



**Development Act 1993**

## **Clare & Gilbert Valleys Council**

District Townships and Settlements  
Development Plan Amendment

### **Summary of Consultation and Proposed Amendments (SCPA) Report**

**February 2015**

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## **1. Introduction**

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

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

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

## **2. Consultation**

### **2.1 Consultation Process**

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

The public consultation period was from 1 September 2014 until 27 October 2014.

### **2.2 Public Notification**

Notices were published in the Government Gazette and the Northern Argus.

The DPA documents were also on display at Council premises at 4 Gleeson Street Clare, 19 Belvidere Road Saddleworth, 21 Torrens Road Riverton, Clare Valley Discovery Centre 33 Old North Road Clare, Riverton Community Library Oxford Terrace Riverton and Website during the consultation period.

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

### **2.3 Member of Parliament**

Consultation was undertaken with Geoff Brock, Member for Frome - State Member of Parliament.

### **3. Public and Agency Submissions**

#### **3.1 Public Submissions**

Twenty six (26) public submissions were received.

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

#### **3.2 Review of Submissions and Public Meeting**

Copies of all submissions were made available for public review from 28 October 2014 until the conclusion of the public hearing.

Nine (9) submitters requested to be heard, and therefore the public meeting scheduled for 1 December 2014, was held.

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

### **4. Timeframe Report**

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

No delays were experienced.

### **5. CEO's Certification**

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

## **6. Summary of Recommended Changes to the Amendment following Consultation**

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

- Minor and inconsequential zoning alterations at Watervale and Stockport to address minor boundary anomalies
- Rezoning of land on north western corner of Crawfords Road and Behns Road, Saddleworth, from proposed Industry Zone to a Light Industry Zone, based on SA Planning Policy Library module – with 4000 square metre land division criteria (instead of 1500 square metres) to limit creation of additional allotments due to locational and site development aspects
- Rezoning of Lot 440 Ashton Road, Saddleworth, from proposed Industry Zone to Primary Production Zone
- Minor technical policy and mapping amendments sought by relevant agencies.

## **List of Attachments**

### **Attachment A**

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

### **Attachment B**

Report on each verbal submission with reference to Attachment A

### **Attachment C**

Timeframe report

### **Attachment D**

CEO's Certification as per Schedule 4A

### **Attachment E**

CEO's Certification as per Schedule 4B

## Attachment A – Summary and Response to Public Submissions

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

No.	Name and Address	Submission Summary	Comment	Council Response
1.	F and S Sisto, 39 Dennis Road, Auburn	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Requests land at Auburn Heights (a 40 acre parcel of land to north western side of Dennis Road, as illustrated in submission) be rezoned from Primary Production to Rural Living.</li> <li>2. Considers land is suitable for rezoning as it is economically unsustainable for primary production; is adjacent other land earmarked for urban use and other existing rural living areas; aligns with the Auburn Community Development Committee Strategic Plan seeking to make more land available for development; a short fall of land in township; the excellent views from the land; and has suitable services.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Council identified through a thorough Strategic Directions Review which land at Auburn was most suitable for rezoning – this had regard to community input, consultation and consideration of site suitability and demand/supply factors.</p> <p>The land identified in this submission was not earmarked for rezoning.</p> <p>The Minister approved the Statement of Intent for the current DPA, which only included the land for rezoning that was identified in the Strategic Directions Report – therefore the request for additional rezoning of land is beyond the scope of this DPA.</p> <p>Council has already proposed other land to the north, south and south east of Auburn for rezoning in the current DPA (in line with the Strategic Directions Report) – and provides ample scope for well-planned town growth well into the future – the further release of urban land is not appropriate, at this time. If Council wishes to revisit future land rezoning into the future (over and above that proposed in the current DPA) further investigations, inclusive of EPA site history reporting would be required.</p> <p>The request cannot be considered as a minor inconsequential amendment to this DPA – should Council wish to consider support for the submission into the future, it will require detailed</p>	No change.

