

# District Council of Copper Coast

## Incitec Pivot Site - Wallaroo

*Development Plan Amendment by the  
Council*

***For Approval***

Declared by the Minister for Urban Development,  
Planning and the City of Adelaide to be an approved  
amendment under section 25 (18), of the  
*Development Act 1993.*

  
.....  
Signature

  
.....  
Date of Gazette





# Development Act 1993

## Amendment Instructions Table – Development Plan Amendment

Name of Local Government Area: District Council of the Copper Coast

Name of Development Plan: District Council of the Copper Coast, Consolidated 26 February 2009

Name of DPA: Incitec Pivot Site – Wallaroo

*These amendment instructions are based on the District Council of the Copper Coast Development Plan dated 26 February 2009. If this Development Plan has been updated in the meantime, it is possible that the numbering cited here does not match the new version.*

*Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.*

Amendment Instruction Number	<ul style="list-style-type: none"> <li>• OBJECTIVE (OBJ)</li> <li>• PRINCIPLE OF DEVELOPMENT CONTROL (PDC)</li> <li>• DESIRED CHARACTER STATEMENT (DCS)</li> <li>• MAP/TABLE No</li> <li>• OTHER (SPECIFY)</li> </ul>	Method of change. <ul style="list-style-type: none"> <li>• DELETE</li> <li>• REPLACE</li> <li>• INSERT</li> </ul>	Renumbering required (Y/N)	Subsequent Policy cross-references requiring update (Y/N) if yes please specify.
REGIONAL OR METROPOLITAN PROVISIONS (including figures and illustrations contained in the text)				
COUNCIL WIDE PROVISIONS (including figures and illustrations contained in the text)				
ZONE AND/OR POLICY AREA PROVISIONS (including figures and illustrations contained in the text)				
1	Desired Character Statement	INSERT content of attachment A immediately after objective 5 for the Town Centre (Wallaroo Historic Conservation) Zone.	No	No
2	Objective 5 for Town Centre (Wallaroo Historic Conservation) Zone	REPLACE Objective 5 for Town Centre (Wallaroo Historic Conservation) Zone with the following; <b>Objective 5:</b> Development that contributes to the Desired Character of the zone.	No	No
3	Principle of Development Control	INSERT new principle of development control immediately under the heading <b>PRINCIPLES OF DEVELOPMENT CONTROL</b> for the Town Centre (Wallaroo Historic Conservation) Zone. <b>1</b> New buildings should be developed and historic buildings renovated in accordance with the conservation guidelines contained in Table CoCo/1;	Yes - renumber existing principles 1 to 9 ; 2 to 10 accordingly	No
4	Objective 5 for Residential Zone	REPLACE Objective 5 for Residential Zone with the following; <b>Objective 5:</b> Development that contributes to the Desired	No	No

		Character of the zone.		
	Desired Character Statement	INSERT content of attachment B immediately after Objective 5 for the Residential zone.	No	No
5	Principle of Development Control	INSERT the following Principle after Principle of Development Control 2 of the Residential zone; Development of the old Incitec Pivot site at Wallaroo should have to Fig R(W)/2	Yes	No
6	Principle of Development Control	DELETE Principle of Development Control 5 of the Residential Zone	Yes	No
7	Whole Zone	INSERT Historic (Conservation) Wallaroo Zone Provisions contained with Attachment C after Historic (Conservation) Zone – Wallaroo Mines	No	No
8	Objectives and Principles of Development Control	INSERT Contents of Attachment D Under Council wide Development Generally section after PDC 9	No	No
<b>TABLES</b>				
<b>MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps &amp; Policy Area Maps)</b>				
9	Map CoCo/10	REPLACE with map contained within Attachment E	No	No
10	Map CoCo/11	REPLACE with map contained within Attachment F	No	No
11	Concept Plan Fig R (W)/2	Insert plan contained within Attachment G after Principle of Development Control 2 of the Residential zone	No	No

### Desired Character

The Wallaroo Town Centre is the main focus of shopping, office and community uses for the Town and North Beach. The physical layout of the Centre is unique with the major commercial and civic building laid out in terraces around the railway reserve which means the linear rows of buildings look across the reserve toward each other.

