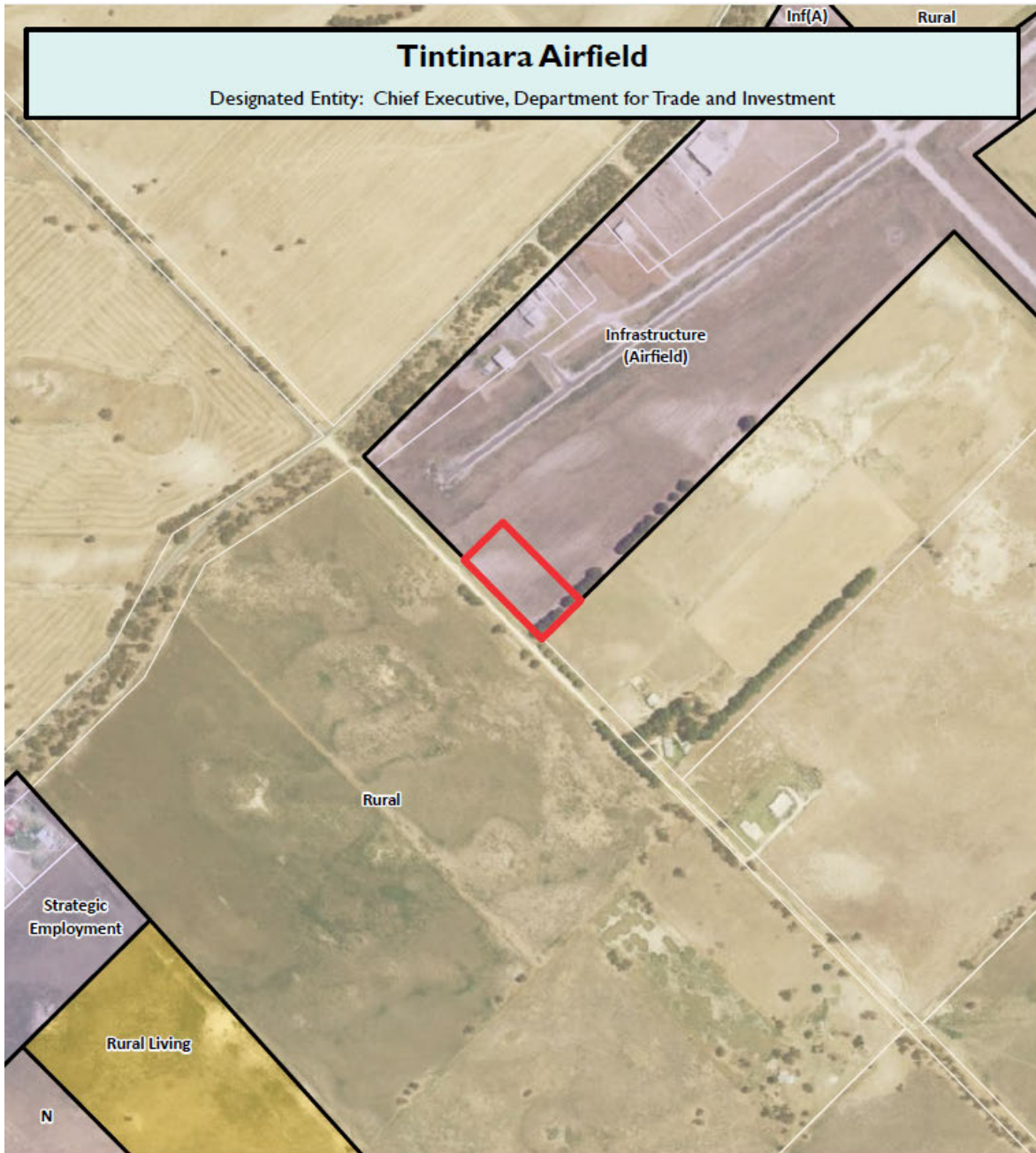
The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The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

