

# CONFIDENTIAL



REPORT FOR:	<b>Council</b>		
MEETING DATE:	23 February 2015		
REPORT FROM:	Director – City & Cultural Services		
REPORT TITLE:	<b>Minister instigated Development Plan Amendment</b>		
FILE NAME:	F10/258	RECORD NO:	AR15/5602

## COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

### **1 We Thrive**

1.7 Provide and maintain appealing and supportive physical environments that generate a sense of community pride and ownership.

## **PURPOSE**

This purpose of this report is to seek Council approval supporting the Minister for Planning commencing a Development Plan Amendment that relates to part of an area within the Municipality of the City of Port Augusta.

## **RECOMMENDATION**

### **Council:**

1. Approves requesting the Minister for Planning to instigate of Development Plan Amendment to rezone a portion of land, under the ownership of the State Government at the rear of the Old Croquet Club land, from Industrial to District Centre.

## **BACKGROUND**

Council has previously identified the area within the Old Croquet Club vicinity as being suitable for a retail type development to increase activity within this end of the Commercial Road precinct.

## **DISCUSSION**

Section 24 of the *Development Act 1993* provides that the Minister acting at the request of the Council may instigate a Development Plan Amendment. A section of land at the rear of the Old Croquet Club, which would be required for any retail development in this vicinity, is currently zoned 'Industrial'.

As the best outcome for this land, from a community point of view, is for it to be developed as part of a retail development, it is recommended that Council support the Minister instigating a Development Plan Amendment to rezone this small portion of land to District Centre.

The Department for Planning, Transport and Infrastructure have declared this land as surplus to requirement, and will dispose of this land under the State Government's disposal of land process.

## **CONFIDENTIALITY PROVISIONS**

The Council is satisfied that, pursuant to Section 90(3)(m) of the Act, the information to be received, discussed, or considered in relation to this Agenda Item is information relating to an amendment under the *Development Act 1993* before a Development Plan Amendment report relating to the amendment is released for public consultation under that Act, in that a decision is required to be made by Council as to whether to support the Minister for Planning to instigate a Development Plan Amendment to rezone a portion of land within the CBD area from Industrial to District Centre.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the Development Plan amendment has not yet been finalised which could result in the public becoming inadvertently misinformed of the proposed changes.

That having considered Report AR15/5602 – Minister instigated Development Plan Amendment in confidence under Section 90(2) and (3)(m) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that this report and all minutes be retained in confidence until the release of the Development Plan Amendment is released by the State Government for public consultation.

## **RISK MANAGEMENT**

### **1: Financial/Budget**

Not applicable as the State Government would undertake the Development Plan Amendment and would be responsible for all associated costs.

### **2: Legal/Policy**

Section 24 of the *Development Act 1993* outlines the legislative provisions for instigating a Development Plan Amendment.

### **3: Environment/Planning**

The current Development Plan provides adequate standards for environmental issues in the CBD.

### **4: Community**

#### 4.1 General

A two month consultation process is undertaken as part of a Development Plan Amendment and the community will have an opportunity to comment to the proposed change to zoning at that time.

#### 4.2 OPAL Program

Not applicable.

**Lee Heron**  
**13/02/2015**