The Centre should be progressively upgraded and rehabilitated to an overall master plan which recognises important features of the area, including buildings, views across the railway reserve, the open space of the railway reserve and the Moreton Bay Fig trees in Owen Terrace.

Owen Terrace will remain the main focus for retail development with larger scale shopping development restricted to that part of the zone north of Emu Street. Development of larger scale retail facilities in this area will need to have regard to the historic character of buildings along Owen Terrace and Jetty Road, and the buildings and open character of the adjoining Historic (Conservation) Wallaroo zone. This will require the careful siting and scaling of buildings and signage, use of landscaping to provide a backdrop and/or screen new development from the older parts of the Centre, together with the use of building materials and finishes that are compatible with the historic buildings in the zone.

No development will prejudice the dominance of the Hughes chimney stack.

New retail facilities will be linked with pedestrian connections to Owen Terrace and should be designed to minimise noise, visual intrusion or other adverse impacts on adjoining development in the Residential zone.

Development will ensure that the historic character and integrity of the zone is maintained and enhanced. This will include development of the public realm with paving, seats, lights, landscaping and litter bins reflecting the historic character of the zone.

The Moreton Bay Fig trees in Owen Terrace will be preserved and protected.

New buildings in the zone will be developed and historic buildings conserved or renovated in accordance with the Conservation Guidelines contained in [Table CoCo/1](#).



**Desired Character**

Development within the Residential zone varies from 19<sup>th</sup> century cottages to contemporary development with streetscapes varied accordingly. In those parts of the zone where older buildings predominate new buildings should reflect, retain and enhance those streetscapes. This will be achieved by development that has regard to the siting; mass and proportion; building materials, patterns, textures, colours and decorative elements; ground floor height above natural ground level; roof form and pitch; facade articulation and detailing, and window and door locations and proportions; verandas, eaves and parapets; fence style and alignment; and landscaping evident within the locality.

The retention and upgrading of nineteenth and early twentieth century buildings in areas which contain such buildings will be paramount.

Development will be predominantly single storey detached dwellings orientated towards the road with open or low fenced front gardens which are extensively landscaped. Two storey buildings will be articulated in form and design with verandahs and balconies to break up the mass of high walls. Two storey buildings will generally exhibit greater street and side setbacks than single storey buildings.

The Incitec Pivot land, bounded by Heritage Drive, Jones and Emu Streets provides an opportunity for a master planned residential development that provides variety in allotments size and dwelling type in close proximity to the Marina and Wallaroo Town centre. Development in this area will have to have regard to its location adjacent to the State heritage-listed Wallaroo Smelter Site and will provide a transition in allotments from the very low scale of development to the south and east to the higher density development in the marina. This will be achieved by establishing larger allotments with street frontages in the order of 20 metres along the frontages of Emu, Street, Charles Terrace, Jones Street and Heritage Drive.

Development along Heritage Drive, Jones and Emu Streets and Charles Terrace will front these streets.

Internal roads will be landscaped and lesser street setbacks down to 5.5 metres for single storey development and 7 metres for two storey development will be considered.

Provision will be made for stormwater disposal through the Incitec Pivot land to the Council systems in Heritage Drive.





## HISTORIC (CONSERVATION) WALLAROO ZONE

### Introduction

The objectives and principles of development control that follow apply to the Historic (Conservation) Wallaroo Zone shown on [Maps CoCo/10 and 11](#). They are additional to those expressed for the whole of the council area.

### OBJECTIVES

**Objective 1:** Conservation of the distinctive character of the Wallaroo Smelter Site.

**Objective 2:** An area in which public access is maintained and controlled.

**Objective 3:** Preservation of the open character of the area, dominated by the Hughes Chimney Stack.

**Objective 4:** Development that contributes to desired character.

### DESIRED CHARACTER

Development which protects maintains and enhances the distinctive historic character of the Zone.