5.3. Code Amendment Timetable

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

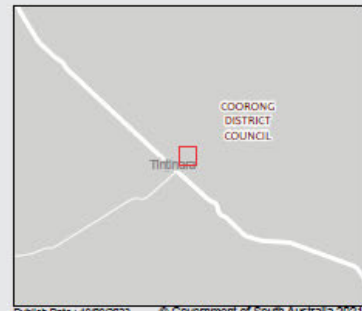
ATTACHMENT A

Map of Affected Area



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

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



Government of South Australia
Department for Trade
and Investment

0 250 m



- Affected Area
- Code Zones
- Parcel Boundaries

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

ATTACHMENT B

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

Coorong District Council
Zone Section
Airfield Zone

Airfield Zone

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

OBJECTIVES

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

DESIRED CHARACTER

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

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

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

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

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

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

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

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

Coorong District Council
Zone Section
Airfield Zone

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

Form and Character

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

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

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

Land Division

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

PROCEDURAL MATTERS

Complying Development

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

Non-complying Development

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

Coorong District Council
Zone Section
Airfield Zone

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

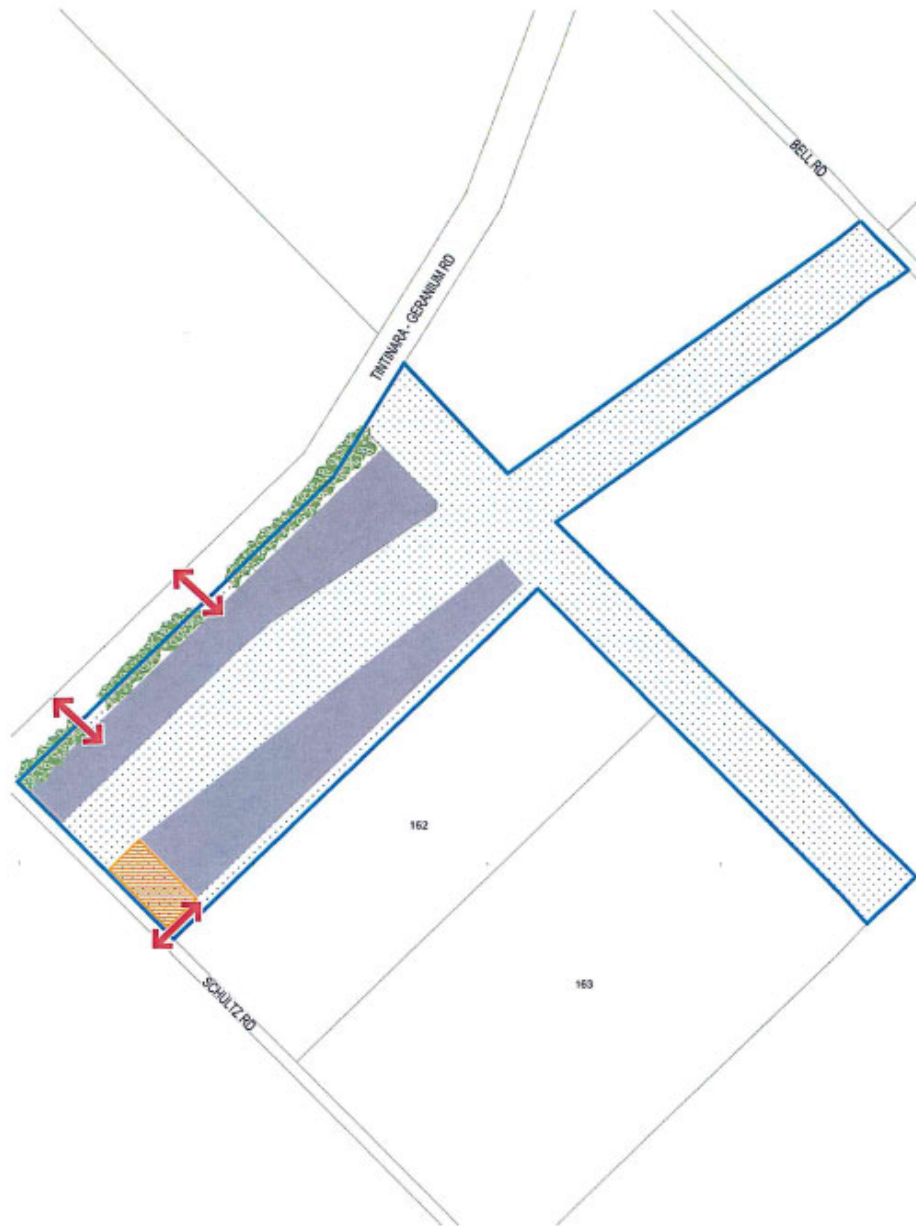
Public Notification

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

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

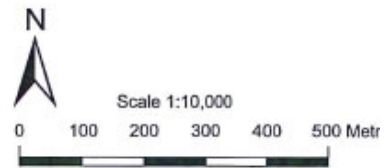
Category 1	Category 2
Aircraft hangar Single story detached dwelling in association with a private aircraft hangar within the residential airpark at Tintinara airfield.	Advertisement and/or advertising hoarding The following development where ancillary to and in association with aviation activities: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

