



# ISSUES PAPER

## Cape Jaffa Anchorage Marina Proposal





# **ISSUES PAPER**

## **Cape Jaffa Anchorage Marina Proposal**

**Major Developments Panel  
South Australia**

Planning SA

Department of Transport  
and Urban Planning

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# CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2</b>	<b>THE PROPOSAL.....</b>	<b>5</b>
<b>3</b>	<b>SITE DESCRIPTION .....</b>	<b>5</b>
<b>4</b>	<b>DECLARATION .....</b>	<b>6</b>
<b>5</b>	<b>DESCRIPTION OF THE PROPOSAL .....</b>	<b>11</b>
<b>6</b>	<b>DEVELOPMENT TIMING .....</b>	<b>13</b>
<b>7</b>	<b>ISSUES IDENTIFIED BY THE MAJOR DEVELOPMENTS PANEL....</b>	<b>17</b>
<b>8</b>	<b>AVAILABILITY OF ISSUES PAPER.....</b>	<b>25</b>
<b>9</b>	<b>HOW TO LODGE A WRITTEN SUBMISSION .....</b>	<b>27</b>

Figure 1	Major Development Assessment Process .....	3
Figure 2	Location Plan .....	7
Figure 3	Development Plan.....	9
Figure 4	Indicative Staging Plan .....	15
Appendix 1	The Level of Assessment	
Appendix 2	Gazettal Notice	