			consideration, investigations, site history reporting, and engagement with the community and government through a separate DPA.	
2.	Vince Daly, Vince Daly Architect, PO Box 19, Mintaro SA, 5415	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Congratulated the Council for the initiative, research and work on the DPA.</li> <li>2. Fully supported the findings of the DPA.</li> <li>3. Impressed with the measures proposed as it relates to Mintaro in relation to future housing – allowing for growth that is not detrimental to the heritage character of the town.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted - agree.	No change.
3.	Hamish Goss, Immediate Past Chairman, Mintaro Progress Association	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Considered Council did an excellent job with the investigations, through Jensen Planning and Design, as it related to the township of Mintaro – allowing for development in an orderly and sensible manner.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted - agree.	No change.
4.	JC and WE Sullivan, Lot 50 Quelltaler Road, Watervale	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Request that Lot 10 Quelltaler Road, Watervale (north eastern periphery of Watervale on corner of Main North Road and Quelltaler Road), be rezoned to residential (township).</li> <li>2. Considers that the land (8,947m<sup>2</sup>) should be zoned to residential as the land is used for that purpose and is already partly zoned for that purpose.</li> </ol>	<p>Agree.</p> <p>Although Watervale is not included in the scope of work outlined in the Statement of Intent (that is, no growth scenarios were identified/proposed for Watervale), the zoning of this land to Township Zone is of a minor inconsequential nature, would address the current issue of the land being located in two zones, and would reflect the use of the land.</p>	Amend Map CGV/25 to include Lot 10 Quelltaler Road, Watervale, in the Township Zone.



		<p>3. Considers the current issue of zoning (located in both Township and Primary Production) is an anomaly that should be addressed.</p> <p>Please refer to the copy of the written submission for further details.</p>		
5.	Rob Stanway, Director - Willowtree Pty Ltd	<p>Submission related to a 4 hectare (approximately) parcel of land on Kurrang Avenue (Lot 5 DP54928 HD Clare), to the north west of Clare. The submission referenced a letter dated November 2013 regarding:-</p> <ol style="list-style-type: none"> <li>1. Request for a policy change within the Primary Production Zone in order to allow scope for a dwelling on lots less than 15 hectares (Council note – policy relates to lots less than 16 hectares).</li> <li>2. Advised that the land is a prime rural living block on the town boundary, on a sealed road with access from Kurrang Avenue, has an unviable sized vineyard on it and currently no ability to develop.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>The submission relates to the Primary Production Zone – which is outside of the scope of this DPA and terms of the Statement of Intent.</p> <p>Council has proposed to consider possible amendments to the land division and dwelling policy in the upcoming Rural and Environmental DPA, but whether the policy raised in this submission would be changed has not yet been determined.</p> <p>The request cannot be considered as a minor inconsequential amendment to this DPA – should Council wish to consider support for the submission it will require detailed consideration, investigations, site history reporting, and engagement with the community and government through a separate DPA.</p>	No change.
6.	Light Regional Council	<p>The Light Regional Council commended the Clare &amp; Gilbert Valleys Council on the thorough preparation of the DPA.</p> <p>It had no other specific comment to make.</p> <p>Please refer to the copy of the written submission for further details.</p>	Noted.	No change.

7.	Master Plan, for Ms Petrie McCabe, 33 Carrington Street Adelaide	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Supports the DPA findings, as it relates to the proposed rezoning of land, to residential, on the northern periphery of Auburn (Lot 58 Main North Road, Auburn).</li> <li>2. Supports and endorses the related policy amendments to the Development Plan.</li> <li>3. Supports and endorses the findings of the DPA investigations.</li> <li>4. Believes that a Policy Area may assist with desired character statements for development of the area.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted - agree.</p> <p>However, although the submission agrees with the DPA findings, Council does not intend a Policy Area for the proposed area at Lot 58 Main North Road, Auburn, as the policy direction is already well espoused at a zone level and through the specific concept plan.</p>	No change.
8.	AW Vater, 11 Belvidere Road Saddleworth SA 5413	<p>Three (3) submissions related to the following:-</p> <ol style="list-style-type: none"> <li>1. Supports the DPA findings, as it relates to the proposed rezoning of land at Saddleworth to Industry, on the north western corner of Crawfords Road and Behns Road.</li> <li>2. Considers the rezoning of land for industry will promote economic growth in the district, and foster employment and future prosperity for the town.</li> </ol> <p>Also refer to Submission 18 and 24.</p> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted - agree.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council considers that the land be rezoned to Light Industry.</p> <p>A Light Industry Zone would still provide scope for light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.</p>	To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.