Concept Plan Map (former Development Plan):



NOTE: For Zones See MAP CooD/ 42

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



Concept Plan Map CooD/1

AIRFIELD ZONE - TINTINARA

COORONG COUNCIL
Consolidated - 29 November 2018

OFFICIAL

ATTACHMENT C

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

OFFICIAL

ATTACHMENT D

Timetable for Code Amendment by the Chief Executive

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



TO: MINISTER FOR PLANNING

**RE: PROPOSAL TO INITIATE THE TINTINARA AIRFIELD CODE AMENDMENT
BY THE CHIEF EXECUTIVE OF THE DEPARTMENT FOR TRADE AND
INVESTMENT**

PURPOSE

To recommend that you approve, with conditions, the Proposal to Initiate the Tintinara Airfield Code Amendment (the Code Amendment).

BACKGROUND

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act) provides:

73 – Preparation and amendment

(2) A proposal to amend a designated instrument may be initiated by—

(b) with the approval of the Minister, acting on the advice of the Commission—

(i) the Chief Executive.

The Chief Executive of the Department for Trade and Investment (the Department) has lodged a Proposal to Initiate the Tintinara Airfield Code Amendment (**Attachment 1**), which seeks to amend the Planning and Design Code (the Code) as it relates to the affected area.

The State Planning Commission (the Commission) considered the Proposal to Initiate at its meeting of 2 November 2023 and resolved to support the Code Amendment, subject to conditions.

A summary of the roles and responsibilities for you and the Commission regarding the Code Amendment is provided in **Appendix A**.

A flowchart of the Code Amendment process is provided in **Appendix B**.

DISCUSSION

The following sets out the strategic, policy and procedural considerations in relation to the Proposal to Initiate, including conditions that are recommended should you agree to initiate the Code Amendment.

Proposal

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

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

The Airfield Zone policies sought to limit the number of dwellings and private aircraft hangars that could be developed within the 'Residential Airpark', ensure new development was integrated with the established land uses and activities within the airfield and designed and sited to minimise the impact of new development on the safe and efficient operation of the adjacent airfield. The Development Plan included a Concept Plan Map (Concept Plan Map CooD/1) that was introduced to define the size and location of the 'Residential Airpark' within the Tintinara Airfield.

The 'Residential Airpark' policies and Concept Plan Map CooD/1 were not transitioned into the Code when it was implemented for the Coorong District Council in July 2020 because there was no suitable subzone or replacement policy in the 'Code Library' at the time.

