



Friends of Willunga Basin inc.

15 High St, Willunga, 5172

Chair: Geoff Hayter

Sec: Gina Kellett

email: secfowb23@gmail.com

Dear Sir/Madam,

Public Representation – Development Application No. 23011454 – 141 Colville Road Aldinga

I make this representation on behalf of Friends of Willunga Basin ('FOWB'). I also confirm that I wish to be heard by the Council Assessment Panel ('CAP') in support of the opinions expressed herein.

FOWB opposes the above development application which, it submits, fails the land use test for development within the Rural Zone on first principles. For reasons set out below, the proposal is also considered to be an anathema to the legislative intent of the Character Preservation legislation covering the McLaren Vale and Barossa regions (as defined). While it is something which does not translate directly into the Planning and Design Code ('the Code') under the terms of the generic Rural Zone, it is nonetheless a mandatory consideration in any current decision making – more on which later.

The proposal is for a significant facility – 6 separate but integrated buildings with an aggregate floor area of circa 1,600m² plus additional roofed areas of some 600m², for a total area under roof of some 2,200m². While it is much more than simply an airfield, with substantial ancillary facilities also proposed, the core land use is that of airfield, without which the other uses would fall away.

It needs to be noted that any approval for this use will survive the current owners (and scheme proponents), so the key issue is not about biplanes and the proponent's business vision but about aircraft and airfield use more generally. As an aside, FOWB has long been concerned at the potential for Aldinga Airfield to become the 'Parafield of the south' and this proposal might be seen as a step in this direction, whatever the public character of the operation in the near term.

Viewed in this light, the first questions to be asked therefore are:

1. whether there is really a case for a second airfield in the Willunga Basin, which has not been demonstrated (and, it is understood, is not being argued) – indeed, the proponent has advised that there are no air-side capacity constraints at Aldinga Airfield; and
2. whether the proposal is an orderly and appropriate form of development, being at such odds with the clear land use intent expressed under the Rural Zone (PO 1.1) and land outside townships in the Character Preservation District Overlay (DO 1 and DO 2) – essentially by eroding rather than assuring the long-term use of rural land for primary production.

FOWB contends that the answers to these questions are no and no.

Whilst it may appear to be a different kind of aerodrome to the existing Aldinga airfield, the proposal amounts, in large part, to a duplication of much of the infrastructure and features of the existing and almost adjacent airfield. Furthermore, it does so in the limited and highly valued Willunga Basin district.

Put simply, it is neither appropriate nor good planning to facilitate such duplication. It is also not a sound planning argument to say that because these facilities are shortly to become unavailable at the Aldinga Airfield – seemingly for commercial rather than operational reasons – they must be provided or accommodated nearby in (as noted) a select and highly valued district.

Instead, the intent of the Code should stand and the services, if in demand, can find a home elsewhere, rather than in the Character Preservation Area overlay. Not every district needs to accommodate all the goods and services in demand and given that the Code is as clear as it is on these things then the application should be refused.

On this point, it is noted that the underlying reasons for the proponent vacating long held premises at Aldinga Airfield have nothing to do with the capacity of the airfield to accommodate its air-side operations or the capacity of the site to accommodate further development. Rather, they appear to swing on the failure of the proponents to reach an agreement with the Aldinga Airfield as to how new or refurbished facilities, more fit for purpose than the current premises, might be developed on the existing site, even if the Airfield has been moving in this direction on its own account in recent times.

It is also noted that the proponents (or associated interests) are shareholders in the Aldinga Airfield, own existing facilities (hangars and office) at the Airfield and will apparently continue to operate a flying school from those facilities.

The existing airfield should be quite capable of accommodating upgraded or new facilities for the biplanes and the failure to pursue such a solution, as appears to be the case, does not justify or warrant the development of a new facility in a completely inappropriate location.

Beyond this higher-level view of the underlying situation and context, there are then the provisions of the Rural Zone, within which the clear emphasis is on primary production. What is clear is that the proposal has little or nothing to do with primary production. Specifically, the use proposed does not align with the primary purpose of the Rural Zone, nor the range of business enterprises contemplated in the Zone, under Desired Outcome (DO) 1, viz:

DO 1: *A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.*

It also arguably fails to satisfy DO 2, because it involves the relocation rather than the diversification of an existing business. viz:

DO 2: *A zone supporting diversification of existing businesses (underlining added) that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.*

Performance Outcome (PO) 1.1 reaffirms that the all development in the Zone is intended to ‘... (support, protect and maintain) ...*the productive values of rural land...*’. Notably, an airfield is not amongst the anticipated uses in the Zone (under DTS/DPF 1.1). This intent is further reinforced under the terms of PO’s 4.1 to 4.3, none of which contemplate an airfield.