9.	Sawley Lock O'Callaghan, on behalf of Mark Sandow, 176 Prospect SA 5082	<p>Submission relates to what appears to be an error in the existing Development Plan that pre-dates this DPA, relating to:-</p> <ol style="list-style-type: none"> <li>1. An existing error/anomaly in the Township Fringe (Mintaro) Policy Area 9 relating to:- <ol style="list-style-type: none"> <li>(a) Existing PDC 3 makes allowance for a detached dwelling on a lot of 10 hectares or greater, but the corresponding non-complying exception makes a detached dwelling merit (only) on a 10ha lot or greater created after 30 June 2000. The submission seeks that the date reference be removed from the detached dwelling non-complying trigger, so that all detached dwellings on lots of 10 hectares or greater are considered on a merit basis consistent with PDC 3.</li> <li>(b) The land division non-complying trigger (allowing for only one additional lot to the immediate east of the oval) is inconsistent with existing PDC 3 that envisages detached dwellings on 10 hectare lots or greater throughout the Township Fringe Policy Area.</li> </ol> </li> </ol> <p>Council notes that existing PDC 4 also relates (having regard to PDC 3 as well) which appears to provide some clarity to the matter, whereby PDC 4 is giving scope for an additional lot of less than 10 hectares immediately to the east of the oval, whereas the non-complying trigger for land division appears to inadvertently not reference the same criteria outlined in PDC 4 relating to scope for a lot <u>less than</u> 10 hectares for this site specific case.</p> <p>The submission seeks that the non-complying exception for land division be consistent with existing PDC 3, to give scope for merit based assessments for</p>	<p>The matter might be an anomaly that pre-dates the DPA and is outside of the scope of the DPA – for which Council should consider a Section 29 amendment with the Minister.</p> <p>Although this may be an anomaly, before making a Section 29 submission to the Minister, Council should first consider a further report from its Administration in relation to why the existing Development Plan was drafted in its present manner, and would need research/investigations dating back to the late 1990's, early 2000's with State Heritage and DPTI to ascertain such.</p> <p>On the other hand, the anomaly may be poorly worded policy which was possibly seeking to only allow detached dwellings and land division in quite limited cases (to accord within the Desired Character Statement) through the specific non-complying clauses.</p>	<p>For further consideration and report to Council outside of this DPA – and a possible Section 29 request for an amendment to the Development Plan by the Minister.</p>
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		<p>any land division of 10 hectares or greater. Council notes that if this were to occur the non-complying trigger for land division should also make an exception for one additional lot to the immediate east of the oval where less than 10 hectares, so as to be consistent with existing PDC 4.</p> <p>Please refer to the copy of the written submission for further details.</p>		
10.	<p>Ivor Turney, PO Box 123 Riverton SA 5412</p>	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Request that Lot 107 and 108 Jean Place, Riverton, be rezoned from Recreational Zone to Residential Zone.</li> <li>2. The land outlined above has been used for residential purposes since 1994, and is not used for recreational purposes.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Council notes the land forms part of the former railway station and railway station corridor off of Bruce Road, Hannaford Avenue and Jean Place, Riverton.</p> <p>Notwithstanding its current use for residential, Council considers that the Recreation Zone is appropriate based on the strategic location and long term vision for the township.</p> <p>The request made is outside of the terms of reference/scope agreed by Council and the Minister in the Statement of Intent for this DPA.</p> <p>The request cannot be considered as a minor inconsequential amendment to this DPA – should Council wish to consider support for the submission it will require a site history report (given the proximity to rail corridor and as rezoning would give rise to further residential development options), appropriate investigations, urban design considerations and engagement with the community and government through a separate DPA.</p> <p>The DPTI has also raised concern with regard to an existing large oversupply of residential land at Riverton.</p>	No change.