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

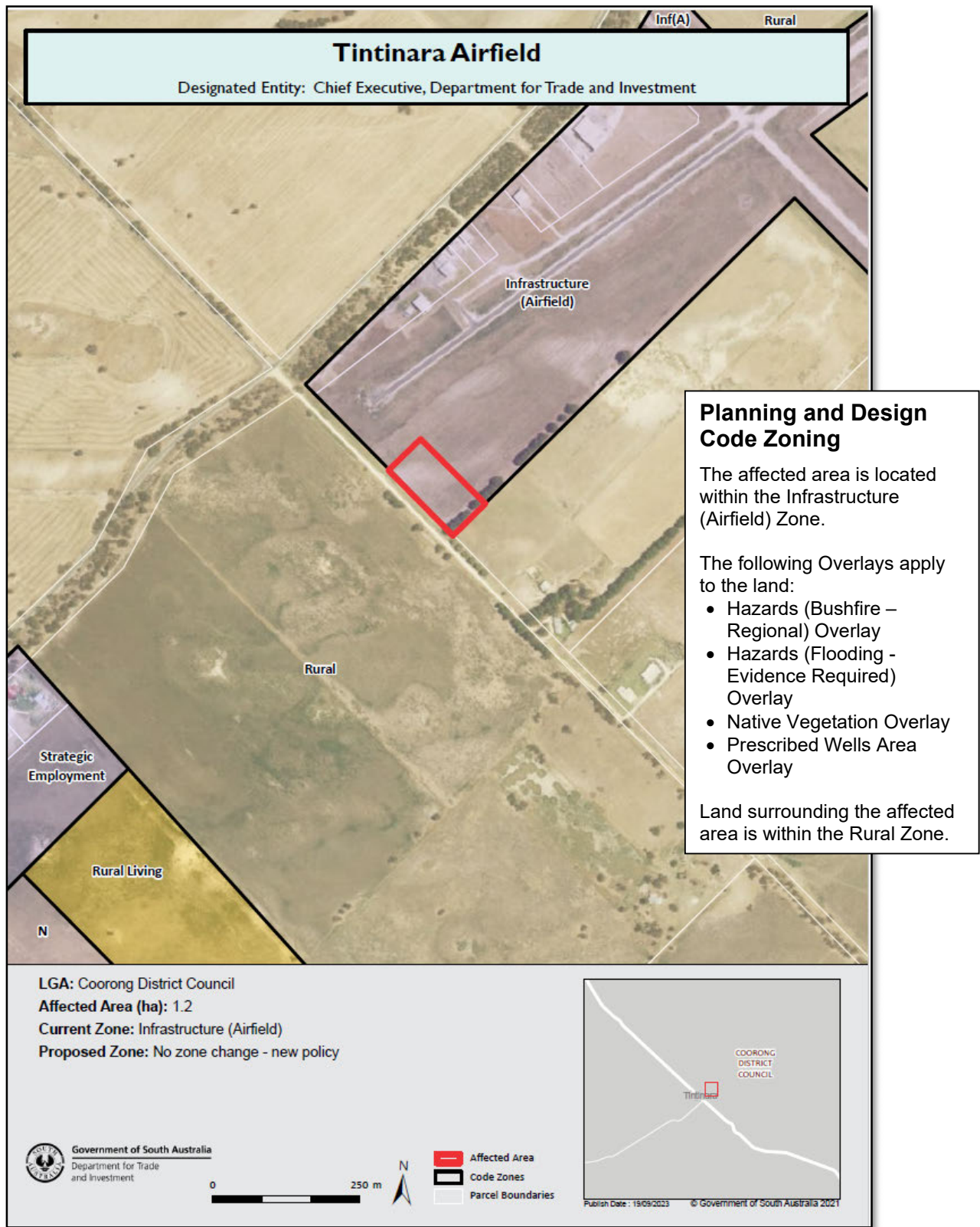
The policies within the RAE Subzone require new dwellings to be either located on the same site as an existing aircraft hangar or be built concurrently with an aircraft hangar located on the same site. The proposed policies will require new buildings to be of a scale and design that is consistent with the existing built environment and complementary to the wider rural setting.

The RAE Subzone will be approximately 12,000 square metres in area (1.2ha) and new allotments within the subzone need to be at least 2,000 square metres and have a minimum frontage of 30m. The proposed amendment, therefore, would allow for a maximum of six new residential allotments.

The RAE Subzone and broader Code policies will require new development to be designed and sited to minimise the impacts of the adjacent airfield and not impact on the safe and efficient operation of the airfield and associated land uses including the passenger terminal, airport and aviation-related light and service industries, warehouses and storage facilities.

The Affected Area is entirely located in the Infrastructure (Airfield) Zone in the Code as identified in Figure 1 below:

Figure 1 – Affected Area



Strategic considerations

The following sets out the strategic considerations relating to this proposal and rationale for the Commission recommending support for the Code Amendment.

More details of the Commission's strategic priorities are provided in **Appendix C**.

Strategic advice

The proposal is considered to be consistent with the strategic intent of relevant SPPs and relevant directions of *The Murray and Mallee Region Plan*.

Both the SPPs and *The Murray and Mallee Region Plan* support the development of land uses and activities, like those that would be facilitated by the Code Amendment, that will encourage further economic diversification, expansion of infrastructure and growth in tourism.

The proposal aligns with the principles, priorities and targets in *The Murray and Mallee Region Plan* which seek reinforcement of the capability of airports, aerodromes and airstrips to support economic and social development.

The population in the Murray and Mallee region is projected to grow by an additional 3,669 under a medium growth scenario to 2041 and an additional 5,473 under a high growth scenario to 2041. The Code Amendment is unlikely to have a significant impact on the provision of housing within the Murray Mallee Region, however, as only a limited number of allotments can be created within the subzone due to the minimum site area and frontage requirements, and the type and scale of residential development allowed.

Aviation plays an essential role in tourism and provides critical transport, medical, business, education, social and other services to interstate and regional areas. Regional communities also need to be able to effectively access and capitalise on employment and other services while being protected from the impacts of longer-distance transport movements.