The zone contains the State heritage-listed Wallaroo Smelter Site, which includes the Hughes chimney stack, Wallaroo Seafarers' Centre (former Smelters' offices), ruins of various structures and slag heaps.

The Wallaroo smelter ruin is a large area on the shore of Wallaroo Bay covered with brick, stone and concrete remains of buildings, furnaces, flues, retaining walls and other structures and extensive granulated slag heaps.

The Wallaroo smelter ruin is significant as the remains of South Australia largest industrial complex for much of the period 1861-1926, and for a time was one of the great smelters of the world. It is a rare site and is of great technological and archaeological significance.

The site is dominated by the large square Hughes Chimney Stack, the only surviving one of about 25 stacks which once stood on site. The Hughes Chimney Stack is a historical landmark and feature of northern side of town.

Development will respect not only the State heritage-listed Wallaroo Smelter Site and its associated structures in the zone, but also the views of the coast and open character of the land.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 2 Development should complement the historic value and significance of the zone
- 3 No development should prejudice the dominance of the Hughes chimney stack and/or open space character of the area.
- 4 The following kinds of development are **non-complying** in the Historic (Conservation) Wallaroo Zone:

Advertisement and/or advertising hoarding, except where in association with conservation works or tourist information purposes.

Caravan park

Cemetery

Dwelling  
Land division, except where no additional allotments are created partly or wholly within the zone  
Marina  
Motel  
Motor repair station  
Nursing home  
Office  
Shop  
Store  
Warehouse  
Waste reception, storage, treatment or disposal

- 11** All development is assigned categories of public notification pursuant to Schedule 9 of the Development Regulations 2008.

## **Interface Between Land Uses**

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 1 Development should be sited, designed and constructed to minimize negative impacts of noise and to avoid unreasonable interference.

## **Site Contamination**

**Objective 1:** Protection of human health and the environment wherever site contamination has been identified or suspected to have occurred.

**Objective 2:** Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 1 Development including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use.

## **Water Sensitive Design**

**Objective 1:** Development consistent with the principles of water sensitive design.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 1 Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.
- 2 Development should not take place if it results in unsustainable use of surface or underground water resources.
- 3 Water discharged from a development site should:
  - (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state
  - (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.
- 4 Development should include stormwater management systems to protect it from damage during a minimum of a 1 in 100 year average return interval flood.
- 5 Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- 6 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.
- 7 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.
- 8 Stormwater management systems should:

- (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source
- (b) utilise, but not be limited to, one or more of the following harvesting methods:
  - (i) the collection of roof water in tanks
  - (ii) the discharge to open space, landscaping or garden areas, including strips adjacent to car parks
  - (iii) the incorporation of detention and retention facilities
  - (iv) aquifer recharge.