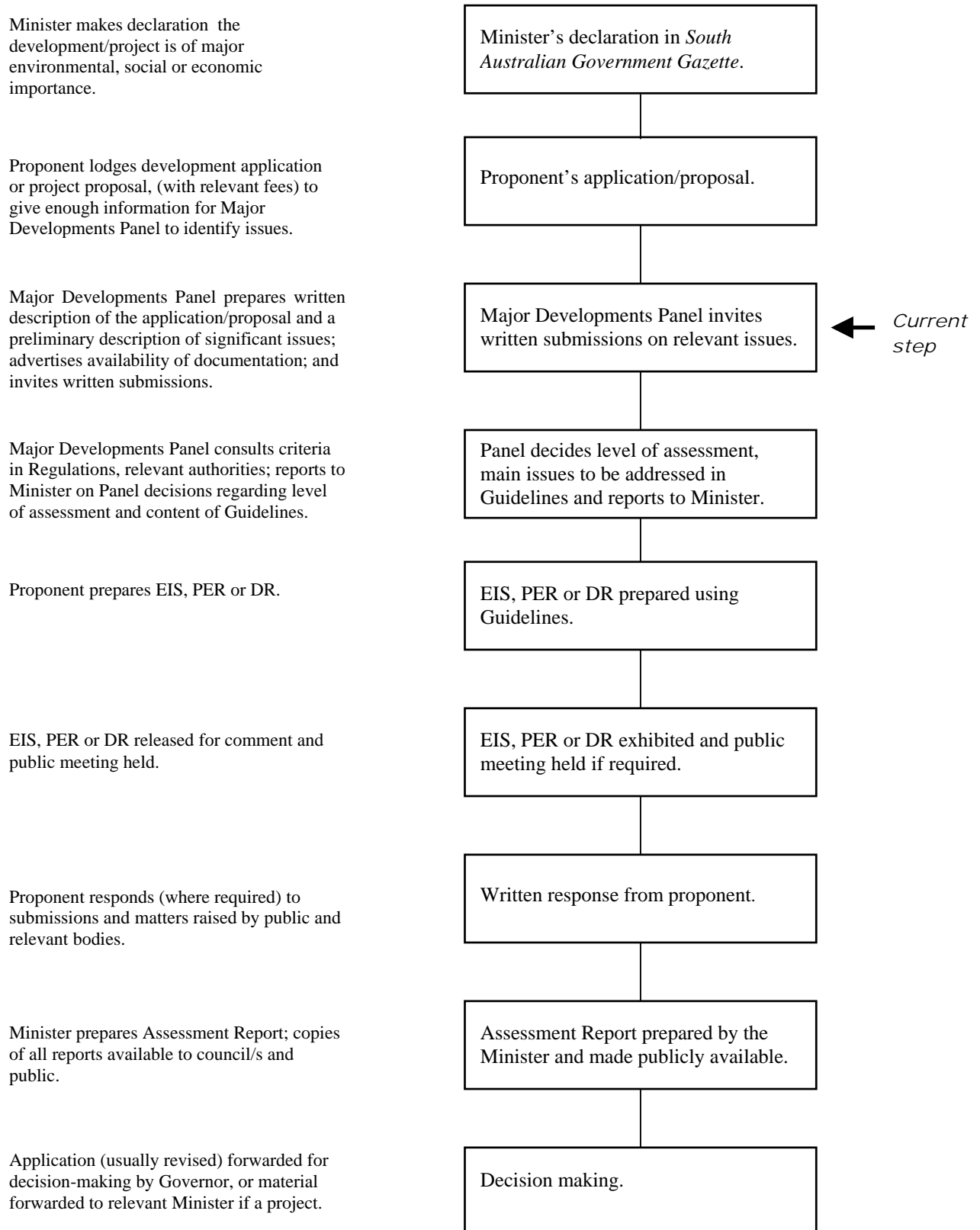
# 1 INTRODUCTION

- 1.1 This Issues Paper has been released by the Major Developments Panel (Panel), under Section 46 of the *Development Act 1993*, to gain public input in relation to what are considered to be the significant issues relating to the proposed Cape Jaffa Anchorage Marina proposal.
- 1.2 The Panel is an independent panel of people appointed by the Minister for Urban Development and Planning. The Panel has the responsibility to produce Guidelines (following receipt of submissions on the Issues Paper from the public and Government agencies) on the significant issues relating to the proposed development. The Guidelines will assist the proponent to provide the best level of information needed to assess the proposal. The Panel is also responsible for determining the level of assessment that will be applied (ie. an Environmental Impact Statement (EIS), a Public Environmental Report (PER) or a Development Report (DR)). For details on the levels of assessment see Appendix 1.
- 1.3 Once the level of assessment has been determined and the Guidelines produced, the Panel's role in the assessment process is fulfilled. The Major Developments Panel does not conduct the assessment of the proposal or decide whether it should be given the necessary approvals to proceed.
- 1.4 The Minister responsible for the *Development Act 1993* will then continue the process and complete the assessment under Section 46 of the *Act*.
- 1.5 The documentation and analyses from the assessment process are then used by the Governor in making the decision under Section 48 of the *Act*. Figure 1 illustrates the process that will be followed.
- 1.6 Further information on the Major Developments Panel and the assessment and decision making processes may be obtained by phoning Ms Karen Ferguson of the Environmental Impact Assessment (EIA) Unit , Planning SA on (08) 8303 0733. Information on how to lodge a public submission on this document is provided in Section 9.



**FIGURE 1**

**MAJOR DEVELOPMENTS OR PROJECTS - ASSESSMENT PROCESSES AND DECISION-MAKING**





## **2 THE PROPOSAL**

- 2.1 The proposal is located on land held under option to buy by the District Council of Kingston. It is to be constructed by Lucas Earthmovers, with the consultant firm MasterPlan responsible for project management and documentation.
- 2.2 The proposal is for a multi-component commercial/recreational marina facility and associated waterfront residential development, on land located immediately east of the Cape Jaffa township. Cape Jaffa is a small coastal township, with a population between 30-40 residents consisting mainly of shack owners and fishermen. A tourist park with a general store, caters for visitors. The township provides a base for the commercial Southern Rock Lobster fishing industry and provides limited storage and processing facilities. Aquaculture of Atlantic Salmon is a fledgling industry for the town and ten to twelve cages are currently located offshore. Cape Jaffa and Lacedpede Bay provide sheltered conditions for boats, due to the north facing coastline and protection from ocean swells by offshore reefs. There are no large protected harbours along the South East coast, but a number of small ports servicing the local fishing fleets are located at Cape Jaffa, Kingston, Robe, Beachport, Southend, Carpenters Rocks and Port MacDonnell. Robe, located 40km south of Cape Jaffa, provides the only sheltered harbour for recreational fishing boats between the Murray Mouth and the Victorian border. The harbour at Robe is at capacity for moorings and has no potential for further expansion.
- 2.3 The proposal aims to develop a safe harbour for recreational boats and for the existing commercial lobster and emerging aquaculture industries. Infrastructure and commercial facilities would be established. Tourist facilities would also be provided. The marina basin and canals would be surrounded primarily by residential allotments. Additional allotments without marina frontage are also proposed. It would provide a range of housing options that are not currently available in the area.

## **3 SITE DESCRIPTION**

- 3.1 The proposal is located on the coast at Cape Jaffa between Robe and Kingston in the South East of South Australia. The proposal represents a major new development proposal to support the commercial fishing/aquaculture, tourism, recreation, boating industries, and a significant residential development in the South East region. (See Figure 4 for details).
- 3.2 The proposal covers several Zones under the Development Plan for the District Council of Kingston, as follows:
- 3.2.1 Cape Jaffa Zone – a zone providing for residential development, tourist accommodation and facilities associated with the fishing industry. Nearly half of the residential development is proposed in this zone.