11.	C & P McCann, 26 Hicks Road Armagh SA 5453	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Relates to desire to subdivide Lot 12 (1.503ha) Hicks Road/Mine Street Armagh into three residential lots/each of about 1.2 hectare.</li> <li>2. Lot 12 was subdivided from the main property in 2010.</li> <li>3. The land is located in the Rural Living Zone and only allows for 1.5ha lots.</li> <li>4. Requests that the land be rezoned to Residential Zone to allow the division to be approved, as it would be in keeping with current and probable land uses.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Council through its Strategic Directions Report, 2013, considered that development at Armagh should be restricted (in line with current policy) in order to maintain current development pattern and character.</p> <p>The Statement of Intent agreed between Council and the Minister did not include a review of zoning or policy as it affected Armagh, except to specifically include identified land at Hayward Heights (south of Blyth Road) in the Rural Living Zone.</p> <p>The request cannot be considered as a minor inconsequential amendment to this DPA – should Council wish to consider support for the submission it will require detailed consideration, investigations for the entire area of Armagh, site history reporting, and engagement with the community and government through a separate DPA.</p>	No change.
12.	Mintaro Progress Association, PO Box 143 Mintaro SA 5415	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. The Mintaro Progress Association was pleased to note that the DPA amendments relating to Mintaro State Heritage Area have reflected the views of the Association.</li> <li>2. The Association was specifically pleased to note that Council had embraced its previous submissions relating to positive planning policy changes affecting Precincts 3 and 4 with spatial development guidelines and also sought to rezone Lots 376-379 to Rural Living Policy Area 8.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted - agree.	No change.

13.	B & C Koch Stockport	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Requests that Lot 70 and 71 (Council note: - should be Lot 71 and 72) on the western periphery of Stockport be included in the Township Zone.</li> <li>2. The two lots were created through a realignment of two existing lots in 2009.</li> <li>3. The submission is based on the similar submission made to Council during the Strategic Directions Review.</li> <li>4. The rezoning of the land would provide scope for a dwelling on each lot of 6,200m<sup>2</sup> and 7,350m<sup>2</sup>, and not be restricted by the current 1 January 1996 date criteria in the current Primary Production Zone.</li> <li>5. The lots are suitably serviced and not located in the flood plain.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p> <p>Please also note the email in support from D. French, PO Box 6, Stockport, SA 5410, dated 26 October, 2014.</p>	<p>The Council considered a similar submission during the 2012/13 Strategic Directions Review, where Council held the view that urban development at Stockport be restricted within the town boundary.</p> <p>The Statement of Intent agreed between Council and the Minister for this DPA did not include a review of zoning as it affected the township of Stockport, except to introduce up-to-date flood mapping.</p> <p>However, given the background to the request, and given the land owner has been inadvertently prevented from applying for 'merit' based dwellings on Lot 71 and 72 (by virtue of realigning existing lots in 2009 and therefore being restricted by the 1 January 1996 date non-complying clause), there is a compelling case for support of this submission.</p>	Amend Map CGV/19 to include Lot 71 and 72 Smiths Road, Stockport, in the Township Zone.
14.	M & R Bormann, c/- MasterPlan 31 Carrington Street Adelaide SA 5001	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Requests that Lot 93-99 Main North Road, to the south of the township of Sevenhill, be included in the Township Zone or suitable Policy Area (removed from the current Primary Production Zone), in order to facilitate low density rural living type development in a landscape/rural setting.</li> <li>2. Made reference to the 2003 Section 30 Review that supported (at that time) the expansion of Sevenhill to include the subject land and other land.</li> <li>3. Detailed considerations in support of the</li> </ol>	<p>Although the submission is quite detailed and well prepared, it references the 2003 Strategic Directions Report – this is a superseded document. The current reference is the Strategic Directions Report, 2013, where a thorough review of Council's vision for the district was undertaken.</p> <p>The Council in undertaking its Strategic Directions Review, 2013, held a strong view that development within the 'chain of villages' (including Sevenhill) should be restricted and that there be no further expansion of the Township boundary – this was supported through agency</p>	No change.