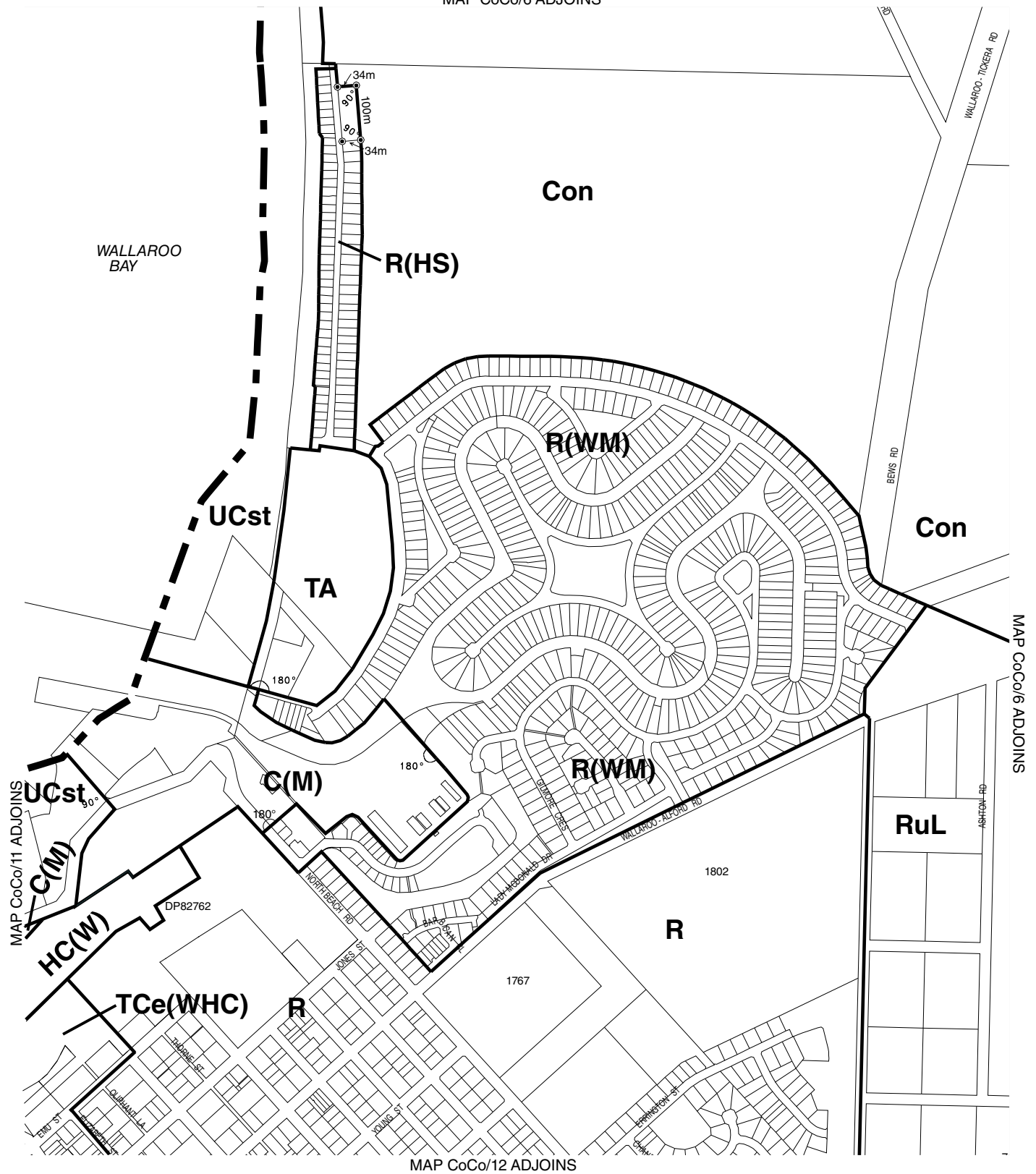
**9** Where it is not practicable to detain or dispose of stormwater on site, only clean stormwater runoff should enter the public stormwater drainage system.

**10** Artificial wetland systems, including detention and retention basins, should be sited and designed to:

- (a) ensure public health and safety is protected
- (b) minimise potential public health risks arising from the breeding of mosquitoes.

## **ATTACHMENT E**





NOTE: For Policy Areas see MAP CoCo/37

# **WALLAROO**

<b>C(M)</b>	Commercial (Marina)
<b>Con</b>	Conservation
<b>HC(W)</b>	Historic Conservation (Wallaroo)
<b>R</b>	Residential
<b>R(HS)</b>	Residential (Holiday Settlement)
<b>R(WM)</b>	Residential (Wallaroo Marina)
<b>RuL</b>	Rural Living
<b>TA</b>	Tourist Accommodation
<b>TCe(WHC)</b>	Town Centre (Wallaroo Historic Conservation)
<b>UCst</b>	Urban Coastal