- 3.2.2 Rural Coastal Zone – a zone in which the natural coastal features and scenery are preserved. All forms of development are non-complying. Only residential development is proposed for part of this zone with the beach and dune vegetation to be protected.
- 3.2.3 General Farming Zone – a zone providing for agricultural activities and the conservation of the natural environment. Land division, dwellings, general industry and shops are non-complying. The marina facility, commercial and public boat ramp facilities, commercial fishing/aquaculture service area, some tourist accommodation and part of the residential development are proposed for part of this zone.
- 3.2.4 General Farming (Forestry) Zone – a zone providing for horticulture, forestry and general farming. Land division, dwellings, general industry and shops are non-complying. Nearly half of the residential development, the majority of tourist accommodation and a tavern/café/restaurant are proposed for this zone.
- 3.3 3.3 Figure 3 illustrates the Development Plan Zones for the area.
- 3.4 3.4 A small proportion of the site boundary, not within the Council boundary, also extends into the bay to encompass the breakwater structure and entrance channel (i.e. potentially to a distance of several hundred metres). The Coastal Waters policies in the Development Plan for “Land Not Within A Council Area” apply in this area. The Development Plan states that tourist development, marinas etc should only be undertaken in zones designated for such development. The plan contains strong objectives and principles of development control for environmental protection of coastal and marine areas and which aim to maintain public access. The protection of sites of cultural, heritage or scientific significance is also promoted. Sand dunes should be maintained in single parcels of land where land division occurs and groundwater supplies should not be adversely affected. Development should only be undertaken on land that is not subject to coastal hazards and not require public expenditure on protection of the development or the environment and adequate financial guarantees for construction, operation, management and maintenance are in place.
- 3.5 The land was previously used for agriculture or coastal rural uses. There is some remnant vegetation in the dunes.
- 3.6 The surrounding land uses include agricultural activities, fishing industry (crayfish and finfish) activities and facilities, and the Cape Jaffa shack area is nearby.

## **4 DECLARATION**

- 4.1 On 19 December 2002, the Minister for Urban Development and Planning made a declaration in the Government *Gazette* for the proposed development to be assessed as a Major Development under the provisions of Section 46 of the *Development Act, 1993*. The gazettal notice for this declaration is reproduced in Appendix 2.