That is, mixed business, industrial and commercial-type activities, including an airfield, are only appropriate where they have a direct affiliation with and better serve to improve primary production carried out on or nearby to the subject land. To suggest that the new airfield can be justified because it will be selling wine made from grapes produced from an on-site vineyard that is yet to be planted is to draw a very long bow in this regard. The proposal is, first and foremost, for an airfield, without which it would not have been put forward in the first place.

Further along, PO’s 6.1 to 6.6 address “Shops, Tourism and Function Venues”, with

PO 6.1 providing that “*Shops ...be... associated with an existing primary production use (underlining added) or primary production related value adding industry....” and per DTS/DPF 6.1 *have a gross leasable floor area not exceeding 100m² or 250m² in the case of a cellar door” as against the 400m² cellar door proposed here;* and*

PO 6.5 providing that “*Function venues ...be... associated with the primary use of the land for primary production or primary production related value adding industry”, and per DTS/DPF 6.5 “are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry”,*

neither of which are the case for this proposal.

PO 7.1 then addresses “Offices” and provides that they should be *directly related to and associated with the primary use of the land for primary production or primary production related value adding industry*. Further, DTS/DPF 7.1 provides that offices must be 1) *ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry*, which is not the case here; and 2) *have a gross leasable floor area not exceeding 100m²*, as compared to the 300m² office building shown on plans.

Further, as is made clear in the Interpretation section of the Code, the terms of the Zone Desired Outcomes frame and assist in the proper understanding of all the provisions applying under the Zone.

In our view, the proposal is a business that does not have a direct relationship with and fails to serve, support, protect and maintain productive values of the land. Hence, it has no place in the Rural Zone.

As noted at the outset, the proposal is also at odds with the provisions of the Character Preservation (McLaren Vale) Act 2012, the objects of which include, per Sec 6:

(b) to ensure that activities that are unacceptable in view of their adverse effects on the special character of the district are prevented from proceeding; and (c) to ensure that future development does not detract from the special character of the district;

Sec 7 then defines 'character values' to include, among other criteria, *the rural and natural landscape and visual amenity of the district, and the scenic and tourism attributes of the district*. Sec 7.2 further provides that *the character values of the district are relevant to— ... (b) the policies to be ... applied by any state planning policy and the Planning and Design Code under the Planning, Development and Infrastructure Act 2016 in relation to the district*.

In this regard, we reiterate that the application is not for a biplane facility but for an airfield. Biplanes require an airfield, but an airfield does not require biplanes and once approved, the land use will be set, effectively for good.

It is also noted in passing that the proposed new buildings will all have white roofs and will therefore become highly visible features of the local landscape.

For all the above reasons, the proposal is at serious odds with the land use intent of the Zone and will seriously and adversely affect the rural and landscape amenity of this part of the Zone. As such, the proposal **does not** merit a consent.

Beyond the provisions of the Code itself, it should also be noted that:

- acting commercially, Aldinga Airfield will backfill the space vacated by the proponent's airplanes and that this will inevitably generate additional air movements from aircraft new to the location, meaning that aggregate air traffic in the immediate region will almost certainly increase as a result of this proposal, potentially by numbers greater than the current 700-1,000 movements which will vacate current premises to shift to the new site;
- activity at Aldinga Airfield is regulated in some degree by a Land Management Agreement (LMA) between the Airfield and the City of Onkaparinga, and by an EPA licence, but these control mechanisms will not be in place at a new airfield which will therefore be free to set its own rules of operation. It makes no sense for one airfield to have this additional layer of control and for the other to have a free hand. Requiring the proponents to enter into a new LMA on similar terms to the current LMA should arguably be a condition of consent, were it to be given;
- although it understood to be the third busiest airfield in South Australia, Aldinga Airfield is uncontrolled airspace in terms of how aircraft movements are managed – meaning that it is not on radar and that pilot awareness of other aircraft relies on visual observation – the capacity for which will be greatly diminished if a second airfield is operating amongst vines on the periphery of available sightlines from the current airfield (where one of the main activities is noted to be pilot training);
- the proposal assumes that aircraft using the new airfield will be able to slip into the same flying circuit as the Aldinga Airfield, but as per the plan of flightpaths shown below, the reality will be that there are multiple conflict points between the operable and clearly defined flightpaths of the two facilities, creating clear safety issues for users and the public at large – and that while

the Code is silent on safety per se for circumstances such as theseⁱ, it is doubtful that it ever contemplated two airfields operating independently of one another in such close proximity; and

- the number of flights planned from the new airfield – somewhere between 3 and 7 per day – will struggle to justify the capital investment required to deliver the new facility, inevitably leading to pressure for additional revenue generation from the site by whatever means the proponents decide will work.