	Zone Boundary
	Development Plan Boundary

Scale 1:10000



## **COPPER COAST (DC) ZONES MAP CoCo/10**





## **ATTACHMENT F**

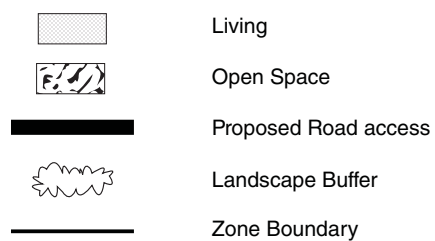
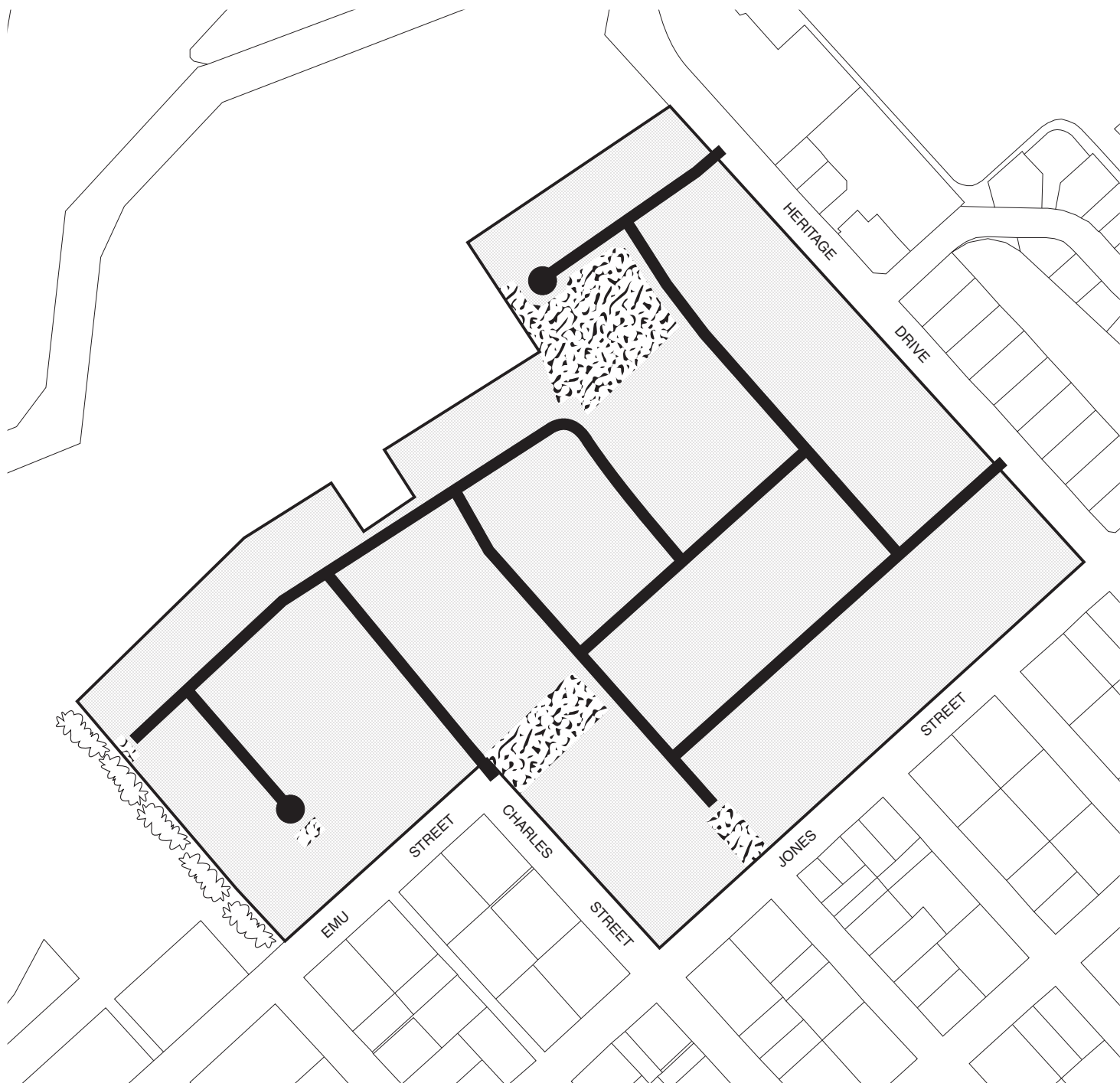