		<p>submission – relating to the suitable nature of land, the restrictive nature of the existing zone, availability of services and strategic location.</p> <p>Please refer to the copy of the written submission for further details.</p>	<p>and public consultation.</p> <p>Further, Council when undertaking a General Review of the Development Plan in 2009, sought to restrict the township boundary of Sevenhill.</p> <p>As a result of the Strategic Directions Review, 2013, the Statement of Intent agreed to between Council and the Minister for this DPA did not include a review of zoning as it affected Sevenhill.</p> <p>The request seeks rezoning of a considerably large amount of land that is not consistent with the findings of the Strategic Directions Review, 2013. The request cannot be considered as a minor inconsequential amendment to this DPA – should Council wish to consider support for the submission, it will require detailed investigations, site and spatial analysis, site history reporting and engagement with the community and government through a separate DPA.</p>	
15.	P and G Lamkin, Auburn, via email	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Supported the DPA in relation to the proposed rezoning of land on the southern periphery of Auburn.</li> <li>2. Considered the rezoning would be an orderly and controlled expansion of the town and would be the ideal choice as the land is elevated and has panoramic views, is close to all the amenities that the town has to offer.</li> <li>3. The land has infrastructure that is already in place, with no drainage issues.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted - agree	No change.

16.	K Davis, Glen Acres Pty Ltd, 67 Torrens Road, Riverton, SA 5412	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Supported the DPA in relation to the proposed rezoning of land on the corner of Torrens Road and Horner Street, Riverton (from Commercial to Residential Zone) – as depicted on proposed Concept Plan Map CGV/6 Riverton South.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted – agree.	No change.
17.	R and K Pearl, 8-12 Torr Street, Mintaro, SA 5415	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Supported the DPA in relation to the proposed amendments to Policy Area 7 (Precinct 3) at Mintaro.</li> <li>2. In particular supported the concept plan prepared by Jensen Planning and Design that has been included in the DPA - allowing for growth in a manner that is sympathetic to the town's heritage value.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Noted – agree.	No change.
18.	Kim Vater AW Vater Grain Trading Division Saddleworth	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Strong support for Council's changes as it affects the township of Saddleworth.</li> <li>2. Considers the changes, as proposed, are vital for the long term sustainability and growth of town.</li> <li>3. His business has invested \$1m in infrastructure and the proposed changes will encourage industry and investment.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	Refer submission 8 and 24.	To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.



		Refer to three (3) other similar submissions in Submission 8 and to other supporting submission in Submission 24.		
<b>19.</b>	R and J Behn 7 Spur Street Saddleworth SA 5413	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Opposition for the proposed rezoning of land on the corner of Crawford Road and Marrabel Road, Saddleworth.</li> <li>2. Considers there is no justification provided.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted – the rezoning seeks to recognise the existing approved land use.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council proposes to rezone the land to ‘Light Industry’ instead of ‘Industry’.</p> <p>A light Industry Zone would still provide scope for light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.</p>	To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.
<b>20.</b>	R. Flint 34 Marrabel Road Saddleworth SA 5413	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Opposition for the proposed rezoning of land on the corner of Crawford Road and Marrabel Road, Saddleworth.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted – the rezoning seeks to recognise the existing approved land use.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council proposes to rezone the land to ‘Light Industry’ instead of ‘Industry’.</p> <p>A light Industry Zone would still provide scope for</p>	To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.

			light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.	
<b>21.</b>	R, J & D Schulz PO Box 70 Saddleworth SA 5413	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Opposition for the proposed rezoning of land on the corner of Crawford Road and Marrabel Road, Saddleworth.</li> <li>2. The rezoning will impact on safety and traffic movements and safe movement of farm machinery.</li> <li>3. The close proximity to housing and adjacent creek line.</li> <li>4. Also concerned regarding the proposed rezoning of land on the southern side of Saddleworth along Ashton Road, as there is adequate industry land in Saddleworth – and wishes to retain as rural.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted – the rezoning seeks to recognise the existing approved land use.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council proposes to rezone the land to ‘Light Industry’ instead of ‘Industry’.</p> <p>In relation to Point 4 – agree, as per land owner request – sufficient land is already zoned for Industry and will also address traffic concerns raised by Transport SA.</p>	<p>To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.</p> <p>To amend Map CGV/13 to alter the zoning of Lot 440 Ashton Road, Saddleworth, from proposed Industry Zone to Primary Production Zone.</p>
<b>22.</b>	K. Herrman by email	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Opposition for the proposed rezoning of land on the corner of Crawford Road and Marrabel Road, Saddleworth.</li> <li>2. Considers the existing development is too close to residential areas and creek line relating to associated chemical storage and related potential impacts.</li> </ol> <p>Please refer to the copy of the written submission for</p>	<p>Noted – the rezoning seeks to recognise the existing approved land use.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council proposes to rezone the land to ‘Light</p>	<p>To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA</p>