An assessment against the State Planning Policies (SPPs) and *The Murray and Mallee Region Plan* are provided in **Appendix D**.

Procedural considerations

The following sets out the key procedural considerations that satisfy the legislative requirements. Pursuant to section 73(5) of the Act, approval for a Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by you, as Minister for Planning.

Information requirements

Practice Direction 2 – Preparation of Amendment of Designated Instruments outlines the information requirements for a Proposal to Initiate (**Appendix E**).

The mandatory information requirements have been met and therefore the Proposal is of a suitable form to be considered by you.

Consistent with the State Planning Policies and Regional Plan

The Code must be consistent with the principles of the SPPs and should be consistent with the directions of the relevant Regional Plan, which, in this instance, is *The Murray and Mallee Region Plan*. You have sought the Commission's advice in this regard.

This assessment is provided in **Appendix D**. A more detailed analysis is also located in the Proposal to Initiate (**Attachment 1**). In summary, the Proposal to Initiate is considered to be consistent with the SPPs and Regional Plan.

Designated Entity

The Chief Executive of the Department is proposed to be the Designated Entity and conduct the Code Amendment processes, pursuant to section 73(2)(b)(i) of the Act.

The Commission supports the Chief Executive being the Designated Entity in this instance. The documentation should, however, be prepared by a suitably qualified person to ensure statutory procedures and good planning outcomes are addressed.

Recommendation(s)

That the Chief Executive of the Department for Trade and Investment be the Designated Entity responsible for undertaking the Code Amendment process.

The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.

Investigations to support the Amendment

The investigations undertaken to date are outlined in the Proposal to Initiate (**Attachment 1**).

Application of the Code

The Proposal seeks to spatially apply the RAE Subzone to part of the existing Infrastructure (Airfield) Zone at Tintinara in the Coorong District Council.

Consultation

In accordance with the Community Engagement Charter, the Designated Entity is required to prepare an Engagement Plan that will outline how, when and with whom it engages with regarding the proposed Code Amendment.

The Commission has determined to specify the following further persons or bodies that the Designated Entity must consult with in relation to the proposed Code Amendment, as permitted under section 73(6)(e) of the Act:

- Civil Aviation Safety Authority (CASA)
- Coorong District Council.

RECOMMENDATIONS

It is recommended that you:

- | | |
|--|-------------------------|
| 1. Note the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the Act. | NOTED / NOT NOTED |
| 2. Note that the State Planning Commission has, under section 73(6)(e) of the Act, specified that the Designated Entity must consult with the following nominated individuals and entities, and advise the Designated Entity accordingly: <ul style="list-style-type: none">• Civil Aviation Safety Authority (CASA)• Coorong District Council. | NOTED / NOT NOTED |
| 3. Approve initiation under section 73(2)(b)(i) of the Act, subject to the following condition, under section 73(5) of the Act: <ul style="list-style-type: none">a) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act. | APPROVED / NOT APPROVED |
| 4. Under section 73(4)(a) of the Act, approve the initiation of the Code Amendment on the basis that the Chief Executive of the Department for Trade and Investment will undertake the Code Amendment processes (as the Designated Entity) required under the Act. | APPROVED / NOT APPROVED |
| 5. Agree to sign the Proposal to Initiate the Tintinara Airfield Code Amendment (Attachment 1). | AGREED / NOT AGREED |
| 6. Agree to sign the attached letters to the Chief Executive of the Department for Trade and Investment (Attachment 2) and the Coorong District Council (Attachment 3) advising of your approval and conditions. | AGREED / NOT AGREED |



CRAIG HOLDEN
Chair, State Planning Commission
15 / 11 / 2023

NICK CHAMPION MP
/ / 2023

Attachments:

1. Proposal to Initiate the Tintinara Airfield Code Amendment (#19991005)
2. Suggested letter to the Chief Executive of the Department for Trade and Investment (#20746733)
3. Suggested letter to the Coorong District Council (#20746729)

Appendices:

- A. Summary of Roles and Responsibilities in the Code Amendment Process (#20734582)
- B. Process Flowchart – Code Amendments Initiated by the Chief Executive (#20734598)
- C. State Planning Commission’s Strategic Priorities (#20734270)
- D. Assessment against the State Planning Policies and Regional Plan (#20736315)
- E. Extract from *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (#20736365)

Contact: Brett Steiner, Acting Director Growth Management
Tel No: [REDACTED]