## **ATTACHMENT G**





**COPPER COAST (DC)  
RESIDENTIAL (WALLAROO)  
Fig R(W)/2**







# **District Council of the Copper Coast**

**Incitec Pivot Site – Wallaroo DPA**

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

May 2010



# Table of Contents

Introduction.....	1
Consultation.....	1
Consultation Process .....	1
Public Notification .....	1
Public and Agency Submissions.....	1
Public Submissions .....	1
Agency Submissions.....	1
Review of Submissions and Public Meeting.....	2
Timeframe Report.....	2
CEO’s Certification .....	2
Summary of Recommended Changes to the Amendment following Consultation.....	2
<b>Attachment A – Summary and Response to Public Submissions .....</b>	<b>3</b>
<b>Attachment B – Timeframe Report.....</b>	<b>4</b>
<b>Attachment C – Schedule 4A Certificate.....</b>	<b>5</b>
<b>Attachment D – Schedule 4B Certificate.....</b>	<b>7</b>



## Introduction

This 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.

## Consultation

### Consultation Process

Statutory consultation with agencies and the public was undertaken in accordance with DPA process A (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 the agreed Statement of Intent.

The agency consultation period ran from 15 June 2009 to 28 July 2009.  
The public consultation period ran from 25 February 2010 to 23 April 2010.

### Public Notification

Notices were published in the 'The Advertiser' and the Government Gazette on 25 February 2010.

The DPA documents were also on display on Council's website and at all three Council offices; Kadina, Moonta and Wallaroo. A copy of the DPA was forwarded to the Department of Planning and Local Government on 15 June 2010 and 1 April 2010.

## Public and Agency Submissions

### Public Submissions

Three public submissions were received. Key issues raised in the submissions are summarised as follows:

- (a) Impact on the operation of the Port particularly related to traffic conflicts
- (b) Introduction of policy to minimise the potential negative impacts the rezoning may have on the Port's operation
- (c) Minor mapping amendments
- (d) Further investigations into potential aboriginal heritage sites on the affect land

A report on each submission (summary, comments, and action taken in response to each submission) is included in **Attachment A**.

### Agency Submissions

Ten (10) responses were received from agencies. Key issues raised in the responses are summarised as follows:

- (a) Concept plan for residential zone
- (b) Additional investigations in relation to the Metropolitan Adelaide Industrial Land Strategy

- (c) Insert policy relating to site contamination, interface issues and Water Sensitive Urban Design.
- (d) Additional investigations in regards to stormwater disposal
- (e) Rewording of various policies particularly related to the Town Centre (Wallaroo Historic Conservation) Zone.

## Review of Submissions and Public Meeting

Copies of all submissions were made available for public review from 23 April 2010 to 5 May 2010 at the Council offices.

Three (3) public submissions were received, however no-one requested to be heard and so no public meeting was held.

## Timeframe Report

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

The DPA has proceeded in accordance with the agreed timetable.

Delays occurred because:

- (a) Detailed investigations in relation to site contamination and heritage issues.
- (b) Preparation of concept plan for proposed residential area
- (c) Discussion with EPA in relation to progressing rezoning in relation to site contamination and remediation works
- (d) Various amendments to policy as recommended by agency responses
- (e) Various amendments to consultation version as requested by DPLG.

## 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 C** (Schedule 4A Certificate) and **Attachment D** (Schedule 4B Certificate).

## Summary of Recommended Changes to the Amendment following Consultation

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

- (a) Minor mapping amendments

## **Attachment A – Summary and Response to Public Submissions**





District Council of the Copper Coast  
Incitec Pivot Site – Wallaroo DPA  
Public Submission Summary