		further details.	<p>Industry' instead of 'Industry'.</p> <p>A light Industry Zone would still provide scope for light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.</p>	Planning Policy Library accordingly.
<b>23.</b>	R. Faggotter 13 Brabham Grove Aberfoyle Park SA 5159	<p>Provided a submission in support of the Koch submission outlined in Submission 13 – as Director of the State Recovery Office involved in the Stockport flood event, considers modest/steady growth is required to help shape the future of Stockport.</p> <p>Please refer to the copy of the written submission for further details.</p>	Noted – refer to Submission 13.	Refer to Submission 13.
<b>24.</b>	Roger Vater Dealer Principal and General Manager AW Vater & Co	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Strong support for Council's changes as it affects the township of Saddleworth.</li> <li>2. Considers the changes, as proposed, are vital for the long term sustainability and growth of town.</li> <li>3. His business has invested \$1m in infrastructure and the proposed changes will encourage industry and investment.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p> <p>Refer to three (3) other similar submissions in Submission 8 and to other supporting submission in Submission 18.</p>	Refer Submission 8 and 18.	Refer Submission 8 and 18.

25.	G. Manos Botten Levinson, on behalf of T Palmer, M Behn and Gumdale Farming P/L	<p>Submission related to objections to the proposed rezoning of land, at Saddleworth, on the north-western corner of the junction of Marrabel – Saddleworth Road and Crawfords Road from Primary Production Zone to Industry Zone, for the following reasons:-</p> <ol style="list-style-type: none"> <li>1. Lack of justification to support the rezoning.</li> <li>2. That the recent ERD Court decision that gave approval to the AW Vater development was for a site specific land use only.</li> <li>3. The ERD Court decision of a specific proposal is not grounds to rezone land to Industry that would give rise to a wider range of other land uses.</li> <li>4. Possible future industrial land uses could have a broader serious impact on the locality and the adjacent watercourse.</li> </ol> <p>Please refer to the detailed submission in support of the opposition to the rezoning.</p>	<p>Noted – the rezoning seeks to recognise the existing approved land use.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), Council proposes to rezone the land to ‘Light Industry’ instead of ‘Industry’.</p> <p>A light Industry Zone would still provide scope for light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.</p>	<p>To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.</p>
26.	Saddleworth Peak Body (late submission)	<p>Submission related to the following:-</p> <ol style="list-style-type: none"> <li>1. Support for the proposed rezoning of land to Industry on the corner of Crawford Road and Marrabel Road, Saddleworth.</li> <li>2. The need to encourage and sustain small business and create an environment that is enticing for others to invest into Saddleworth.</li> <li>3. Business creates employment and attracts people and families to the town – and in turn helps other businesses and community facilities.</li> </ol> <p>Please refer to the copy of the written submission for further details.</p>	<p>Noted - agree.</p> <p>However, in light of the various submissions in opposition to the rezoning of land on the north western corner of Crawfords Road and Behns Road, and having regard to the option recommended by the EPA in the Agency Response Summary (that a Light Industry Zone be favoured in preference to an Industry Zone), that the land be rezoned to Light Industry.</p> <p>A light Industry Zone would still provide scope for light industry, service industry, store and warehouse type land uses, but restrict heavier and more intensive industrial development such as general industry, special industry and stock slaughter works.</p>	<p>To amend Map CGV/13 (as it affects the existing proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth) to alter the zoning to Light Industry – and to insert a new Light Industry Zone from the SA Planning Policy Library accordingly.</p>

\*\* A late submission was also received, from Michael Condon, in support of the AW Vater submissions.

## Attachment B – Summary and Response to Public Meeting Submissions

The following persons were heard at the Public Hearing as scheduled, on 1 December 2014.