# CAPE JAFFA ANCHORAGE DEVELOPMENT APPLICATION

**Figure 2**

## LOCATION PLAN

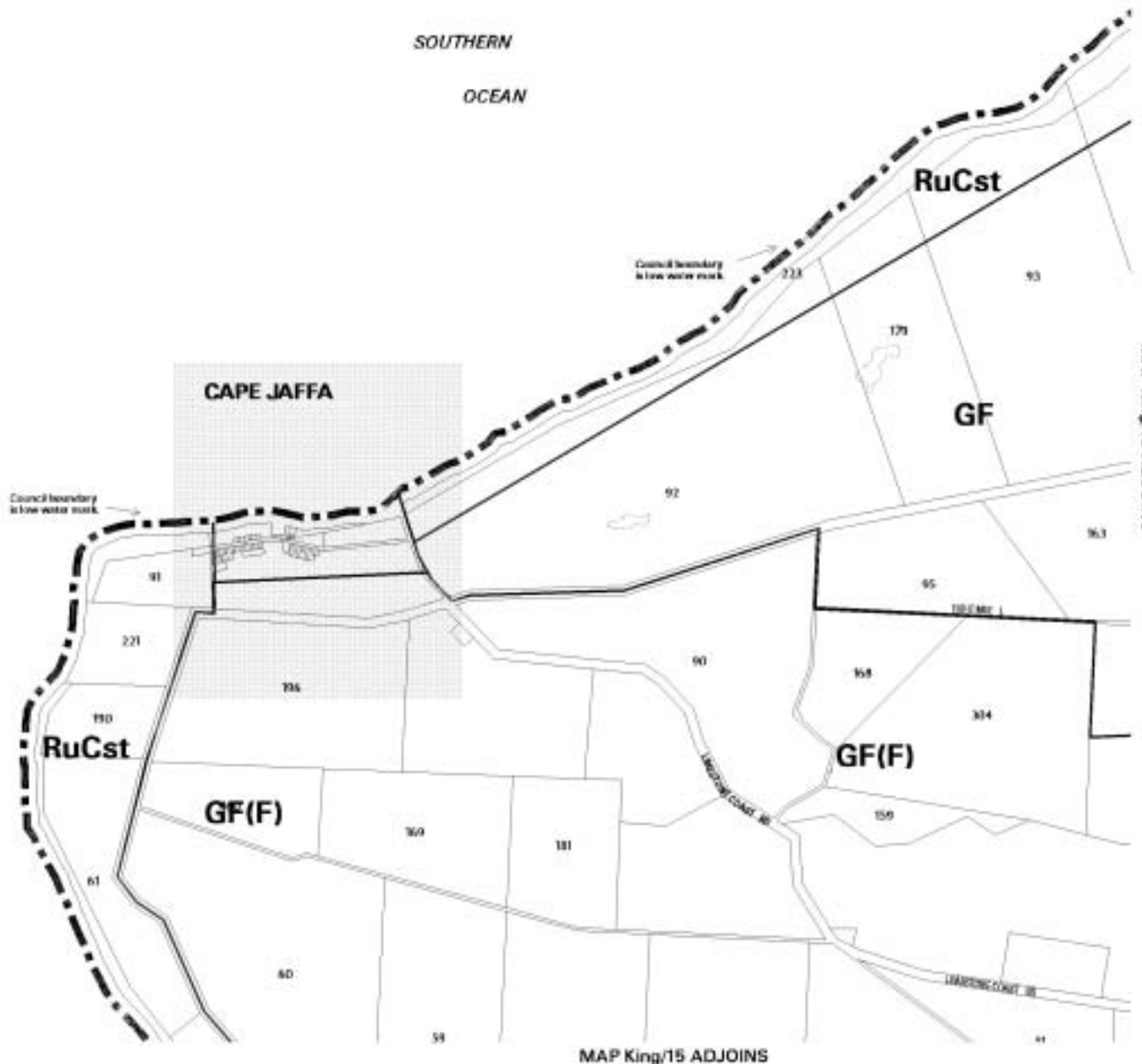


Scale 1:2 000 000  
0 40km



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**GF** General Farming  
**GF(F)** General Farming (Forestry)  
**RuCst** Rural Coastal

————— Zone Boundary  
 - - - - - Development Plan Boundary



**KINGSTON DISTRICT COUNCIL  
 ZONES  
 Figure 3**



## **5 DESCRIPTION OF THE PROPOSAL**

- 5.1 The Cape Jaffa Anchorage Marina proposal is designed to be a multi-use development that comprises the following components:
  - 5.1.1 A safe harbour consisting of a marina basin and moorings for 45 commercial and 40 recreational boats. The harbour would be protected by a 200m long groyne. (This is approximate until further studies are done). An entrance channel may need to be excavated several hundred metres into the bay to access a suitable depth of water.
  - 5.1.2 A ‘commercial hub’ for the fishing and aquaculture industries consisting of a commercial/industrial boat ramp, service industry area (including chandlery, boat brokerage, marine repair etc), fish receival/processing/holding store facilities, hard stand, secure storage shed/warehouse and fuel/waste management facilities.
  - 5.1.3 Manager’s office, Fisheries dockside officer’s area and fish weighing facility.
  - 5.1.4 Public boat ramp, hardstand and associated facilities.
  - 5.1.5 Residential subdivision (up to ~ 400 allotments) and waterways consisting of a mix of waterfront, seafront and dry land allotments. Flushing basins would also be created to ensure adequate water turnover in waterways.
  - 5.1.6 General store/kiosk.
  - 5.1.7 Apartments, motel and cabin accommodation for tourists.
  - 5.1.8 Tavern/Café/Restaurant.
  - 5.1.9 Effluent treatment plant and woodlot.
  - 5.1.10 A reticulated water supply and extension of three-phase power supply would be required to service the development.
  - 5.1.11 The proposed development would involve a capital investment of around \$14 million in up to seven stages over 10 years. The development would eventually employ four people on site (years five to ten). The construction workforce is estimated to be 40 to 50 people.



## **6 DEVELOPMENT TIMING**

- 6.1 The development is proposed to be undertaken in seven stages.
- 6.2 Stage one is proposed in the first two years after approval (if approved) and includes: 50 allotments, extension to the main road (King Drive) and the effluent disposal facility.
- 6.3 Stage two (years two to five) involves the construction of the groyne and dredging for the main marina basin, the commercial areas and 26 allotments.
- 6.4 Stage three (years six to seven) involves the development of two further “fingers” of waterways and a further 66 allotments and two reserve areas.
- 6.5 Stage four (years seven to eight) involves extension of the waterways to the west with 84 allotments and two reserves.
- 6.6 Stage five (years eight to nine) involves the construction of the flushing basin and 3 reserve areas with 113 allotments.
- 6.7 Stage six (year ten) involves 45 allotments.
- 6.8 Stage seven (year 11 plus) involves the future residential and service industry development area and the easterly flushing basin.
- 6.9 If approved, the Kingston Council and the Cape Jaffa Development Company intend to commence development of the first stage in 2003, with progressive development of the site over an 11-year plus period.
- 6.10 The indicative Staging Plan is shown in Figure 4.



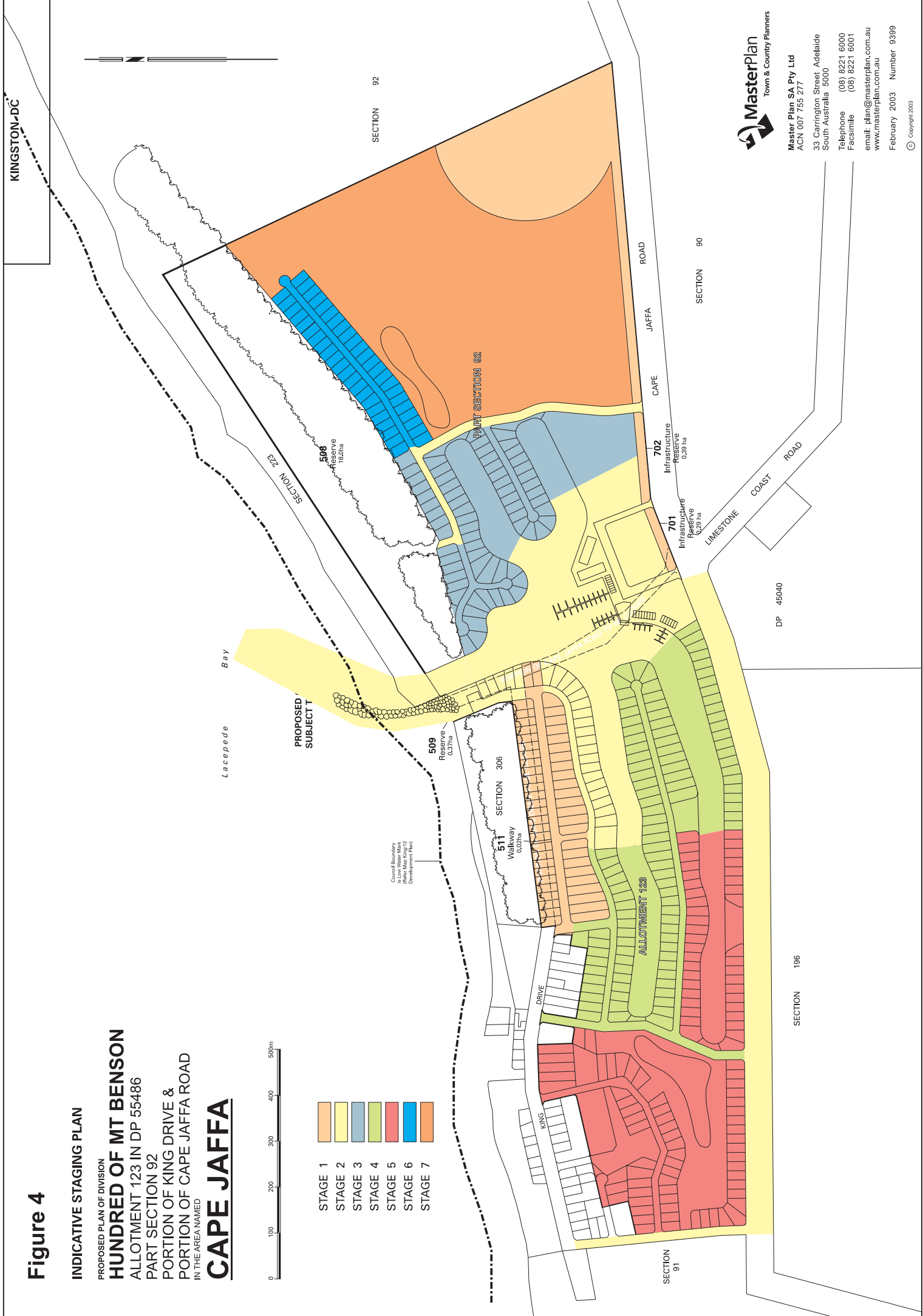
**Figure 4**

**INDICATIVE STAGING PLAN**

PROPOSED PLAN OF DIVISION  
**HUNDRED OF MT BENSON**  
 ALLOTMENT 123 IN DP 55486  
 PART SECTION 92  
 PORTION OF KING DRIVE &  
 PORTION OF CAPE JAFFA ROAD  
 IN THE AREA NAMED  
**CAPE JAFFA**



- STAGE 1
- STAGE 2
- STAGE 3
- STAGE 4
- STAGE 5
- STAGE 6
- STAGE 7





## **7 ISSUES IDENTIFIED BY THE MAJOR DEVELOPMENTS PANEL**

- 7.1 The proposal for the Cape Jaffa Anchorage marina will be further developed as the assessment process progresses. The results of investigations required during the consultation and assessment process will assist the Kingston Council and the Cape Jaffa Development Company in finalising the proposal.
- 7.2 The following are the significant issues (both beneficial and adverse in nature) identified by the Panel for the purposes of public consultation, prior to the formulation of Guidelines and determination of the appropriate level of assessment. These issues have been derived by the Panel on the basis of the information presented at this time and taking into account the conceptual nature of some aspects of the proposal. Written submissions on the adequacy of issues identified in the Issues Paper and identifying any other issues of significance (both of a positive and negative nature) relating to the proposed development, are invited from the public.
- 7.3 The issues identified will be the subject of the Guidelines document. Information on these issues will subsequently be provided by the proponent for public comment in the form of the relevant documentation according to the environmental impact assessment process (EIS, PER, or DR) as determined by the Panel.
- 7.4 All the following issues are considered to be significant by the Major Developments Panel and in this Issues Paper have not been ranked in any particular order. However, the Panel must rank the issues for the Guidelines document.
- 7.5 **NEED FOR THE PROPOSAL**
- 7.5.1 Describe the need for the proposal, including the reasons for its proposed location and staging.
- 7.5.2 Assess the “do nothing” option.
- 7.6 **ENVIRONMENTAL ISSUES**
- Groundwater*
- 7.6.1 Describe the effect of constructing channels and basins on groundwater quality and movement.
- 7.6.2 Describe stormwater and wastewater management and the potential impact on groundwater.
- 7.6.3 Detail any groundwater investigations undertaken on the site or in the locality of the site.

- 7.6.4 Describe the likely effects on marine organisms and seagrasses, given groundwater flow out to sea is likely to increase, potentially reducing the salinity and increasing nutrients and pollutants, especially heavy metals.
- 7.6.5 Detail management systems to control the quality and quantity of outflow from the marina given that it is likely to become a sump for groundwater or high freshwater flows that may affect marine organisms.
- 7.6.6 Detail the impact on land, of the off-site depression of the water table and outline the extent of groundwater depression and effect on farming and horticulture and other operations within the groundwater depression zone.
- 7.6.7 Detail any seasonal variations of groundwater level and impact on marina design and offsite operations.
- 7.6.8 Describe the impact of housing and the commercial fishing base on groundwater quality.
- 7.6.9 Detail the measures to be taken to protect and monitor groundwater resources.
- 7.6.10 Describe the known existing groundwater environmental conditions.

### ***Coastal***

- 7.6.11 Describe the visual effect of the construction of the breakwater into the bay at Cape Jaffa.
- 7.6.12 Outline the visual effect of development in this locality generally.
- 7.6.13 Describe the effect of the breakwater and entrance channel construction on seagrass and sand movement on the coast and outline management and rehabilitation measures.
- 7.6.14 Outline the effect of removing swing moorings from the rock lobster sanctuary and off the seagrass bed, including details of the programs for removal of the swing moorings.
- 7.6.15 Outline the effect of the development on any native flora and fauna, including any impact on coastal and marine flora and fauna.
- 7.6.16 Detail the measures to protect dunes and beach during and after construction.
- 7.6.17 Detail the requirements of the sea level rise policies in the Development Plan and how these will be achieved with this development.

### ***Water***

- 7.6.18 Describe the impact of developing a wastewater treatment system to which the existing development can connect.

- 7.6.19 Describe the connection to water supply for the development proposal and include information on the quantity of potable water required.
- 7.6.20 Identify any opportunities for recycling wastewater.
- 7.6.21 Identify ways in which mains water use can be minimised or supplemented.
- 7.6.22 Outline the measures proposed to protect and maintain suitable water quality in waterways and flushing basins.

***Management***

- 7.6.23 Describe the sewage disposal and rubbish collection systems for the commercial and recreational boats.
- 7.6.24 Describe the use of amenity/landscape plantings.
- 7.6.25 Describe the risk of causing or exacerbating any environmental problems in the locality, and describe mitigation measures and their expected effectiveness.
- 7.6.26 Outline the effects of boating traffic and “people pressure” on the surrounding environment.
- 7.6.27 Describe the disposal of dredged or excavated material.

***General***

- 7.6.28 Detail investigations required to include in an environmental management plan.
- 7.6.29 Describe how all potential sources of air pollution (especially dust) will be controlled and monitored, including measures for the reduction or elimination of dust.
- 7.6.30 Provide information on the expected levels of environmental noise associated with the operation of the facility, identifying all potential noise sources, and describe the extent to which these noise emissions can be reduced and contained to minimise effects upon the wider locality.
- 7.6.31 Describe the benefits of the proposal to the local environment.

**7.7 EFFECTS ON COMMUNITIES**

- 7.7.1 Outline the size and composition of the construction workforce.
- 7.7.2 Identify the effect on any Aboriginal sites of archaeological, anthropological or other significance, including any sites listed in the Register of the National Estate and the SA Register of Aboriginal Sites and Objects, or identified after consultation with Aboriginal councils or groups.

- 7.7.3 Describe the impact on any Native Title Claimants and the consequent impact on the potential ongoing enjoyment of native title rights (if any) by native title holders.
- 7.7.4 Describe the effect on visual amenity and landscape quality, including the effects of the built form of structures including the breakwaters, earthworks, power lines and impact on the coastal environment.
- 7.7.5 Describe the proximity to existing and potential dwellings.
- 7.7.6 Identify any other impact on local amenity.
- 7.7.7 Outline the traffic generation and truck movements to and from the site and their hours of operation during the construction period.
- 7.7.8 Describe the implications for public service providers including health, education and recreation to support the development.
- 7.7.9 Identify the effects on the existing settlement of Cape Jaffa.
- 7.7.10 Determine the consequences of a safe haven for the recreational and commercial boating fraternities.
- 7.7.11 Outline the impact on existing tourism and recreation infrastructure (e.g. jetty, boat launching and camping).
- 7.7.12 Describe the impact on local and regional land uses (e.g. vineyards from groundwater supply).
- 7.7.13 Describe the planned future use and maintenance of the jetty.
- 7.7.14 Outline the effects of removing commercial activities and loadings on the Cape Jaffa jetty.
- 7.7.15 Describe the land tenure arrangements for the marina and the opportunities for commercial, private recreational or public access to berths, launching facilities or other associated facilities.
- 7.7.16 Outline the location and availability of public facilities including telephones, toilets, showers and the lighting of public areas.
- 7.7.17 Describe the benefit and amenity improvements due to infrastructure changes.
- 7.8 **RISK/HAZARD MANAGEMENT**
- 7.8.1 Describe strategies for ensuring public safety during construction.
- 7.8.2 Detail procedures to be adopted if acid sulphate soils are encountered.
- 7.8.3 Describe procedures to prevent and manage pollution spills or sewage leaks.

- 7.8.4 Detail procedures to minimise effects of pollution spills or sewage leaks.
- 7.8.5 Detail fire management processes, especially on boats or flammable or explosive materials in the commercial areas.
- 7.8.6 Describe how the introduction of pest or nuisance marine animals are to be dealt with.
- 7.8.7 Describe how weed species will be prevented from invading the coastal vegetation.
- 7.8.8 Outline the proposal for bunding of hazardous materials storage areas.
- 7.8.9 Detail the design of the breakwater and its accessibility and safety.
- 7.8.10 Outline the risk contours around commercial areas in case of fire and explosion or toxic spills.
- 7.8.11 Detail the dry-dock management for careening (access to hull) and interception of pollutants such as hull scrapings.
- 7.8.12 Describe how the proposal will comply with the coastal flooding policy outlined in the Development Plan.
- 7.8.13 Detail flood mitigation strategies including prevention of flooding and operation of canals and flushing basins.
- 7.9 **ECONOMIC ISSUES**
- 7.9.1 Outline the opportunity for tourism and investment in the area from the proposal.
- 7.9.2 Identify employment and investment opportunities, including the “multiplier effect”.
- 7.9.3 Outline the potential for the project to attract and enhance the business operations of other allied industries and commercial ventures.
- 7.9.4 Describe any potential costs or savings to the Government of infrastructure expansion with regard to transport networks, water supply, and dredging or coastal management.
- 7.9.5 Describe the potential costs and benefits to council of long term management and maintenance of the marina.
- 7.9.6 Describe the opportunities for the aquaculture and fishing industries and their support services.
- 7.9.7 Outline the financial strategies to be employed to ensure the relevant infrastructure is in place for each stage in the project.
- 7.9.8 Describe the land tenure arrangements during and after construction of each stage.

## 7.10 CONSTRUCTION AND OPERATIONAL EFFECTS

- 7.10.1 Provide a site construction plan and outline strategies to minimise effects on the local environment.
- 7.10.2 Identify the source of any construction materials including fill for the breakwaters, revetments and land forming and their origins.
- 7.10.3 Describe the transport and storage of any construction materials to minimise effects on the local amenity.
- 7.10.4 Identify the measures for the control of dust, vibration, noise, stormwater and groundwater and other emissions during construction.
- 7.10.5 Describe the implementation of environmentally acceptable work practices and monitoring programs.
- 7.10.6 Outline the provisions for any future expansion beyond Stage seven.
- 7.10.7 Indicate how the spread of weeds and diseases is going to be managed.
- 7.10.8 Describe the management agreements between council and the Cape Jaffa Development Company during construction.
- 7.10.9 Identify proposed by-laws and encumbrances to control and manage activities.
- 7.10.10 Outline the proposed dredging frequency and impacts of silt mobilisation on the water column.
- 7.10.11 Outline the impact of dredging and channel maintenance on boat access.
- 7.10.12 Detail the proposed monitoring of impacts during and after construction.

## 7.11 EFFECTS ON INFRASTRUCTURE REQUIREMENTS

- 7.11.1 Outline the requirements for and likely location of gas, electricity, water, sewerage, stormwater management, communications systems and local roads.
- 7.11.2 Outline the potential for adopting water sensitive urban design for managing stormwater.
- 7.11.3 Detail emergency services arrangements.
- 7.11.4 Outline opportunities to incorporate best practice measures of infrastructure design.

7.12 PLANNING AND ENVIRONMENTAL LEGISLATION AND POLICIES

7.12.1 Describe the proposal's consistency with the relevant Development Plan and Planning Strategy.

7.12.2 Identify potential changes that will need to be made to the zoning of the site.

7.12.3 Describe the proposal's consistency with State and Commonwealth legislation and initiatives relating to conservation or protection of the biological environment.

7.12.4 Detail any commercial fishing or aquaculture policies and any recreational boating and facilities policies relevant to the proposal.



## **8 AVAILABILITY OF ISSUES PAPER**

8.1 Copies of this Issues Paper will be made available at the following locations:

Planning SA  
5th Floor Public Counter  
136 North Tce  
Adelaide SA 5000

Library  
Planning SA  
1st Floor  
136 North Tce  
Adelaide SA 5000

The Conservation Centre  
120 Wakefield Street  
Adelaide SA 5000

District Council of Kingston  
29 Holland Street  
Kingston SA 5275



## **9 HOW TO LODGE A WRITTEN SUBMISSION**

9.1 Written submissions on the adequacy of issues identified in this Issues Paper and identifying any other issues of significance (both of a positive and negative nature) outlined in this document are invited from the public, to be received no later than 5.00pm on 7 May 2003.

9.2 Submissions must be in writing and addressed to:

Major Developments Panel  
Attention: Manager, Assessment Branch  
Planning SA  
GPO Box 1815  
ADELAIDE SA 5000

Email: [ferguson.karen@saugov.sa.gov.au](mailto:ferguson.karen@saugov.sa.gov.au)  
Fax: (08) 8303 0753

9.3 The Panel will then use this Issues Paper and public submissions as the basis for the production of the Guidelines and in the setting of the level of assessment (ie EIS, PER or DR) for the next stage in the process.

9.4 More information on the Panel and the assessment and decision making process may be obtained by phoning Ms Karen Ferguson of the Environmental Impact Assessment Unit, Planning SA on (08) 8303 0733 or by contacting Ms Ferguson on the above email address.



# **APPENDIX 1**

## **THE LEVEL OF ASSESSMENT**

The Major Developments Panel is responsible for determining the level of assessment to be applied to a Major Development. There are three levels of assessment - an Environmental Impact Statement, a Public Environmental Report and a Development Report.

The *Development Act 1993* defines each level of assessment as follows:

### ***Environmental Impact Statement (EIS)***

A document that includes a detailed description and analysis of a wide range of issues relevant to a development or project and incorporates significant information to assist in an assessment of environmental, social or economic effects associated with the development or project and the means by which those effects can be managed.

### ***Public Environmental Report (PER)***

A report on a development or project that includes:

- A detailed description and analysis of a limited number of issues and a description and analysis of other issues relevant to the development or project; or
- A description and analysis of a wide range of issues relevant to the development or project where a considerable amount of relevant information is already generally available.

and incorporates information to assist in an assessment of environmental, social or economic effects associated with the development or project and the means by which those effects can be managed.

### ***Development Report (DR)***

A report that includes a description and analysis of general issues relevant to a development and the means by which those can be addressed.

## **EXAMPLES**

### ***Examples of proposals subject to an Environmental Impact Statement***

- Waste disposal proposals – NAWMA balefill (Smithfield Quarry Landfill), IWS Northern Balefill and Northward Fill (Inkerman Landfill) proposal
- Marina proposals for Wallaroo, Port Vincent and Tumby Bay
- Mining proposals – Olympic Dam expansion, Beverley Uranium Mine
- Electricity Transmission Lines – TransGrid SA-NSW 275 kV Interconnection.

*Examples of proposals subject to a Public Environmental Report*

- Castalloy plant expansion
- Jeffries Garden Soils, Organics waste treatment and recycling research facility, Buckland Park
- Myponga/Sellicks Hill Wind farm.

*Examples of proposals subject to a Development Report*

- Amcor Bottle Plant, Gawler
- Holdfast Shores Stage 2
- Redevelopment of the Hindmarsh Soccer Stadium
- Redevelopment of the Memorial Drive Tennis Centre
- Mildara Blass Winery
- Capital City Adelaide.

## **APPENDIX 2 – GAZETTAL NOTICE**



## DEVELOPMENT ACT 1993: SECTION 46 (1)

*Preamble*

Section 46 (1) of the Development Act 1993, allows the Minister for Urban Development and Planning to apply that section to a specified kind of development or project if the Minister is of the opinion that a declaration under that section is appropriate or necessary for the proper assessment of development or a project of major environmental, social or economic importance.

## NOTICE

PURSUANT to section 46 (1) of the Development Act 1993, being of the opinion that a declaration under that section is appropriate for the proper assessment of development of major environmental, social and economic importance, I declare that section 46 of the Act applies to all development of a kind specified in Schedule 1, in that part of the State specified in Schedule 2.

## SCHEDULE 1

The following kinds of development are specified if undertaken in, or in relation to, that part of the State specified in Schedule 2:

- (a) change in the use of the land and construction work for the establishment of a marina, boat harbour and waterways, including the excavation of an entrance channel, marina basin and residential canals; the excavation/filling and the formation of land for allotments; construction of flushing basins; construction of a breakwater; installation of edge treatments and navigational aids; construction of a boat ramp and associated structures; installation of moorings and pontoons; and construction of a wharf, travel lift jetty and associated structures, and
- (b) division of land into allotments, including the excavation/filling and the formation of land and the provision of infrastructure for water supply, electricity, telecommunications, stormwater disposal, effluent disposal, roads and parking,

for the purposes of, or ancillary to, establishing or operating a commercial/recreational marina facility and waterfront residential development.

## SCHEDULE 2

All of the land delineated by the bold line in the map in Schedule 3 is specified for the purposes of Schedule 1, comprising:

1. The whole of the land comprised in certificate of title register book volume 5853, folio 840 and part of certificate of title register book volume 5560, folio 348.
2. Part of Crown Reserve volume 5424, folio 383 and Crown Reserve volume 5659, folios 302 and 307.
3. Part of Road Reserve number RP 6315.
4. An area adjacent to the coastline extending into Lacepede Bay as shown on attached map of Schedule 3.