No	Name and Address	Response Summary	Comments	Recommendation
1	<p>Flinders Ports 296 St Vincent Street, Port Adelaide</p>	<p>Notes the Incitec Pivot Site is approximately 200m to the east from Flinders Ports land and marine facilities</p> <p>Notes the Port of Wallaroo has been upgraded and is crucial for export seeds and grains produced in the area, as well as the importation of fertiliser. Due to the scale of the Wallaroo operation Flinders Ports has a major interest in ensuring the zoning reflects the operations and associated land uses at the Port and its surroundings.</p> <p>Notes that the Planning Strategy and Development Plan provisions encourage the port facilities be protected from the encroachment of incompatible development.</p> <p>Raised concern that if Port operations impact on the livability of the proposed residential area, this may prejudice long term operations and potential expansion of the port. Therefore it is important to identify any potential interface issues and build in mechanisms that will minimise the risk of future, negative impacts on the port operation.</p> <p>Advises that while the port is operated in compliance with regulatory requirements activities may result in dust/air, noise impacts to future</p>	<p>Noted. The importance of Wallaroo as a port is recognised by the Council and is zoned accordingly. The land is however some <b>500</b> metres in a straight line from the base of the jetty (measured from Jetty Road) and 600 metres from the silos on Lydia Terrace. This is much further from the Port than existing residential areas within the town.</p> <p>Given the quite significance separation distance between the proposed residential land and the port facilities, it is incorrect to suggest that this rezoning will encroach is such a way as to have a meaningful impact on the operation of the port or the associated transport networks.</p> <p>In fact the residential component of the development will take its access primarily from Emu, Charles and Jones Street, with a limited number of properties (about 9), taking access from Heritage Drive.</p> <p>Views for any dwellings on the land will largely be to the west and north rather than to the south and the land will be separated from the activities of the Port by an extensive section of land zoned for Town centre development, which can be expected to accommodate large commercial buildings that will be a visual and</p>	<p>No action considered necessary</p>

		<p>development on the subject land. In addition the activities of the port have significant visual impacts and may not be in keeping with the desired views from the proposed residential areas.</p> <p>Advises the main concern is unrestricted access to the Port. Currently the only access to the Port is by road. Notes the DPA will result in additional traffic movement on Emu Street, Charles Terrace and Jetty Road, all of which are used by B-Doubles for access to the Port.</p> <p>Notes that development must not place traffic constraints on the Port operations.</p> <p>Recommends the follow to minimise the potential negative impacts on the Port's Operations:</p> <ul style="list-style-type: none"> <li>- Appropriate visual buffer treatments should be incorporated between the Port activities and residential development identified in the DPA where it is considered that the visual impact on residential areas would impact negatively on the livability of the residential area</li> <li>- Appropriate techniques to minimise noise and air</li> </ul>	<p>acoustic buffer to Port activity.</p> <p>Whilst there will be additional traffic on the road network as a consequence of the proposed development it is envisaged that the majority of this traffic will occur on Emu, Charles and Jones Streets, back to the Town centre and Owen Terrace (and hence to Kadina) rather than on to Heritage Drive. There is no suggestion that Heritage Drive is not capable of accommodating the range of commercial or domestic traffic that it either now handles, or may handle as the Town of Wallaroo and North Beach expand.</p>	
--	--	---	--	--

		<p>pollution should be considered and if necessary reflected in the concept plan.</p> <ul style="list-style-type: none"> <li>- A more detailed consideration of potential traffic movements to the development area identified in the DPA, and if potential traffic conflict between port traffic and the proposed residential and commercial areas, traffic management measures should be identified in a concept plan or in the planning provisions</li> </ul> <p>Advised that Flinders Port is supportive of the DPA however request further consideration to potential impacts relating to traffic, noise, dust and visual impact.</p>			
2	<p>Andrew Humby Team Coordinator Planning Division <b>Department of Planning and Local Government</b></p>	<p><i>Submissions received during public notification period</i></p> <p>Offered the following comments:</p> <p><b>EPA requirements – Site contamination</b>  Recommends Council meet with DPLG to discuss a number of factors associated with site contamination prior to the DPA being submitted for approval.</p> <p><b>Mapping</b>  Minor mapping amendments</p>	<p>Noted, to consider at time of preparing the DPA for approval</p> <p>Noted</p>	<p>No action required</p> <p>Amend accordingly</p>	

3	<p>Osker Linde Senior Legal Officer South Australia Native Title Services</p>	<p>Wrote on behalf of the Directors of Narrungga Nations Aboriginal Corporation.</p> <p>Noted that the DPA stated consultation had occurred with the Narrungga Aboriginal Corporation, however the Directors of the corporation were not aware of any such consultation and have asked for a written response detailing the consultation which has taken place.</p> <p>The Directors have concerns that any subdivision and development of the land could damage, disturb or interfere with places of traditional significance to the Narrungga people and Narrungga people seek input into any such development.</p>	<p>Noted, a copy of the DPA and a letter outlining the consultation details was sent via email on the 15 June 2009 to Mr. Phillip Broderick of Lempriere Abbott McLeod Solicitors, who was previously nominated as the relevant contact person for the NNAC.</p> <p>Mr Broderick advised via email that he was leaving this role and he had forwarded the email to the new chair of NNAC.</p> <p>A meeting with NNAC on site has since occurred and a representative of the site reviewed to land to assess whether an Aboriginal Heritage survey would be required.</p> <p>There is unlikely to be any remains of Aboriginal objects or artifacts on the site due to the site being operated for industrial purposes for over 130 years, resulting in various site works and the construction and demolition of numerous buildings and structures on the land. In addition remediation works have commenced due to contamination issues on the site due to the previous industrial uses which includes the formation of large slag heaps located in the north west portion of the site. All of the above has</p>	<p>No action required</p>
---	---	---	---	---------------------------

				resulted in the land being significantly altered since pre European settlement.	
--	--	--	--	---	--



## Attachment B – Timeframe Report

### SCPA Timeframe Report: Process A / 2 Step

The SOI was agreed by the Minister and Council on 20/3/09

Key steps	Length of time agreed in SOI	Actual time taken	Reason for difference (if applicable)
Investigations conducted and draft DPA prepared	8 weeks	3 months	Detailed investigations in relation to site contamination and heritage issues.
Agency consultation conducted (report on any delays incurred by agencies)	6 weeks	6 weeks	N/A
Agency comments assessed, DPA refined and sent to Minister with a request to commence public consultation	2 weeks	3 months	Preparation of concept plan for proposed residential area  Discussion with EPA re: progressing rezoning in relation to site contamination and remediation works  Various amendments to policy as recommended by agency responses
DPA assessed and report on it submitted to Minister	8 weeks	4 months	Various amendments to consultation version as requested by DPLG
Public consultation approved	2 weeks		
DPA prepared for public consultation	2 weeks	1 weeks	N/A
Public consultation conducted	8 weeks	8 weeks	N/A
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.	4 weeks	5 weeks	Minor mapping amendments.  Administrative delays





## **Attachment C – 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 Peter Dinning, as Chief Executive Officer of District Council of the Copper Coast, certify that the DPA to which this certificate relates was prepared based on advice received from Mr David Hutchison, a person with the prescribed qualifications. The DPA sets out the extent to which the proposed amendment(s):

- (a) accord(s) with the Statement of Intent (as agreed between the District Council of the Copper Coast and the Minister for Urban Development and Planning under section 25(1) of the Act) and, in particular, all of the items set out in Regulation 9 of the Development Regulations 2008
- (b) accord(s) with the relevant provisions of the Planning Strategy, and, where it does not fully or in part accord, this has been identified and explained in the Analysis
- (c) accord(s) with other parts of the council's Development Plan
- (d) complement(s) the policies in the Development Plans for adjoining councils
- (e) satisfy(ies) the other matters (if any) prescribed under section 25(6)(b) of the *Development Act 1993*.

DATED this 15<sup>th</sup> day of June 2009



(Signature of Chief Executive Officer)

CHIEF EXECUTIVE OFFICER



## **Attachment D – 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 Peter Dinning, as Chief Executive Officer of the District Council of the Copper Coast, certify, in relation to the proposed amendment or amendments to the District Council of the Copper Coast as last consolidated on 26 February 2009, 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:
  - Mr David Hutchison of Access Planning (SA) Pty Ltd

28/05/2010  
Date: 

Chief Executive Officer  
DISTRICT COUNCIL OF THE COPPER COAST