As regards safety and the silence of the Code, the fact that a particular circumstance was not contemplated at the time the rules were written does not mean that it should be ignored when it does occur. Included as Annexure 1 below are notes prepared by a pilot with long experience of flying at Aldinga Airfield. They provide no comfort that a second airfield is a safe proposition on a day-in, day-out basis. Rather, they serve only to heighten concerns on this front.

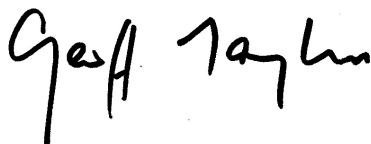
Council might consider a future scenario where a new airfield is approved, two planes subsequently collide, there is loss of life, and the focus turns to how the situation was allowed to arise in the first place. The unbearably inadequate answer would be that the Design Code didn't mention it and the development approval system didn't think it important enough to be included in consideration of the issues – which would be an indictment on both.

In closing, the current proposal appears to arise because certain parties cannot or will not come to a sensible commercial arrangement on the site of the existing airfield. However, the failure of the proponent to either engage or agree terms with the current airfield operator is no reason for the broader region to have to accept the development of a second airfield in the Willunga Basin.

For the many reasons outlined above, FOWB contends that planning consent should be refused.

I look forward to receiving your advice as to the time and date of the CAP hearing on this matter and to speaking in support of the opinions expressed herein.

Yours faithfully,

A handwritten signature in black ink that reads "Geoff Hayter". The signature is written in a cursive, slightly slanted style.

Geoff Hayter
Chair

8 January 2024

ⁱ Unless Aldinga Airfield is considered to be part of a “transport system”, which the Code does recognise.

Annexure 1

As promulgated in the Civil Aviation Regulations (CAR 166), all aircraft are required to climb to 500 feet AGL before turning under the ‘Rules of the Air’. This would apply to any flights from the proposed airfield and with high nose attitudes on initial climb there will be visual separation deterioration. The often-poor quality of radio calls from/to an open cockpit aircraft, give further concern that reliance on radio calls is not a fail-safe answer to the problems that may arise as a result.

The existing airfield has two main runways, the sealed 03/21 roughly North-East/South-West and the unsealed 14/32 roughly North-West/South-East. An aircraft departing North-West from runway 32 would maintain that direction to 500 ft taking it almost straight over the site for the proposed new airfield. Aircraft landing on runway 14 leave the circuit at 1,000 ft and descend into runway 14. At a point immediately over the proposed new airfield an approaching aircraft would be at anything from 300 ft to 500 ft and on final approach.

Not all pilots will or can stick to invisible red or blue flightpath lines on a map, particularly learner pilots, and some inevitably stray off the designated line, exacerbating the safety problem.

The existing airfield would not be able and should not have to change the directions of its 14/32 runway to accommodate the needs of the proposed new airfield.

Adelaide Biplanes use two other dedicated runways at Aldinga airfield – 0/18, exactly North South adjacent Dabblebrook Rd; and 90/270, exactly East West adjacent Colville Rd – to accommodate its “tail dragging” aircraft and these may ultimately need to be replicated at the new airfield, as well as two runways probably close to 03/21 and 14/32.

The proposed airstrip shown on the flightpath map is aligned to 0/18. Its equivalent at the existing airfield runs along the eastern boundary and is not shown on the map, which it should be, as it is understood to still be in use. The proposed airfield does not include an East-West airstrip which is the most used at the existing airfield, and one can imagine the operators of the proposed airfield may try to acquire the adjacent paddock allow expansion for this purpose – if so, further complicating matters.

In summary, a potential for serious mid-air conflict would be created should a new airfield be allowed so close to the existing. The proposal is not safe on several accounts and should be refused on safety grounds.

Flight Path Plan