No.	Name of Respondent	Summary of Verbal Submission/Issues Raised	Council Response
1.	Robert, Jacqui and Dale Schulz	The Schulz's spoke to their written submission which raised concerns about the proposed Industry Zone at Saddleworth.  Please refer to written submission in <b>Attachment A</b> – Item 21.	Refer to Item 21 in <b>Attachment A</b> .
2.	James Levinson, on behalf of Tracy Palmer, Matt Behn and Gumdale Farming Pty Ltd, and also Ray Flint.	Mr Levinson spoke to their written submissions which raised concerns about the proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth.  Please refer to written submissions in <b>Attachment A</b> – Item 20 and 25.	Refer to Item 20 and 25 in <b>Attachment A</b> .
3.	Rob and Jill Behn	Mr Behn spoke to their written submission which raised concerns about the proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth.  He also raised issue with regard to future separation buffers for industry and possible current development compliance matters relating to the AW Vater development at Saddleworth.  Please refer to written submission in <b>Attachment A</b> – Item 19.	Refer to Item 19 in <b>Attachment A</b> .
4.	Brian and Carolyn Koch	Mr Koch spoke to their written submission - seeking the rezoning of land on the fringe of Stockport.  Please refer to written submission in <b>Attachment A</b> – Item 13.	Refer to Item 13 in <b>Attachment A</b> .
5.	Mark and Robyn Bormann	Mr Bormann spoke to their written submission - seeking the rezoning of land on the southern fringe of Sevenhill.  Please refer to written submission in <b>Attachment A</b> – Item 14.	Refer to Item 14 in <b>Attachment A</b> .
6.	Filippo and Sharon Sisto	Mr and Mrs Sisto spoke to their written submission - seeking the rezoning of land to the north of Auburn.	Refer to Item 1 in <b>Attachment A</b> .

		Please refer to written submission in <b>Attachment A</b> – Item 1.	
<b>7.</b>	Kim Vater	<p>Mr Vater spoke to his written submission in support of the proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth.</p> <p>Please refer to written submissions in <b>Attachment A</b> – Item 18.</p>	Refer to Item 18 in <b>Attachment A</b> .
<b>8.</b>	Jill Vater	<p>Mrs Vater spoke to her written submission in support of the proposed Industry Zone on the north western corner of Crawfords Road and Behns Road, Saddleworth.</p> <p>Please refer to written submissions in <b>Attachment A</b> – Item 8.</p>	Refer to Item 8 in <b>Attachment A</b> .
<b>9.</b>	David Miller, Saddleworth	<p>Mr Miller spoke as a person from the general public.</p> <p>He spoke of his concerns about how industry has moved away from Saddleworth in the past – and that he supports future business growth and investment in Saddleworth and a future vibrant town, inclusive of the AW Vater development.</p>	Refer to other related submissions.

## Attachment C - Timeframe Report

### SCPA Timeframe Report: Process B2 – with consultation approval

The SOI was agreed by the Minister and Council on 9 May 2014.

Key steps	Period agreed to in SOI	Actual time taken	Reasons for difference (if applicable)
Investigations conducted and DPA prepared	20 weeks (May-September 2014)	May-August 2014	Nil
Consultation	8 weeks (October-November 2014)	September-October 2014	Nil
Public Hearing held, submissions summarised and DPA amended in accordance with Council's assessment of submissions. <i>Summary of Consultations and Proposed Amendments</i> submitted to Minister for approval.	8 weeks (December-January 2015)	December 2014	Nil

## Attachment D - Schedule 4A Certificate

### CERTIFICATION BY COUNCIL'S CHIEF EXECUTIVE OFFICER

#### DEVELOPMENT REGULATIONS 2008

#### SCHEDULE 4A

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

#### CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF PUBLIC CONSULTATION


I Roy Blight, Chief Executive Officer of the Clare & Gilbert Valleys Council, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments-

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

The following persons have provided advice to the Council for the purposes of Section 25(4) of the Act:

- David Altmann, BA Planning, GDip (Regional and Urban Planning), MPIA, CPP
- Michael McKeown, BA Hons MA (Urban Design), MPIA
- Robert Hart, BA Planning

DATED this 19<sup>th</sup> day of August 2014.

  
Roy Blight  
Chief Executive Officer



## Attachment E - Schedule 4B Certificate

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

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

I Roy Blight, as Chief Executive Officer of the Clare & Gilbert Valleys Council, certify, in relation to the proposed amendment or amendments to the Clare & Gilbert Valleys Council Development Plan as last consolidated on 10 January, 2013, referred to in the report accompanying this certificate:-

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

Roy Blight  
**Chief Executive Officer**  
Date.....: