



**Development Act 1993**

**District Council of Yorke Peninsula  
Development Plan Consolidated 7  
October 2010**

Port Vincent DPA

**Development Plan Amendment**

**January 2011**

By District Council of Yorke Peninsula

**Closing date for submissions – 27th April  
2011**

### **Have Your Say**

This Development Plan Amendment (DPA) will be available for inspection by the public at all four Council offices at 8 Elizabeth Street, MAITLAND, 18 Main Street, MINLATON, 15 Edithburgh Road, YORKETOWN and Player Street, WAROOKA from Thursday 24<sup>th</sup> February 2011 until 5.00 pm Wednesday 27<sup>th</sup> April 2011.

During this time anyone may make a written submission about any of the changes the DPA is proposing.

Submissions should be sent to Director Development & Community Services District Council of Yorke Peninsula PO Box 88, MINLATON SA 5575.

Submissions should indicate whether the author wishes to speak at a public meeting about the DPA. If no-one requests to be heard, no public meeting will be held.

If requested, a meeting will be held on Thursday 5<sup>th</sup> May at the Minlaton Town Hall 57 Main Street Minlaton at 7pm .

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# EXECUTIVE SUMMARY

## Introduction

The *Development Act 1993* (the Act) provides the legislative framework for undertaking amendments to a Development Plan. The Act allows either the relevant council or, under prescribed circumstances, the Minister for Urban Development and Planning to amend a Development Plan.

Before amending a Development Plan, a council must first reach agreement with the Minister for Urban Development and Planning regarding the range of issues the amendment will address. This is called a Statement of Intent. Once the Statement of Intent is agreed to, a Development Plan Amendment (DPA) (this document) is written, which explains what policy changes are being proposed and why, and how the amendment process will be conducted.

A DPA consists of:

- Executive Summary (this section)
- Analysis
- Conclusions and Recommended Policy Changes
- Statement of Statutory Compliance
- References/Bibliography
- Certification by Council's Chief Executive Officer
- Appendices
- The Amendment.

## Need for the amendment

The DPA is proposing to investigate the potential for extending the existing Residential Zone of Port Vincent to the west of the existing township.

Like most towns in the Council area Port Vincent has not been comprehensively reviewed to determine the currency of the existing zoning other than in a very general sense in the original General (Amalgamation) PAR and as part of the more specific Port Vincent Marina PAR.

There is little doubt that a review of the current zoning for Port Vincent is justified in light of the strong demand for development in the Town and the proposed DPA will provide the opportunity to conduct a broader review of Port Vincent.

The broader review of Port Vincent will include reviewing the Residential (Port Vincent Marina) and Commercial (Port Vincent Marina) Zones provisions in regards to the recent Supreme Court decision in the matter; "Paradise Development (Investments) Pty Ltd v District Council of Yorke Peninsula & Anor [2008] SASC 139 (22 May 2008.)".

The current development controls for this site/region include;

- Residential zone
- Town Centre zone
- Tourist Accommodation zone
- General farming zone
- Residential and Commercial (Port Vincent ) zone
- Coastal zone

- Urban Coastal zone

The DPA mainly affects the General Farming zone adjacent to, and to the west of the Town.

The constraints/opportunities for this site/region are:

- supply of land
- provision of services
- native vegetation clearance
- lack of industrial land
- loss of rural land
- rural/residential interface

## Statement of Intent

The Statement of Intent relating to this DPA was agreed to by the Minister for Urban Development and Planning on 9<sup>th</sup> October 2010.

The issues and investigations agreed to in the Statement of Intent have been undertaken or addressed.

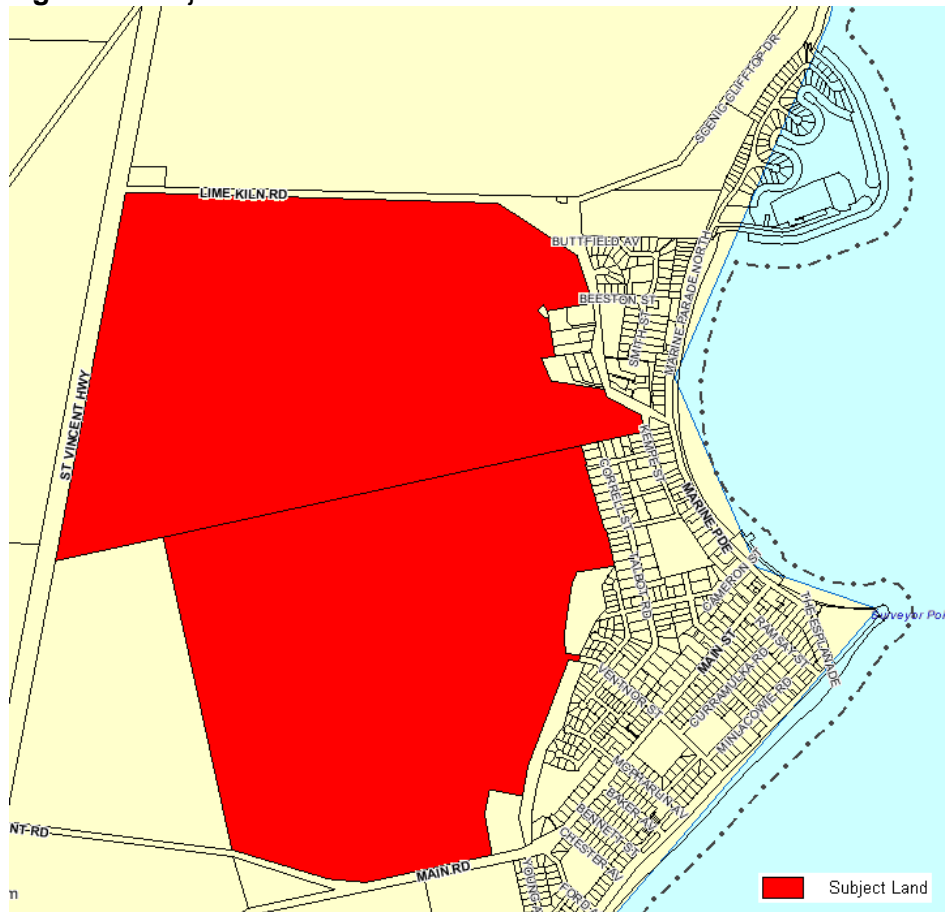
## Area(s)/land affected

The land affected by the proposed DPA consists the entire Port Vincent settlement but in particular the extension of the Residential zone will focus on portions of two large allotments (Allotments 157 & 202) located adjacent to the west of the existing township.

The affected land is contained within the following Certificates of Title and is identified below in figure 1;

- Volume 5915 Folio 384
- Volume 5915 Folio 380

**Figure 1:** Subject Land



Source: Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

## Proposed policy change(s)

The DPA proposes the following changes:

- Rezone the affected land from General Farming to Residential and Industry.

## Legal requirements

Prior to the preparation of this DPA, council received advice from a person or persons holding prescribed qualifications pursuant to Section 101 of the *Development Act 1993*.

The DPA has assessed the extent to which the proposed amendment:

- accords with the Planning Strategy
- accords with other parts of council's Development Plan

- complements the policies in Development Plans for adjoining areas
- satisfies the requirements prescribed by the Regulations.

## Consultation

This DPA is now released for formal agency and public consultation.

The agencies to be consulted are:

- Department of Planning and Local Government
- Primary Industries and Resources SA
- Department of Environment and Natural Resources
- Environmental Protection Authority
- Department of Transport, Energy and Infrastructure
- Department of Water
- Department of Health
- South Australian Fire and Emergency Commission
- ETSA Corporation
- SA Water
- Department of the Premier and Cabinet
  - Aboriginal Affairs and Reconciliation Division
- Department for Trade and Economic Development
- Department for Families and Communities

Consultation will also be undertaken with the following State Member of Parliament:  
Mr Steven Griffiths, Member for Goyder

In addition to these statutory requirements, the council will invite the following organisations to make comment on the DPA:

- District Council of the Copper Coast
- District Council of Barunga West
- Wakefield Regional Council
- Regional Development Australia Yorke and Mid North
- Northern and Yorke NRM Board
- Narrunga Nations

Members of the public can view copies of the DPA from 24<sup>th</sup> February 2011 until 22 April 2011 which will be available at the front counter of all four Council offices at the following location during office hours;

8 Elizabeth Street, MAITLAND  
18 Main Street, MINLATON  
15 Edithburgh Road, YORKETOWN  
Player Street, WAROOKA

Any submissions can be addressed to;

Director Development & Community Services  
District Council of Yorke Peninsula  
PO Box 88  
MINLATON SA 5575

If requested, a meeting will be held on 5<sup>th</sup> May at 7.00pm in the Council Chambers, 57 Main Street, Minlaton.

All written and verbal agency and public submissions made during the consultation phase will be recorded, considered and summarised. Subsequent changes to the DPA may occur as a result of this consultation process. (See also 'Have your say' information box at the front of this DPA.)

## The final stage

When the council has considered the comments received and made any appropriate changes, a report on this - *Summary of consultations and proposed amendments* - will be sent to the Minister for Urban Development and Planning.

The Minister will then either approve (with or without changes) or refuse the DPA.

## ANALYSIS

The following investigations have occurred to inform the DPA:

- A review to the extent to which the current Development Plan policies complement the State Planning Strategy and Yorke Peninsula Land Use Framework and the range of issues which are to be addressed;
- Importance of protecting land intended for primary production from fragmentation by residential development;
- Investigate the potential, location and appropriateness for extending the residential zone development having regard to the Planning Strategy, Yorke Peninsula Land Use Framework and to the need to maintain the viability of the township and surrounding General Farming Zone;
- Provide scope for policy change and analyse the relative impact this would have on the functionality of existing zones and surrounding Council area;
- Undertake a site analysis in regards to;
  - infrastructure availability/provision/augmentation/water availability;
  - access and traffic
  - Environmental considerations – waste water disposal, site contamination & vegetation clearance
- Review the entire Residential Zone and update the current Objectives and Principles of Development Control;
- Review the policies of the Residential (Port Vincent Marina) and Commercial (Port Vincent Marina) Zones with respect to the recent Supreme Court decision in “Paradise Development (Investments) Pty Ltd v District Council of Yorke Peninsula & Anor.
- Analyse demand for residential land within Port Vincent and surrounding Council area;
- Analyse demand for light industrial land within Port Vincent and surrounding Council area;
- Review the capacity of the existing Port Vincent community wastewater management system with the aim of determining what upgrading would be required to cater for development of the land proposed for rezoning;
- Investigate how the development plan can be brought into line with the themes and modules of the Better Development Plan model;
- Review Best Planning Practice within the Zone to encourage development that reflects council’s vision for the Zone;
- Research and create policies to guide intensification and character of development; and
- Provide information on any interface issues that may be present between other zones.

## 1. BACKGROUND

Port Vincent, known as the water sport centre of the Yorke Peninsula, is the ideal location for fishing, boating and sailing.

The attractive and calm bay provides swimming for families, while spectacular walking trails provide access along the cliff top north of the town with stunning views across Gulf St Vincent and new marina. Port Vincent is one of Yorke Peninsula's most popular coastal towns, with a permanent population of 470, which rises dramatically to in excess of 2000 at peak periods, which puts pressure on services within the town.

Port Vincent has become a popular retirement town and holiday destination which continues to grow. Sufficient well serviced land and facilities are required to support and promote the continual growth of the town.

## 2. THE STRATEGIC CONTEXT AND POLICY DIRECTIONS

### 2.1 Consistency with South Australia's Strategic Plan

The DPA supports the following Strategic Plan targets:

<b>T.1 TARGET</b>	<b>Economic growth (existing):</b> exceed the national economic growth rate by 2014.
<b>T1.10 TARGET</b>	<b>Jobs (existing):</b> better the Australian average employment growth rate by 2014.
<b>T1.22 TARGET</b>	<b>Total population (existing – modified):</b> increase South Australia's population to 2 million by 2050, with an interim target of 1.64 million by 2014
<b>T5.9 TARGET</b>	<b>Regional population levels (existing – modified):</b> maintain regional South Australia's share of the state's population (18%).

The proposed amendments will allow for additional residential development within the township of Port Vincent which will support the economic growth of the town and region and provide further job opportunities assisting to retain existing residents and attract new people, boosting the regional population and economy.

### 2.2 Consistency with the Planning Strategy

The Planning Strategy presents current State Government policy for development in South Australia. In particular, it seeks to guide and coordinate State Government activity in the construction and provision of services and infrastructure that influence the development of South Australia. It also indicates directions for future development to the community, the private sector and local government.

The Planning Strategy that is relevant to this DPA is covered by - Regional South Australia - and is based on key economic, social and environmental imperatives.

The most pertinent sections in the Planning Strategy for Regional South Australia that are addressed by these proposed policies are:

## PLANNING STRATEGY FOR REGIONAL SOUTH AUSTRALIA

### ECONOMIC ACTIVITIES

**4 Prevent the loss of productive land, minimising encroachment by inappropriate uses and reduce the potential for conflict.**

- a. Recognise the rights of existing primary industries to conditions and practices necessary for efficient and sustainable business.
- e. Protect productive farming land from non-productive land uses, incompatible activities and other threats.
- f. Ensure land use policy contains strong controls to prevent urban or semi-urban encroachment onto productive land where there is pressure for conflicting uses such as rural living.
- g. Ensure land use regulation does not prevent sustainable expansion of both on-farm and off-farm returns from existing primary production enterprises.
- h. Give priority to the expansion of existing primary production in land use planning.
- j. Ensure rural land close to settlements, good transport and markets is used productively.
- k. Where necessary, provide separation distances between land uses incompatible with primary industry.

Primary production is the basis of the economic activity in this part of the Yorke Peninsula region and the protection of existing operations is paramount. Fragmentation of primary production land for any purpose, whether physically or through the introduction of incompatible land uses, will impact on the future viability of the General Farming Zone.

The proposed rezoning will remove some 80 hectares of land from primary production purposes and convert it to a combination of open space, residential and industrial land use. The loss of the farmland will have a negligible impact representing less than .03% of the available farmland in the Yorke and Mid North region. The land is not of the highest quality for farming purposes.

The land has had the benefit of a significant, long established treed buffer between the rural activity and the town edge, and it is proposed that this buffer be maintained with an 80 metre wide landscape buffer to be maintained between the town and the farmland beyond.

### ENVIRONMENT AND RESOURCES

**7 Base land use planning and location decisions relating to development on coasts, rivers, streams and lakes on performance-based policies.**

- a. Consolidate coastal and river urban settlements, associated industries, rural living areas, tourist complexes, holiday houses and marinas in environmentally acceptable areas.
- b. Site compact holiday house developments and tourist developments on coasts, rivers, streams and lakes in-line with environmental, performance-based policies including potential sea level rise.

The extension of the town is proposed to the west of the existing residential area. This extension will assist in consolidating the settlement away from the sensitive coastal environment into environmentally acceptable areas on land not likely to be impacted by sea level rise.

### PEOPLE, TOWNS AND HOUSING

**1 Ensure diverse and affordable housing to suit community needs and preferences.**

- a. Ensure that the supply of land and infrastructure meet seasonal as well as average annual demands for all types of housing.

Council is under significant pressure to provide additional coastal land for both holiday housing and for permanent residents seeking to retire to the coastal margins of the Council area.

**10 When investigating the potential growth of towns and cities consider the effect of regional growth issues.**

Port Vincent is a popular coastal town for both permanent and seasonal residents and visitors. The DPA is proposing to extend the existing Residential Zone in order to accommodate current and future demand.

<p>a. Assess the overall demographic impact on regions when considering the provision of public facilities in major towns.</p> <p>b. Ensure towns and settlements have adequate areas for growth.</p> <p>c. Distribute land uses in towns and settlements in a way that avoids conflict between incompatible development.</p> <p>d. Ensure physical and social infrastructure is provided to growing towns and cities according to a coordinated and planned program.</p> <p>e. Assess household and property statistics, public housing stock quality and location to plan and better meet the changing housing and geographic needs and patterns of settlement in regional areas.</p> <p><b>13 Integrate the planning and management of urban infrastructure in an efficient manner, to conveniently locate facilities and to create an attractive, safe, inclusive and enjoyable place to live.</b></p> <p>a. Encourage economic and efficient use and development of physical infrastructure and its provision to adequately meet existing and future needs of the community.</p> <p>b. Ensure new housing and other urban development is continuous with and forms compact extensions of existing built-up areas.</p> <p>c. Release areas for urban growth to maintain location choice and economic provision of services.</p>	<p>The DPA proposes to investigate demand for residential land within the Port Vincent area to assist in determining the extent of the extension required to ensure the town has adequate area for growth.</p> <p>The investigations to inform the proposed DPA will also analyse the impacts any zoning changes will have on existing zones, to ensure future and current land use conflicts are avoided and/or addressed.</p> <p>The affected land in relation to the extension of the Residential Zone is located immediately to the west of the township. The location of land will allow for the continuous and compact extension of the existing residential area.</p>
<b>INFRASTRUCTURE</b>	
<p><b>4 Ensure water supply, sewage and stormwater drainage services of appropriate standards and costs are available to meet community needs.</b></p> <p>a. Base the expansion of towns on potential water availability and quality.</p>	<p>Water availability and supply is a critical issue throughout the Yorke Peninsula particular in the summer months.</p> <p>The proposed DPA intends to review capacity of existing services in the settlement and the impacts any expansion would have.</p> <p>Allotment size will be considered in relation to onsite disposal of effluent and the existing Development Plan contains provisions relating to stormwater retention and the use of rainwater tanks with minimum capacities. Any future residential development on the subject land would need to comply with these provisions thus assisting to reduce impacts on the existing services.</p>
<b>YORKE PENINSULA REGIONAL LAND USE FRAMEWORK</b>	
<b>ENVIRONMENTAL AND CULTURAL ASSETS—A HEALTHY AND SUSTAINABLE FUTURE</b>	
<p><b>Objective 1: Recognise and protect the Region’s environmental assets</b></p> <p><b>1.8</b> Undertake ecological investigations and impact assessment specific to areas proposed to be rezoned or developed, taking</p>	<p>The investigations include a site analysis which will address and review waste water, site contamination and vegetation clearance issues.</p>

into account cumulative impacts	
<b>ECONOMIC DEVELOPMENT – SUPPORTING THE VALUE CHAIN</b>	
<p><b>Objective 9: Retain and strengthen the economic potential of high quality agricultural land</b></p> <p><b>9.1</b> Prevent loss of productive agricultural land to other uses and through potential conflict with incompatible uses by:</p> <ul style="list-style-type: none"> <li>• focusing housing (including rural living) and industrial development within townships and industrial estates, unless directly related to primary industry</li> <li>• preventing fragmentation of agricultural land</li> <li>• managing interfaces with residential areas</li> </ul> <p><b>Objective 13: Reinforce Yorke Peninsula as a preferred coastal and nature-based tourist destination</b></p> <p><b>13.2</b> Reinforce the desired roles of various towns and locations in the Yorke Peninsula tourist experience:</p> <ul style="list-style-type: none"> <li>• Port Broughton, Port Vincent and Stansbury as key hubs for coastal tourism</li> </ul>	<p>The proposed new residential area is located adjacent the existing townships which allows for the logical extension of the existing town. While it is noted the new zone boundary will encroach into the adjoining agricultural land the land required will be negligible considering the size of the subject allotments which comprise areas of 137 and 147 hectares.</p> <p>The proposed rezoning provides an opportunity for a vegetation buffer to be created adjacent the eastern boundary assisting to reduce any interface issues between the residential areas and the agricultural land.</p>
<b>POPULATIONS AND SETTLEMENTS - SUPPORTING COMMUNITIES</b>	
<p><b>Objective 18: Strategically plan and manage township growth, with master planning for coastal areas a priority</b></p> <p><b>18.2</b> Base expansions of towns on clear and structured master planning that:</p> <ul style="list-style-type: none"> <li>• ensures new areas are continuous with and form compact extensions of existing built up areas</li> <li>• prevents linear development along the coast and arterial roads</li> <li>• does not encroach upon areas of importance to economic development</li> </ul> <p><b>18.3</b> Cluster activities along the coast in distinctive and compact coastal towns, and strongly discourage linear development</p> <p><b>18.8</b> Provide for limited compact expansion of Ardrossan, Port Wakefield, Port Vincent and Stansbury. For all other townships along the eastern coast of the Peninsula focus future development within existing townships</p> <p><b>Objective 20: Provide residential land to enable a supply of diverse, affordable and sustainable housing to meet the needs of current and future residents and visitors</b></p>	<p>The affected land borders the Residential Zone to the west thus the proposed rezoning forms a compact and continuous extension of the Residential Zone and discouraging linear development adjacent the coast.</p> <p>Principle 18.8 identifies Port Vincent as a town suitable for expansion.</p>

## **2.3 Consistency with other key policy documents**

These proposed planning policies accord with other key policy documents in the following manner:

### **Council's Strategic Directions Report (Section 30 Report)**

The DPA is consistent with Council's Strategic Plan, as the land affected by the proposed DPA was identified as been appropriate for a developer funded DPA during the latest Section 30 Review process.

### **Council's Strategic and Corporate Plan 2005-2010**

The proposed DPA is consistent with the following objectives of Council's Strategic and Corporate Plan 2005-2010.

#### **Infrastructure and Environment**

##### *Town Planning*

14. Support the development of a Strategic Township Plan for all township and holiday settlement zones, to link to Council's strategic direction, in conjunction with the local communities

##### *Town Planning and Development*

24. Make provision for industrial activities to be located in non-environmentally sensitive areas.
25. To facilitate the subdivision of appropriately zoned land for the sustainable development of our townships.

#### **Adjacent Councils' Development Plans –**

This DPA accounts for the following adjacent Councils' Development Plans, namely:

- District Council of Barunga West
- District Council of the Copper Coast
- Wakefield Regional Council,

## **2.4 BDP Policy Library**

Council is currently undertaking a BDP conversion DPA, updating Council's Development Plan in line with the latest BDP policy library will occur as a result of the BDP DPA.

Any policy amendments proposed as part of this DPA with have regard to relevant BDP policy.

## **2.5 Investigations previously undertaken**

### **2.5.1 Port Vincent Urban Design Framework**

The Port Vincent Urban Design Framework was produced by a Wax Design Space, JPE, the District Council of Yorke Peninsula and the Government of South Australia.

The consultation process and site analysis identified a number of issues and opportunities for the townships these were:

- Improve Infrastructure and Access

- Improve Foreshore and Activities
- Improve Community Facilities and Services
- Enhance Town Character and Environment
- Promote Economic Development and Employment opportunities
- Create Tourism Opportunities
- Enhance Open Space and Recreation

In order to clearly express the intent of these actions the town was divided into six precincts namely:

- Marina and Coastal Cliffs
- Foreshore Walk
- Residential Centre
- Town Oval
- Town Beach, Main Street and Wharf
- Back Beach Residential Area

A number of actions and urban design features for each precinct were provided in line with each of the issues and opportunities given above.

The main focus of the report is to improve the foreshore and provide access to other key areas of the township. The report provides an implementation plan which set out the time and costs for each action associated with the foreshore redevelopment.

Two of the key actions for the Residential Centre precinct were:

- to develop a new industrial area
- consider the potential expansion of the town to the west of the existing township.

The study recommended that a new industrial area was needed to support the commercial growth of the town, as there is no industrial zoning currently existing in or surrounding the township. Demand for uses such as service industries, aquaculture, storage (boats and caravans) and small recycling centre and composting facility were identified.

The potential expansion of the town to the west was considered to cater for future residential demand. The framework recommends that any expansion to the west would include interspersed tree and vegetation belts that maintain an enclosed and sheltered character to the town.

It is noted that the eastern boundary of the affected land is identified as being a prominent land form, due to existing vegetation and elevated nature of the land which provides a visual backdrop and township boundary.

## **2.6 Investigations initiated to inform this DPA**

### **2.6.1 Heritage**

One place within Port Vincent is currently listed on the State Heritage Register, namely; the Grainstore Galleries. Council does not yet have a list of Local Heritage items within the Development Plan

### **2.6.2 Demographic and Housing Statistics**

#### **Population**

In the 2006 Census Port Vincent had a population of 472. This represents approximately 4% of the total population (11,190) of the District Council of Yorke Peninsula

There has been an increase of 17 people in the township since 2001 which equates to a 3.7% population increase during this period as indicated below in table 1.

**Table 1:** Population

Year	2001	2006	Change
Population	455	472	+3.7%

**Source:** ABS Census Data 2001 & 2006

Of the total population 61.4% were persons were aged 55 years and over and the median aged of persons at Port Vincent was 61 compared with 37 years for person in Australia.

## Housing

At the last Census a total of 549 private dwellings were counted in the Port Vincent Township and 87.3% were detached dwellings. Since 2001 there a further 37 dwellings have been construction which represents a 6.6% increase over the five year period.

**Table 2:** Dwelling Numbers

Year	2001	2006	Change
Dwellings	512	549	+6.6%

**Source:** ABS Census Data 2001 & 2006

On the night of the Census 220 dwellings were occupied resulting in approximately 60% being unoccupied. This is consistent with data generally for the Peninsula and reflects the very high number of holiday homes being located in the township.

## Employment

In 2006 a total of 127 of the population aged 15 and over were employed a total of 18 were unemployed and 256 were identified as not being in the labour force.

The above statistics indicate the popularity of the town as a holiday destination and attraction of the town for retirees.

### 2.6.3 Development Statistics

In 2007/2008 31 new dwelling were approved in Port Vincent at a total value of 4.9 million. This number of approvals is almost double than any other town within the Council area. Port Turton was next highest with 19, followed by Marion Bay (17), Hardwicke Bay (12), Stansbury (11) and Ardrossan (10). It is noted that 36 other towns with in the region had less than 10 approvals each. (District Council of Yorke Peninsula, Annual Report 2007/2008).

The total number of development applications approved council wide in the previous financial years was 252, 12% of which were approved in Port Vincent.

In a 2.5 year period between 23/05/07 – 6/11/09 18 sales of properties and land have occurred in Port Vincent and over the last six months an average of 40 properties have been on the market.

Between 2004 and 2009 the median house and unit prices within Port Vincent have increased by 35.5%% as outlined below in table 3.

**Table 3:** Median house and unit prices

Year	Median House Price	House Price % Change (YoY)	Median Unit Price	Unit Price % Change (YoY)
2004	\$243,500	14.9%	\$85,000	-21.7%
2005	\$262,500	7.8%	\$136,500	60.6%
2006	\$240,000	-8.6%	\$180,000	31.9%
2007	\$264,000	10.0%	\$165,000	-8.3%
2008	\$310,000	17.4%	\$117,000	-29.1%
2009	\$330,000	6.5%	\$125,000	6.8%

Source: [www.realestate.com.au](http://www.realestate.com.au)

The significant rise in house prices could be contributed to the increase in population, limited land supply and general growth in the value of real estate state-wide.

The Development Approval statistics below indicates a strong demand for new housing within Port Vincent over the last 7 years.

**Table 4:** No of Development Approvals

Year	New Dwellings	Dwelling additions	Commercial	Land Division
2004	14	2	1	5
2005	13	3	3	6
2006	21	5	1	4
2007	21	9	1	6
2008	24	3	1	3
2009	18	0	0	1
2010(up to Nov)	8	3	0	0
<b>Total</b>	<b>119</b>	<b>25</b>	<b>7</b>	<b>25</b>

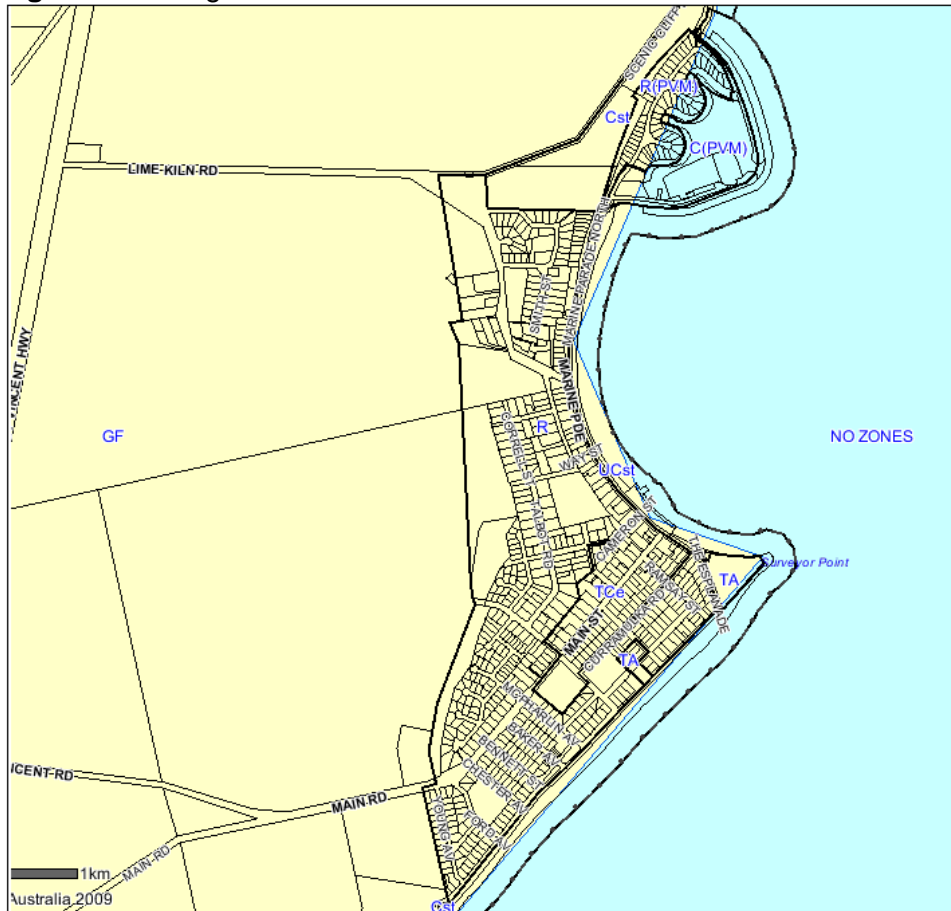
#### 2.6.4 Current Zoning Arrangements

The township of Port Vincent is divided into eight zones which consist of the following:

- Residential
- Residential (Port Vincent Marina)
- Commercial (Port Vincent Marina)
- Town Centre
- General Farming
- Tourist Accommodation
- Coastal
- Urban Coastal

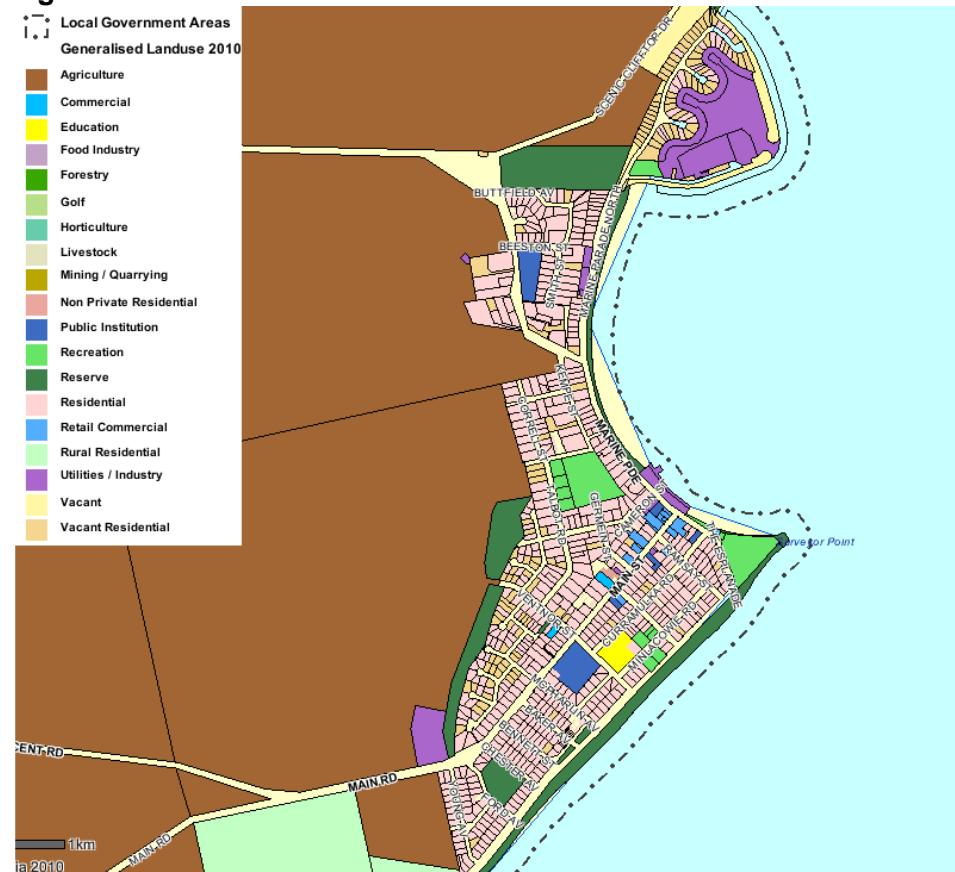
The nature of zoning and land uses is more particularly set out in figures 2 and 3 below.

**Figure 2: Zoning**



Source: Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

**Figure 3: Land Use**



Source: Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

## Residential

Residential development occurs in a linear fashion along the 4 kilometres of coastline fronting the township, and generally within 400 metres of the coast. Development throughout the zone primarily consists primarily of detached dwelling on individual allotments, although in more recent years there has been an increase in the number of semi detached and residential flat developments

The allotment sizes vary, with allotments 1000m<sup>2</sup> - 2000m<sup>2</sup> in the older parts of town adjacent the town centre and smaller allotments in the newer areas, and particularly where served by common effluent between 500m<sup>2</sup> – 1000m<sup>2</sup>.

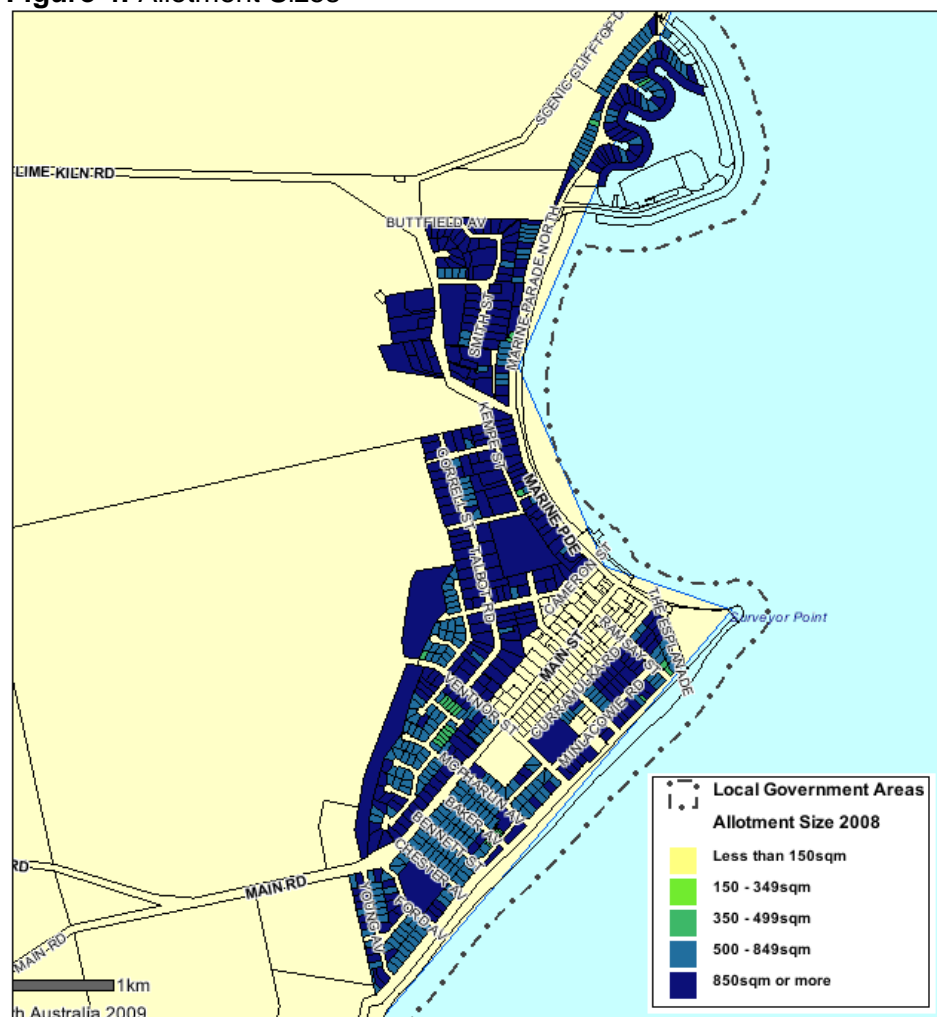
Allotments tend to decrease in area further away from the town centre as indicated below in figure 4, reflecting a trend in more recent subdivisions, and in those areas serviced with sewerage infrastructure for smaller allotments.

Council records show that there are currently 120 vacant allotments within the existing Residential zone.

Since the development of the marina and a land division creating 68 new allotments in 2003 there has been no large scale land division development.

The vacant land to the west of the town comprises an area of approximately 12 hectares, this land is included in the concept plan for the development of a master planned estate along the western edge of the town.

**Figure 4: Allotment Sizes**

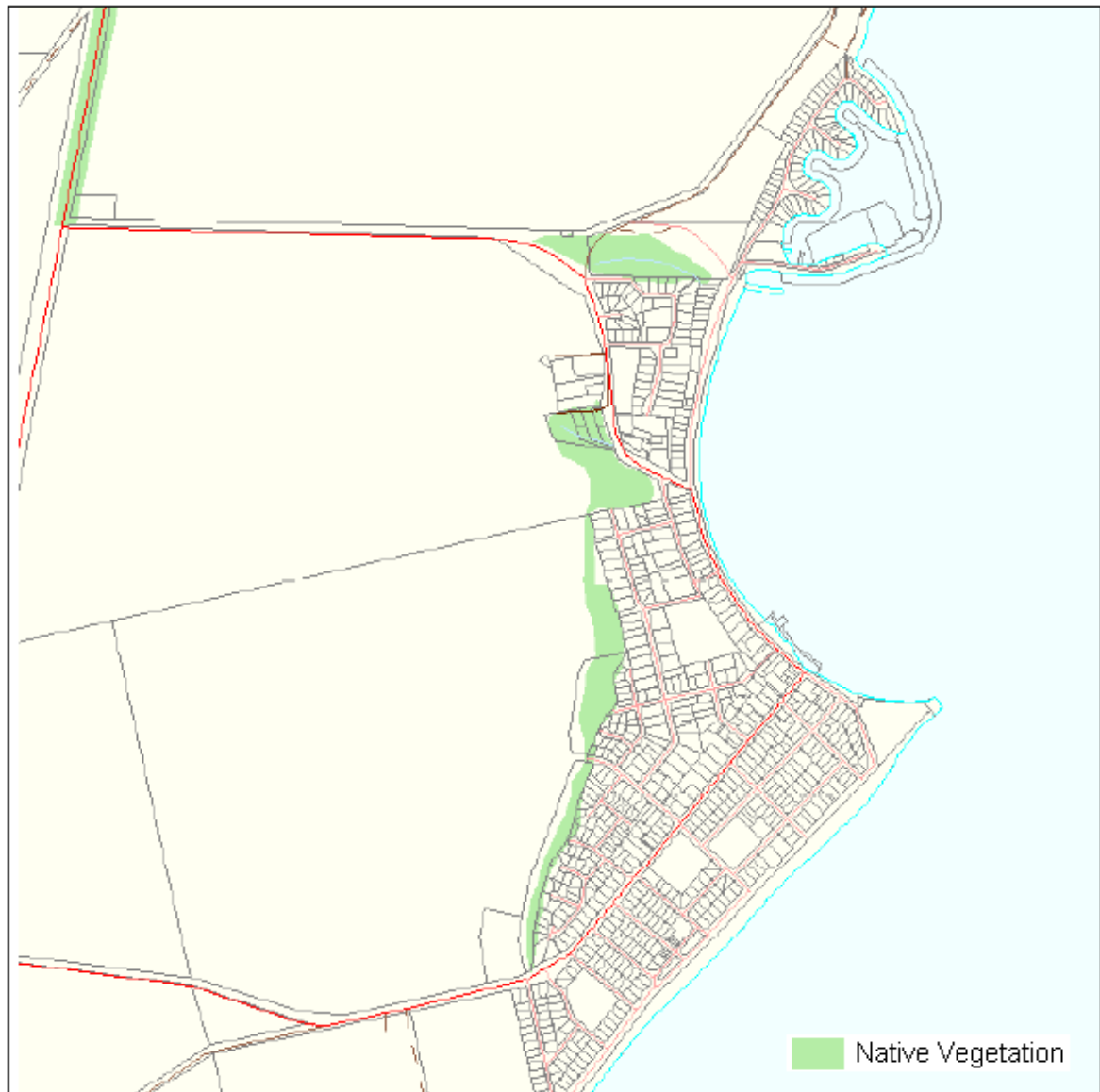


Source: Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

To some extent, the development of the remaining residential land to the west of the town has been constrained by a combination of topography and remanet/planted landscape buffers. (see figure 5 below)

Sales data for Port Vincent in the period 1/1/2009 to 31/12/2010 shows that there were 34 vacant land sales. If this rate of sale were to continue, existing vacant land in the town would be consumed in 3<sup>1</sup>/<sub>2</sub> years

**Figure 5:** Native Vegetation Cover



**Source:** Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

### **Residential (Port Vincent Marina)**

The Residential (Port Vincent Marina) zone encompasses the residential allotments within the marina development. Approximately 50% of the allotments contain dwellings. Expansion of the zone is largely constrained by natural features such as the coast to the east and cliffs to the west.

Present policy for the Residential (Port Vincent) Marina zone applies a prohibition on both land division and more than one dwelling per allotment.

This prohibition was applied at the request of the marina developers on the basis that there were limitations to the power supply to the development through a transformer and to effluent disposal facilities for the marina.

Council now understands that both these issues are not as bad as first thought and that opportunity may be available for further development within the constraints of the existing infrastructure.

Moreover, Council can, at the time of land division assess whether the infrastructure is capable of accommodating the proposed development (see Council wide principle 3 under the heading 'Public Utilities'.

Development in the marina has been slow, and in part this has been attributed to the lack of builders able to undertake development but is also a reflection of the high cost of developing land in the marina.

The efficient use of land and infrastructure is a fundamental basis of the planning system and subject to any limitations imposed by infrastructure, there is no reason why more intense development should not be able to occur within the marina.

As indicated above, about half of the allotments in the marina development are vacant, with just about all development in the marina confined to the waterfront allotments. Given that waterfront allotments have been developed under the present regime of controls limiting both land division and the development of more than one dwelling per allotment, it is the Council's position that this policy should be maintained for the waterfront land. In particular, the concern is that further division will result in long narrow allotments with limited access and frontage to the waterfront and thus limitations on boat berthing facilities.

On the other hand, the vacant nature of all but one allotment west of Marina Drive will allow for the reconfiguration of allotment boundaries which will still provide reasonable frontage to the road.

It is therefore proposed that the policy for the land to the west of Marina Drive be amended to enable land division to occur in accord with the Council existing land division policies that provide for allotments down to 450m<sup>2</sup>, where the land is serviced with offsite effluent disposal facilities.

### **Commercial (Port Vincent Marina)**

This zone includes the marina berths and car and trailer parking area. One parcel of vacant land approximately 2890 square metres is located in the zone and is available for development. It is noted that this parcel of land was subject to a Supreme Court appeal in the matter of "Paradise Development (Investments) Pty Ltd v District Council of Yorke Peninsula & Anor [2008] SASC 139 (22 May 2008.)".

The case related to development within the Commercial (Port Vincent Marina) Zone and in particular gave consideration to the definition of tourist accommodation and appropriateness of residential development within the zone and the issue of perceived discrepancies between the list of Category 1 developments and non complying uses.

Ultimately the decision resolved these discrepancies and confirmed the Development Plans desire to limit residential development in the marina to tourist accommodation. In part the determination recognised the lack of definition for tourist accommodation per se and the difficulty in separating such uses as serviced holiday apartments and tourist accommodation, as listed as Category 1 development in the zone from the existing defined use of 'residential flat building', a non complying use in the zone.

Having regard to the clarifications provided by the Supreme Court appeal no changes to existing policy or expansion of the zone boundary are considered to be warranted at this time.

## **Town Centre**

The Town Centre functions as a local and tourist centre and has sufficient capacity to support the growth that is occurring in the Town.

No changes are required to the boundary of the Town Centre zone.

## **General Farming**

The General Farming zone adjoins the western boundary of the township. This land is used for cropping and low intensive grazing. Currently the land is divided from residential area via natural buffers in the form of vegetation and elevated land.

This area is likely to accommodate any future expansion of the town as further linear expansion of the town along the coasts is strongly discouraged in the Regional Planning Strategy. Any expansion will need to address issues relating to provision of services, site contamination, environmental constraints and interface issues.

## **Tourist Accommodation**

The Tourist Accommodation zone includes the 2 caravan parks adjacent the foreshore.

There is no reason at this time to vary the zone boundary or any of the policies applying to this zone as it relates to Port Vincent. It is noted that zone will be converted to Caravan and Tourist Park zone as part of the future BDP DPA.

## **Urban Coastal**

The Urban Coastal zone consists of the area between the Port Vincent Township and the coast. It provides for various recreation facilities and open space areas. This zone is a feature of the town and has been identified for significant improvement as part of the Port Vincent Urban Design Framework.

No changes to policy are proposed.

## **Coastal**

The Coastal zone encompasses the land to the north of the residential area and west of the Residential (Port Vincent Marina) zone.

This land is elevated and contains native vegetation. The land is currently vacant.

Lot 206 (3.9 hectares) located in the coastal zone was included in the original Statement of Intent for the purposes of being reviewed in this DPA for residential development, however, the Minister requested this land be excluded. The Minister expressed concern about the feasibility of rezoning this land to residential given the topography of the land and the likely clearance of remnant native vegetation from the site should the land be rezoned. It was also recognised that the land is of high scenic quality and any form of development behind the top edge of the escarpment could potentially prevent public access to the foreshore.

The zoning of this land is to remain unaltered.

## 2.6.5 Infrastructure and Services

### Water

The Port Vincent Water Supply Concept Study (PPK 2001) forecast growth in the town would result in 670 dwellings by 2021. Although future connections projections prepared as part of this plan forecast slightly higher growth by 2021, the concept study was somewhat more conservative when converting the number of connections to demand.

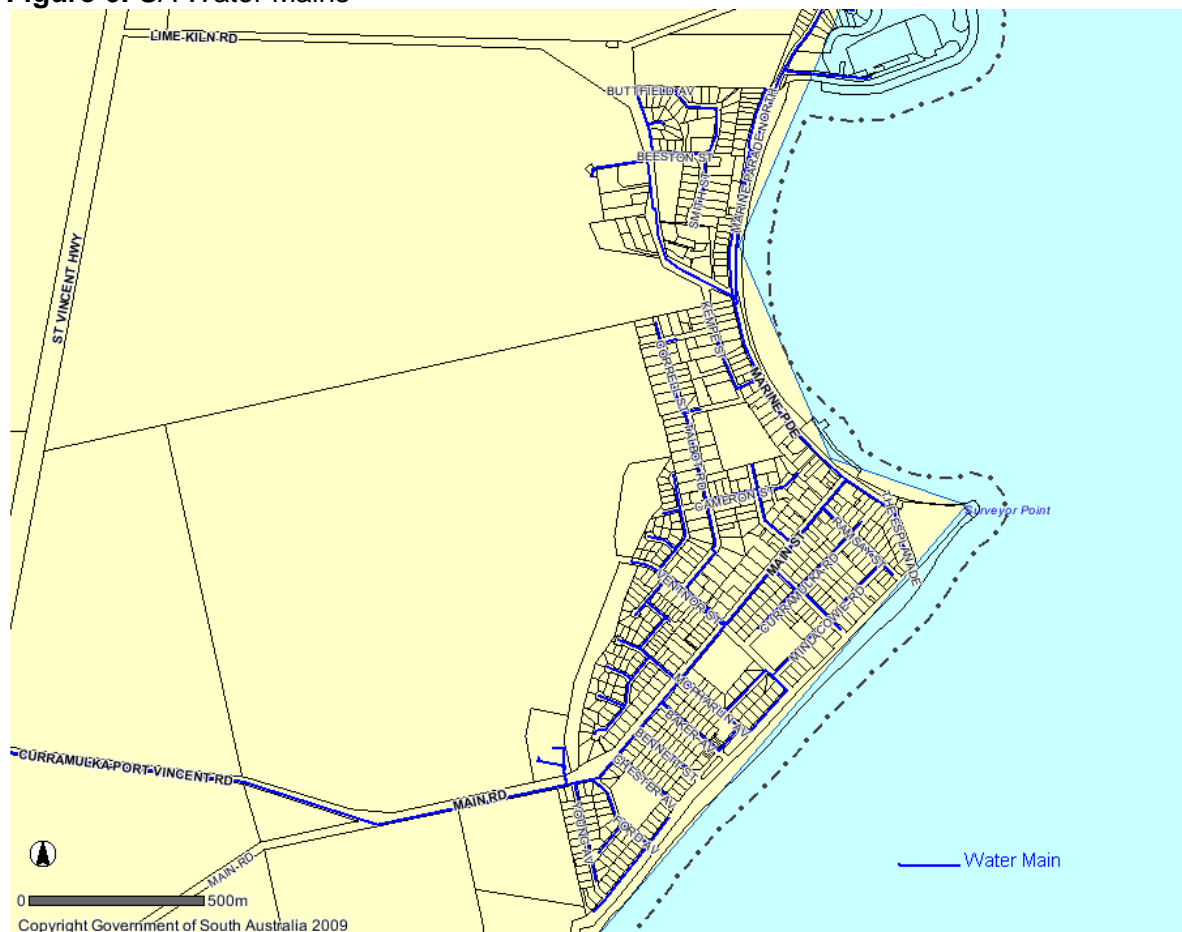
Based on its demand assumptions, the concept study recommended additional town storage of 13 ML by 2021. The storage was recommended to be a lined in-ground covered storage located adjacent the supply main on the western side of the town, and to be operated in conjunction with a new variable speed booster pump station to supply the town.

To date a first stage has been constructed, which has included 5.5 ML of storage.

The status of the recommendations made in the concept study has been reviewed as part of SA Water's Long Term Plan for Yorke Peninsula. This plan estimates that completion of the total additional storage at Port Vincent won't now be required until after approximately 2025-26.

In relation to the affected land, it is noted that SA Water mains run along the entire Main Road frontage to the south, Lime Kiln Road frontage to the east and to the end of Ventnor Street which cease at the boundary of lot 202 and depicted below in figure 6. Whilst these may need to be upgraded to supply the development, this will come at the cost of the developer, not the general community.

**Figure 6:** SA Water Mains



**Source:** Atlas SA ([www.atlas.sa.gov.au](http://www.atlas.sa.gov.au))

Some consideration has been given to a desalination plant as an alternative water supply for the Peninsula and the Port Vincent area has been identified as one of two suitable locations for this facility should it be needed.

### **Effluent Disposal**

The Port Vincent Township is serviced by a recently constructed Community Wastewater Management System.

The plant at Port Vincent is currently approved for 75 sewer connections in the Marina and 106 connections for the Vincent Rise plus Caravan Park and commercial development or around 145,000 litres per day.

With an average of 3 ½ persons per connection the system is capable of servicing approximately 700 persons. Current maximum flow is around 40,000ltrs.

The plant current size is very similar to the Yorketown plant that is approved for up to 999 persons. This would mean that an approval to extend the capacity of the plant up to around 1000 persons should not be difficult to achieve as no great expansion at the plant would be needed, however, expansion of disposal area may need to be considered.

The current irrigation area operates near capacity so an expansion in this area may be required. Opportunity exists to dispose of water onto the bowling clubs, town ovals and lawn areas.

As per current policy residential development where effluent is disposed on-site requires a site area of 900m<sup>2</sup> to ensure sufficient area to safely management wastewater disposal.

It is intended that the new allotments within the proposed residential area will be connected to Community Wastewater Management System.

### **Stormwater**

There are no significant stormwater issues within Port Vincent, however in order to minimise stormwater impacts, future development within the township would need to comply with existing provisions within the Development Plan relating to the retention and reuse of stormwater. In particular, new development should maximise the retention and reuse of stormwater on site, and development discharging to the existing downstream system will need to ensure that its capacity is not exceeded in storm events. This is likely to require onsite ponding of stormwater and the will need to be the subject of detailed design when applications for subdivision are considered.

### **Electricity**

Electricity is supplied to the various towns and localities throughout the Mid North and Yorke Peninsula via distribution substations. These substations are operated at 33,000 volts stepped down to 11,000 or 7,600 volts.

Customers are supplied from ETSA Utilities distribution system via 11,000 volt and 19,000 volt feeders, which are connected to distribution substations. These feeders are extended and upgraded as required to meet demand and customer connection requests. Large projects may require a distribution substation upgrade as well as feeder modifications.

Both the Ardrossan West and Hummocks sub stations will require upgrading to meet the revised 2008 Transmission Codes both are currently overloaded. ElectraNet must resolve this overload within 4 years (2013).

## **Roads**

Road within the town are sealed and comprise reserve width of 20 metres and pavement widths generally of 15 metres. Road access to Minlaton and the Yorke Peninsula highway is good.

The design of the road network provides access to the General Farming land to the west via Ventnor Street and Cameron Street.

## **Services**

A wide variety of services are provided in the town including:

- Hotel
- Golf Course
- Bowling Club
- Various tourist accommodations
- IGA Supermarket
- Deli
- Numerous service trade premises and Commercial operations
- CFS
- Caravan parks
- Real Estate Agent
- Primary School

These services are primarily located in the town centre.

Given the proximity of Minlaton some 26 kilometres to the west and the wide range of services available at Minlaton, including schools, shopping, a hospital and health services, it is not expected that additional public services will be required at Port Vincent in the foreseeable future.

## **2.6.7 Residential Expansion/Industrial Land**

### **Subject land**

The subject land comprises portion of allotments 157 & 202 which are large allotments comprising areas of 147 and 137 hectares respectively, located adjacent to the west of the Residential area of Port Vincent. Approximately 80 hectares of this land will be affected by this DPA.

The land is vacant and has generally been cleared of any significant vegetation (except for boundary landscaping) as result of the long standing agricultural use of the land.

Both allotments are primarily located within the General Farming zone except for a small portion of each allotment adjacent the eastern boundary (6.9 hectares Lot 157 & 5.3 hectares Lot 202) located within the Residential zone.

The land has extensive frontage to Lime Kiln Road to the north and west, and Port Vincent Road to the south.

Development in the locality predominately consists of residential development in the form of detached dwellings at low densities within the township to the east. The Port Vincent Community Wastewater Treatment Plant is located on the allotment (106) that separates portion of Lot 202 from the residential area.

The land to the north, west and south is consists of open farm land used primarily used for cropping purposes.

## Land Tenure

The land tenure of the allotments proposed for rezoning is detailed in the table below:

**Table 5:** Property Details

CT Reference	Parcel Number	Area (Hectares)	Owner
5915/380	A 157 F196389	147	R J Germein
5915/384	A 202 D62958	137	R J Germein

## Demand

The following is a summary of development data obtained from Council's valuation and building records, in respect to Port Vincent;

- No. of Vacant Residential Allotments 120
- Dwellings approved 2004 to 2010 119
- Land supply 7 years

**Table 6:** Dwelling Statistics – Port Vincent

Year	New Dwellings
2004	14
2005	13
2006	21
2007	21
2008	24
2009	18
2010(up to Nov)	8
<b>Total</b>	<b>119</b>

Council records show an approval rate for new dwellings of approximately 17 per year for the last 7 years.

Having regard to the above development rate and the number of vacant residential allotments there is approximately 7 years land supply within the existing Residential zone.

However, it is noted that all these allotments may not be available for development.

The residential allotments in the existing zone comprise an average area of approximately 700m<sup>2</sup> – 800m<sup>2</sup> and considering land required for roads and open space each dwelling consists of a gross development area of approximately 1000m<sup>2</sup>.

Based on the above figures, Port Vincent requires approximately 40 hectares of residential land to accommodate 20 years land supply for a growth rate of 20 new dwellings a year. Approximately 80 hectares of land is proposed to be rezoned to residential which will provide for long term growth at current development trend levels. It is anticipated that this growth rate could increase as more residential land becomes available.

It is noted that no Industrial applications have been approved over the last seven years within the township, which is largely due to no industrial zoned land in and around the town. As a result, is difficult to determine demand for industrial land within the town.

However, as the population increases the need for industrial land to service the population will likely increase.

It must be noted that an earlier proposal to provide an Industrial zone of about 4 hectares at the northern end of the Town (adjacent the water tower) was approved in the

Miscellaneous Amendments PAR which was authorised in 2004, however the wrong zone plan was inadvertently included in the authorised version and as a consequence the rezoning did not occur.

## **Land Supply**

Although there are 120 vacant residential allotments in the town, this supply represents less than 3 years demand based on vacant land sales and 7 years demand based on building approvals.

The short supply of residential land is reflected in the fact that the 22 land division application approved within the Residential zone and Residential (Port Vincent Marina) zone between January 2003 and November 2010 only resulted in 98 additional allotments being created in the Residential zone and 2 additional allotments in the Residential (Port Vincent Marina) zone.

One division alone, approved in 2003 created 68 allotments and it notable that the development of this subdivision generated a considerable amount of demand in its own right and identifies that in some instances demand is a consequence of supply.

There are presently two land division applications before the Council creating 24 allotments in two stages at the northern end of the town and 19 new allotments (and 2 reserve allotments) as an extension to Parsons Street. Both these division proposals fall within the existing Residential zone

These divisions have been considered and form part of the broader masterplan for the extension of the town to the west contained in the DPA.

Recent applications have focused on infill development by subdividing existing allotments in the town resulting into smaller allotments; however, market preference is for coastal allotments and/or larger residential allotments on the outskirts of town, both of which are currently limited.

There is currently no industrial zone land within the town the closest industrial land includes the small industry zone in Stansbury (15 km to the south), Home Industry zone at Minlaton (approximately 23 km to the west) and the Industry zone at Yorketown (approximately 34 km to the south west).

## **Soil Conditions**

The subject land is located in the Port Julia Land System, this system comprises the coastal plains on the east coast of the Peninsula stretching from Pine Point to south of Port Vincent<sup>1</sup>.

Soils in this system are mostly arable to semi arable. Many soils are very shallow and stony. The main soils are various shallow soils on calcrete, with significant amounts of deeper calcareous loam. Topsoils are mostly loams. Shallow and stony soils limit moisture holding capacity, and hence limit crop production potential.

The subject land is described as gently undulating to slightly elevated coastal plains.

The land comprises two soil groups consisting of a strip of shallow calcareous soil on calcrete (generally described as mostly non arable) immediately to the west of the town and now mainly comprising a shelter belt of tree, and a dominant area of shallow

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<sup>1</sup> Department of Water, Land and Biodiversity Conservation, Regional Land Resource Information for Southern South Australia, June 2007.

calcareous loam on calcrete grading to shallow red loam on calcrete, with limited to common areas of rubbly calcareous loam of moderate productivity.

## **Land Use History**

Council records indicated the land has previously been used for agricultural activities, namely grazing and cropping, consistent with the current use of the land.

Discussions with the land owners have indicated that the land has not been used for chemical storage, sheep dips or any other activity that might give rise to land contamination issues, and confirm that the land has been used for low intensity cropping and grazing that has low potential for giving rise to soil contamination.

Notwithstanding the above, the Development Plan provides sufficient policy to ensure that if there are potential contamination issues that the land be assessed and appropriately remediated prior to development proceeding on the land.

Such as the following provision:

### **Form of Development Principle 10**

*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.*

## **Bushfire Risk**

The affected land is located within a General Bushfire risk area as depicted on Figure YoP(BPA)/62 within Council's Development Plan. It is noted portion of the affected allotments within the existing Residential zone are located within the Medium Bushfire risk area.

The current Development Plan provisions relating to bushfires recommend buildings and structures be located away from areas that poses an unacceptable bushfire risk as a result of one or more of the following:

- (a) vegetation cover comprising trees and/or shrubs
- (b) poor access
- (c) rugged terrain
- (d) inability to provide an adequate building protection zone
- (e) inability to provide an adequate supply of water for fire-fighting purposes.

It is unlikely the affected land poses unacceptable bushfire risk as the land is mainly clear of significant areas of vegetation, is located adjacent the residential area with good access to the existing road network and the topography of the land is generally flat.

In addition, as per current Development Plan provisions, residential development within the General Bushfire Risk areas will require a dedicated water supply available at all times for fire fighting which comprises a minimum of 5,000 litres.

## **Future Development**

A master plan has been developed (see figure 7 below) for the possible future development of the subject land which includes:

- Expanding the residential zone boundary approximately 350 metres to the west of the existing residential boundary.

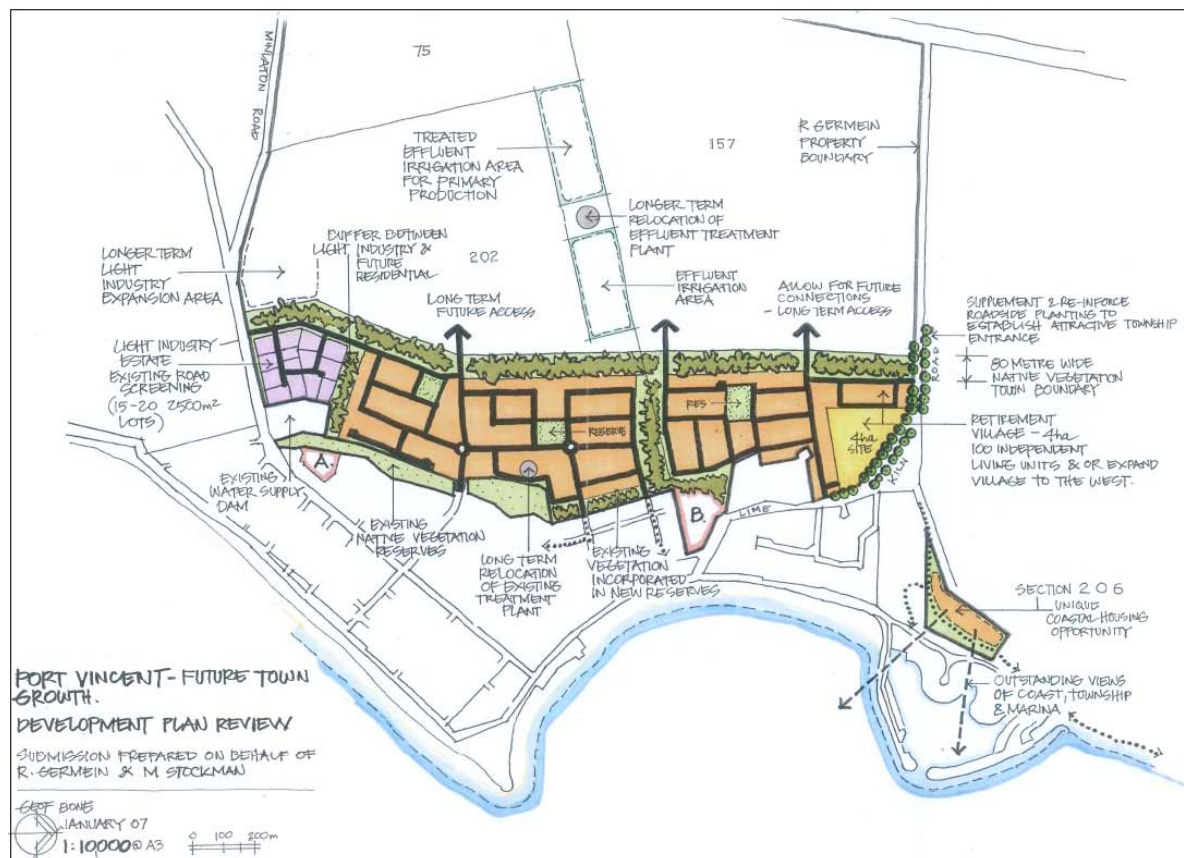
- 15-20 light industry allotments within the southern portion of the affect land, adjacent to the north of the existing water supply dam.
- various reserves including a 80 metre wide native vegetation buffer along the proposed western township boundary and vegetated buffer between proposed light industry and residential area.
- Retirement village fronting Kiln Road within the northern corner of the affected land, (note this land is presently the subject of a land division application.
- Future relocation of effluent treatment plant further to the west of the township.
- Retention of existing native vegetation reserves between the subject land and existing township.
- Road connection to existing settlement and long term access to the land further to the west.

The proposed design largely compliments the recommendations within the Port Vincent Urban Design Framework particularly, the expansion of the residential area to the west and the inclusion of interspersed tree and vegetation belts that maintain an enclosed and sheltered character to the town.

A concept plan (Attachment A) is proposed to be introduced into the Development Plan as part of this DPA in order to guide the coordinated development of the land with regard to the key features of the master plan below, which includes road links, reserve areas and the relocation of the existing effluent plant.

Note the master plan identifies 15-20 'light industry' allotments; however, this land is proposed to be rezoned 'Industry' in accordance with existing Development Plan policy.

**Figure 7: Master Plan**



## **Interface with Adjoining Zones**

### Residential

Currently the Residential zone is divided from the adjoining farming land to the east by a strip of vegetation along the eastern boundary. This provides a buffer between residential and agricultural activities which have the potential to create land use conflicts.

This vegetation buffer is located within the existing Residential zone.

The design of the expansion of the Residential zone retains the vegetation and seeks to locate road connection points minimise the need for vegetation clearance.

The further expansion of the residential area into the General Farming zone will increase the risk of interface issues. Buffering and siting of development adjacent common zone boundaries will need to be considered to minimise any future conflicts.

It's noted that the proposed concept plan provides an 80 metres wide buffer between the proposed residential area and adjoining farmland in order to minimise any land use conflicts between the two zones.

### Industry

The Industry zone is proposed within the south east corner of the affected land, which is likely to cater between 15 to 20 lots of around 2500m<sup>2</sup> each. The zone is well separated from existing residential development by the SA Water plant to the south and Port Vincent Road to the west.

It is noted that the master plan proposed a vegetation buffer along the northern and eastern boundary, separating the land from the proposed residential area.

Potential land use conflicts can arise between industrial and residential land use, however the proposed siting and buffering treating should minimise any conflicts, in addition the uses envisaged in the Industry zone, which consist of light and general industries, storage and warehousing, are unlikely to create land use conflicts with the adjoining land uses.

## **Traffic Impact**

Council engaged the services of a traffic engineer, Mr Phil Weaver from Phil Weaver and Associates to provide a review of the subject land and proposed master plan in relation the impacts the future development of the land may have on the existing road network.

Mr Weaver's comments are as follows;

*"From my review of the above plan, I understand that the subject division would potentially result in:-*

- *A total of 700 residential allotments,*
- *A light industrial estate with a total of 15 to 20 allotments. Each allotment would be of the order of 2,500m<sup>2</sup>, and*
- *A retirement village of approximately 4 hectares in area accommodating up to 100 independent living units.*

*The above concept plan indicates that the land division would result in a reserve between the northern and southern areas with no direct vehicular access between the areas.*

*The northern parcel of land (the northern area) would provide for:-*

- *245 residential allotments, and*
- *The proposed retirement village.*

*The southern parcel of land (the southern area) would provide:-*

- *455 residential allotments, and*
- *The light industrial area with a maximum of 20 allotments.*

*The concept layout indicates road connections from both areas including links to both the existing road network and also for future connection to the land to the west which is identified as a “longer term light industry expansion area”.*

*The northern area would include two links to Lime Kiln Road and two future road links to the west. The plan indicates that the southern area would provide:-*

- *A future road link to the west,*
- *A direct road link to the Port Vincent Road on the western boundary of the land, and*
- *Up to three road links via the existing road network to the east, including a primary link via Ventnor Street.*

### **Traffic Generation**

*The “**Guide to Traffic Generating Developments**” produced by the Roads and Traffic Authority of NSW provides weekday and peak hour traffic generation rates for various forms of developments including residential dwellings, retirement villages and industrial developments, namely:-*

- *An average weekday traffic generation of 9 trips/day for a dwelling house, albeit this is typically associated with outer metropolitan areas with relatively low access to public transport,*
- *Rates of between 1 and 2 trips/unit on a weekday, associated with independent living within a retirement village, and*
- *Weekday traffic generation rates for warehouse, road transport terminals and factory uses, namely:-*
  - *5 daily trips/100m<sup>2</sup> gross floor area (gfa) associated with factories and road transport terminals, and*
  - *4 daily trips/100m<sup>2</sup> gfa associated with warehouses.*

*On the above basis, I consider that the future development of the northern area should generate the equivalent of:-*

- *Approximately 2,200 vpd on a weekday associated with the 245 residential allotments, and*
- *Approximately 200 weekday trips associated with the 100 independent living units within the potential retirement village.*

In respect to the southern area, I consider that the development of up to 455 residential allotments would generate the equivalent of approximately 4,100 vpd on a weekday.

Traffic generation associated with industrial/warehouse developments will be subject to the specific nature of the development and the floor areas provided on each site. However, for the purpose of this initial assessment I have assumed that:-

- Future development within the proposed land division would comprise a variety of commercial land uses, potentially including light industrial and warehousing developments, and
- The allotments would be developed to provide a building equivalent to 40% of the total site area.

On this basis, it is estimated that the proposed industry component of the subject land division would provide a total of approximately 20,000m<sup>2</sup> of building area.

Assuming an approximately equal mix of warehouse and industrial/road transport uses, I therefore consider that the future development of warehouse/general industry within the subdivision could generate approximately 900 trips on a weekday.

In summary, I consider that the future development of the subject land should generate weekday traffic as summarised in Table 1 (below).

**Table 1: Summary of forecast weekday traffic movements**

<b>Land Use Component</b>	<b>Estimated weekday traffic</b>		
	<b>Northern Area</b>	<b>Southern Area</b>	<b>Total</b>
<i>Residential</i>	2,200 vpd	4,100 vpd	6,300 vpd
<i>Retirement Village</i>	200 vpd	-	200 vpd
<i>Industrial Estate</i>	-	900 vpd	900 vpd
<b>Total</b>	<b>2,400 vpd</b>	<b>5,000 vpd</b>	<b>7,400 vpd</b>

The “**Guide to Traffic Generating Developments**” suggests a rate of 25% for internal trips. However, this would be more applicable for developments with schools, local shopping areas and local social areas. On the assumption that these facilities will not be provided within the subject land division, it is unlikely that there would be more than 10% of the total trips made internally within the subject land division.

It is therefore estimated that:-

- There should be a maximum of 2,200 vpd generated into or out of the northern area on a weekday, and
- Approximately 4,500 vpd generated to and from the southern area on a weekday.

### **Traffic Impacts**

On the basis that the weekday traffic volumes generated by the northern area will be distributed equally onto Lime Kiln Road, there would be a weekday traffic volume of approximately 1100 vpd on each of these roads.

Such traffic volumes would be well within the capacity of these roads and would be within the maximum level of traffic considered to be appropriate for residential amenities.

*In respect to the southern area, there would potentially be an average of 1125 vehicles per day on each of the road links to and from the east, albeit there is unlikely to be an even use of the four identified road links.*

*While the average increase in weekday traffic movements of the existing road links would generally be within the capacity of each roadway, there is some potential impact in respect to amenity of residents currently living on each of these roadways.*

*I also consider that there is a potential for a large proportion of traffic generated to and from the southern area to use Ventnor Drive. This will potentially require some upgrading of this road including a potential for traffic calming and upgrading of the intersection of Ventnor Street with Main Street Wauraltee Road.”*

The above view takes into account peak traffic movements once the area is fully developed and assumes full time occupancy of the dwellings.

In reality, it is likely that 50% of the buildings will be holiday homes, meaning that full capacity will not be reached until the development is completed (10 to 15 years) and then only in peak holiday periods.

The need for minor upgrading and traffic calming measures is noted and can be considered over the life of the development in Councils forward planning for roads.

### **Separation Distances**

The Environment Protection Authority have prepared a ‘*Guidelines for separation distances*’ which acts as a tool that can be used when assessing development proposals to ensure that incompatible land uses are appropriately located to minimise impacts caused by noise, odour, polluting air emissions and/or polluting activities. While the guidelines are generally used to assist in the siting of new developments, they can also be used to ensure that industrial activities in appropriate zones are protected from encroachment by residential and other sensitive land uses that would adversely affect industry viability.<sup>2</sup>

Therefore the prime objectives of the guidelines are to protect the amenity in residential and other sensitive areas, and to protect industry from encroachment by sensitive land uses.

The sensitive uses identified in the guidelines include:

- caravan park
- community centres
- consulting rooms
- educational establishments
- childcare centres
- hospitals
- hotels
- motels
- nursing homes
- offices
- residential (including detached dwellings, multiple dwellings, flat buildings, row dwellings, semi-detached dwellings)
- parklands, recreation areas or reserves (regular public use)
- tourism accommodation

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<sup>2</sup> South Australian Environment Protection Authority. *Guideline for Separation Distance*, December 2007.

While an activity may have the potential to cause a nuisance from a range of mediums such as odour/air pollution or noise, the distance required to minimise the potential impacts to acceptable levels is generally the largest for the odour/air pollution situation.

Hence the recommended separation distances refer to the potential odour/air pollution impacts.

The guidelines provide separation distances for development and/or land uses which are defined as either an activity of environmental significance or an activity of major environmental significance within Schedule 21 and 22 respectively of the Development Regulations 2008.

The recommended separation distances are measured from the activity boundary, which is the boundary enclosing all activities, plant, buildings, other structures or other sources from which residual emissions or noise may arise. The activity boundary may not coincide with the property boundary.

If site specific circumstances appear to indicate a reason for departing from the recommended separation distance (eg scale of operation, local topography, vegetation cover, state of the art technology etc), a separation distance different from the recommended distances may be able to be justified. To assess if any departure is warranted and to evaluate the extent of any reduction or extension to the recommended distance the guidelines provide various criteria and formulas which are required to be satisfied and applied.

As mentioned previously parts of the Port Vincent Township is serviced by a Community Wastewater Management System. The plant and irrigation area is located to the west of the town within the Residential zone (as depicted in figure 8 below). This parcel of land adjoins the General Farming zone.

The guideline recommends a separation distance of 100m for sensitive land use from Community Waste Management Systems that services a population less than 1,000 people.

The current treatment plant is located a minimum of 80 metres from the nearest residential allotment which encroaches into the above recommended separation distance. However, considering the dense vegetation between the plant and residential development the current separation distance should be sufficient to mitigate noise and odour issues. (in this respect it is noted that the plant has not been subject to complaint re odours)

Obviously the proposed rezoning would result in future residential development encroaching on the current plant, therefore the relocation of effluent treatment plant further to the west of the township has been considered as part of the master plan prepared for the land.

The final location of the plant will need to consider the above separation distance requirements.

**Figure 8:** Existing wastewater treatment plant



### **2.6.6 Loss of General Farming land – Economic Impacts**

The proposed policy amendment will result in the loss of approximately 80 hectares of General Farming zoned land.

The loss of farming land is considered to be negligible considering the amount of land under primary production throughout the council area and more generally in the region. Moreover, the land is identified as having only moderate production potential.

The development of the land for residential and industrial purposes would result in significantly greater economic benefits to the Port Vincent Township and council area compared to the land being developed in accordance with the current zoning.

The expansion of the town inland rather than in a linear fashion along the coast is strongly supported by the Regional Planning Strategy.

### **Residential Code**

The proposed amendment provides the opportunity for the Development Plan to be brought into line with the recent changes to the Development Act and in particular the introduction of the new Residential Development Code.

The intent of the code is to provide simpler, faster and cheaper planning and building approvals for home construction and renovation.

As part of these changes has been the expansion of the categories for complying development.

Changes included the introduction of a new clause within Schedule 4 of the Development Regulations relating to new dwelling and semi-detached dwellings. The condition contained within this clause only relates to dwellings in designated areas.

The Code sets out 'tick-box' assessment criteria know as 'Performance Controls'. These include issues such as location, height, setback and site coverage. If a development proposal meets all the criteria, it will be approved within 10 days.

It is noted that the majority of the existing residential area is located within the determined area for the purposes of Schedule 4 – Complying development, Clause 2B – New Dwellings as depicted on Residential Code Maps Yop/87 and Yop/88.

As the code currently applies to the Residential zone, this area will be expanded to include the proposed residential area.

It is noted that conditions within PDC 5 in the Residential zone relating to complying conditions for outbuildings, conflict with the conditions within Schedule 4 – Complying Development of the Development Regulations 2008. Amendments to PDC 5 is required as the Regulations take precedence therefore PDC 5 is redundant.

As result of the above it is propose to replace Residential Zone PDC 5 with the following:

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

## **2.7 Government agency consultation**

No consultation with government agencies has occurred prior to releasing the DPA for concurrent public and government agencies consultation.

## **3. CONCLUSIONS AND RECOMMENDED POLICY CHANGES**

The foregoing investigations have identified a need to rezone the subject land to provide Industrial and additional Residential zoned land within the township of Port Vincent.

### **3.1 Current planning policy**

Currently the affected land is zoned General Farming, dwellings and land division are largely restricted in the zone.

### **3.2 Recommended planning policy**

The following policy amendments are proposed:

- Rezone the affected land from General Farming to a combination of Residential and Industry.
- Insert a concept plan and associated policy to guide the future development of the land.

### **3.3 Assessment matters**

The following amendments are recommended to be made to the assessment procedures:

- Complying development

Replace Principle 5 within the Residential zone with the following:

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

#### **4. STATEMENT OF STATUTORY COMPLIANCE**

Section 25 of the *Development Act 1993* prescribes that the DPA must assess the extent to which the proposed amendment:

- accords with the Planning Strategy
- accords with other parts of the Development Plan
- complements the policies in the Development Plans for adjoining areas
- satisfies the requirements prescribed by the Regulations.

##### **4.1 Accords with the Planning Strategy**

Relevant strategies from the Planning Strategy are summarised in Section 2.2 of this document. It is the intent of the DPA to support the achievement of the Planning Strategy policies.

##### **4.2 Accords with other parts of the Development Plan**

The policies proposed in this DPA are consistent with the format, content and structure of the District Council of Yorke Peninsula Development Plan.

##### **4.3 Complements the policies in the Development Plans for adjoining areas**

The policies proposed in this DPA will not affect the Development Plans for adjoining areas (as described in Section 2.3 of this document).

##### **4.4 Satisfies the requirements prescribed by the Regulations**

The requirements for public consultation (Regulation 11) and the public meeting (Regulation 12) associated with this DPA will be met.

## REFERENCES/BIBLIOGRAPHY

The Atlas of South Australia [www.atlas.sa.gov.au](http://www.atlas.sa.gov.au)

Australian Bureau of Statistics. [www.abs.gov.au](http://www.abs.gov.au)

Department of Water, Land and Biodiversity Conservation, Regional Land Resource Information for Southern South Australia, June 2007.

Director-General of Transport South Australia, March 1987. *“Land Use Traffic Generation Guidelines”*.

Government of South Australia *“South Australia’s Strategic Plan 2007”*.

Nature Maps [www.naturemaps.sa.gov.au](http://www.naturemaps.sa.gov.au)

Planning SA, *“Technical Guide to Development Plan Amendments”*,.

Planning SA, 2003, *“Planning Strategy for Regional South Australia”* Department of Transport and Urban Planning.

Planning SA, 2007, *“Yorke Peninsula Land Use Framework, December 2007”*, Strategic & Social Planning Division.

Port Vincent Urban Design Framework, produced by a Wax Design Space, JPE, the District Council of Yorke Peninsula and the Government of South Australia.

[www.realestate.com.au](http://www.realestate.com.au)

SA Water’s Long Term Plan for Yorke Peninsula SAWater October 2010.

# 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 Trevor Graham, as Acting Chief Executive Officer of the District Council of Yorke Peninsula, 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 District Council of Yorke Peninsula 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 person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

- Mr David Hutchison of Access Planning (SA) Pty Ltd

DATED this 15<sup>th</sup> day of February 2011

  
.....  
Acting (Signature of Chief Executive Officer)  
DISTRICT COUNCIL OF YORKE PENINSULA

# APPENDICES

## THE AMENDMENT



**Development Act 1993**

**District Council of Yorke Peninsula Development  
Plan Consolidated 7 October 2010**

Port Vincent DPA

**Development Plan Amendment**

**THE AMENDMENT**

**January 2011**

**By District Council of Yorke Peninsula**



# Development Act 1993

## Amendment Instructions Table – Development Plan Amendment

Name of Local Government Area: District Council of Yorke Peninsula

Name of Development Plan(s): District Council of Yorke Peninsula

Name of DPA: Port Vincent

*These amendment instructions are based on the District Council of Yorke Peninsula dated 7 October 2010. Where amendments to this Development Plan have been authorised after the abovementioned date, consequential changes to the following instructions will be made as necessary to give affect 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 (Y/N)	Subsequent cross-references requiring update (Y/N) if yes please specify.	Policy please
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**REGIONAL OR METROPOLITAN PROVISIONS (including figures and illustrations contained in the text)**

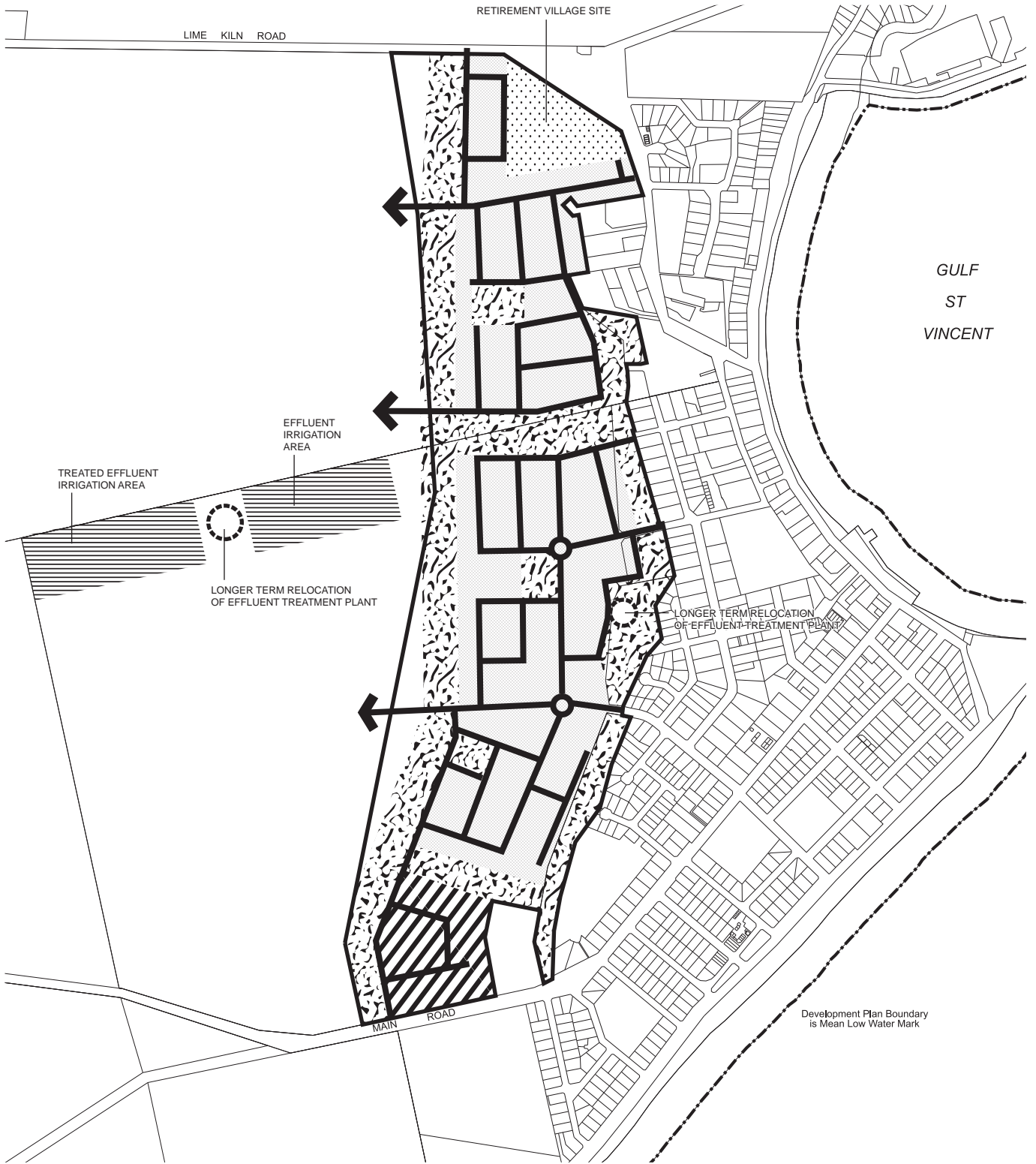
**COUNCIL WIDE PROVISIONS (including figures and illustrations contained in the text)**









**ZONE AND/OR POLICY AREA PROVISIONS (including figures and illustrations contained in the text)**

1	Residential zone	Insert new principle 5  5 Development in the area west of Lime Kiln Road, Correll Street and Talbot Road should comply with the concept plan Fig R(PV)/2.			
2	Residential Zone Principle 5	Replace with the following:  <i>5 (renumbered 6) Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.</i>			

3	Residential Zone	Insert Fig R(PV)/2 in Attachment A immediately following Figure R(PV)/1		
4	Residential (Port Vincent Marina) zone	Add to the reference to land division the following; ,except on the western side of Marina Drive.		
<b>TABLES</b>				
<b>MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps &amp; Policy Area Maps)</b>				
	Map YoP/49	Replace with Attachment B		
	Map YoP/87	Replace with Attachment C		
	Map YoP/88	Replace with Attachment D		





-  Proposed roads & Future access
-  Residential
-  Industry
-  Retirement Village
-  Open Space
-  Effluent Irrigation
-  Concept Plan Boundary
-  Development Plan Boundary

Scale 1:12500

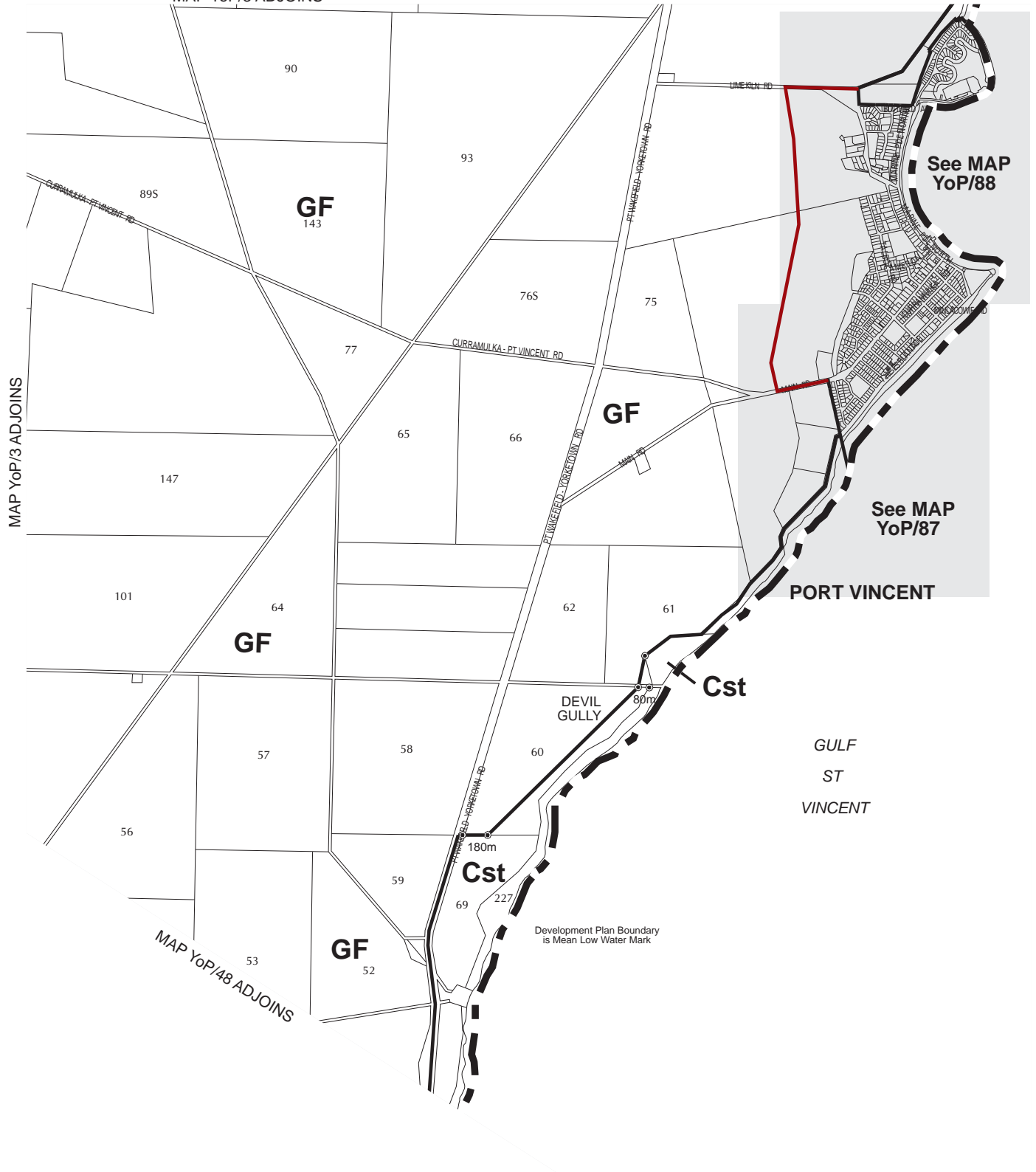


**YORKE PENINSULA (DC)  
PORT VINCENT  
RESIDENTIAL  
CONCEPT PLAN  
FIGURE R(PV)/2**



MAP YoP/3 ADJOINS

MAP YoP/50 ADJOINS



See MAP YoP/88

See MAP YoP/87

PORT VINCENT

GULF ST VINCENT

Development Plan Boundary is Mean Low Water Mark

**Cst** Coastal  
**GF** General Farming



Scale 1:40000



# YORKE PENINSULA (DC) ZONES MAP YoP/49

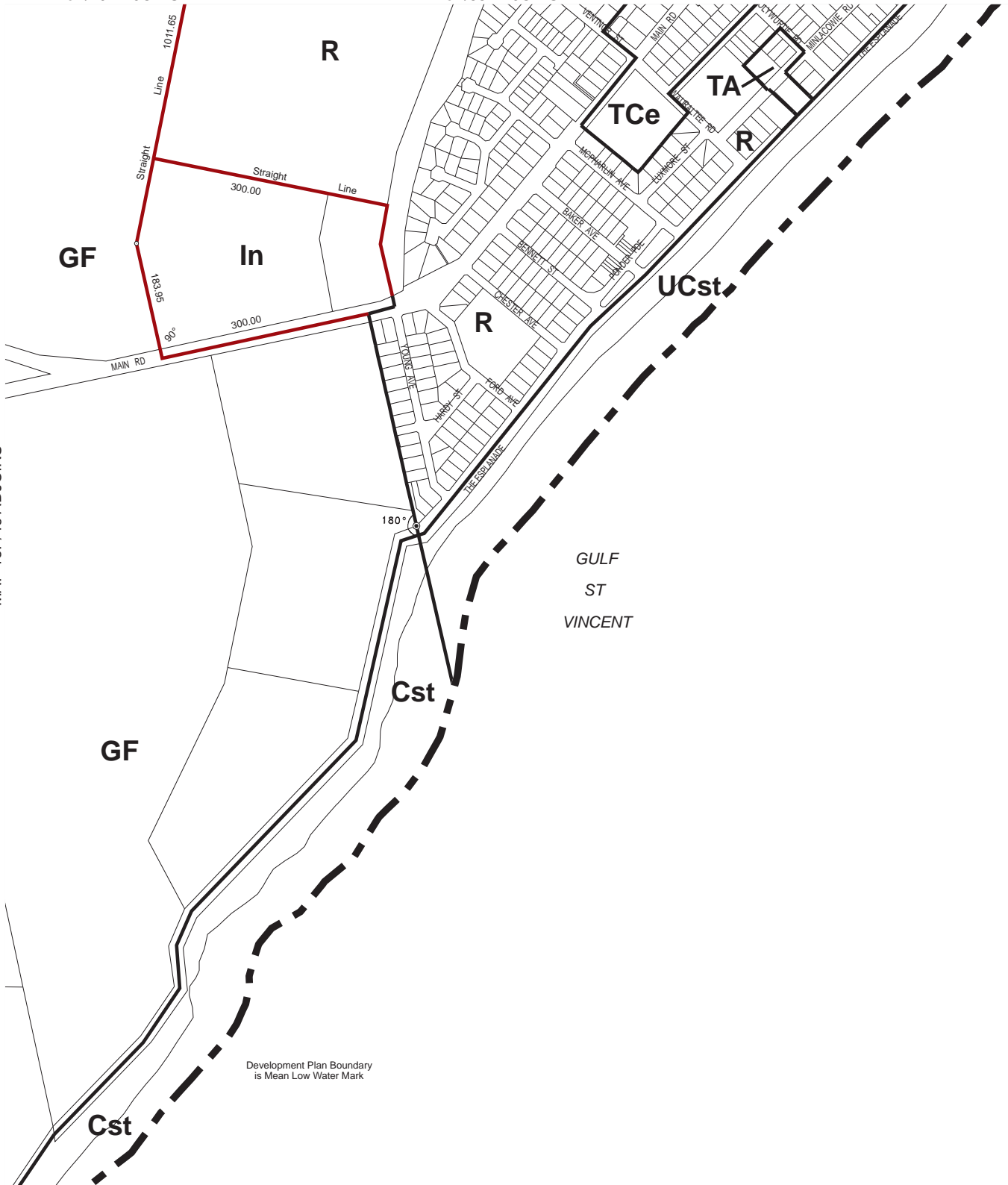
— Zone Boundary  
 - - - Development Plan Boundary



MAP YoP/49 ADJOINS

MAP YoP/88 ADJOINS

MAP YoP/49 ADJOINS



MAP YoP/49 ADJOINS

**PORT VINCENT**

- Cst** Coastal
- GF** General Farming
- In** Industry
- R** Residential
- TA** Tourist Accommodation
- TCe** Town Centre
- UCst** Urban Coastal

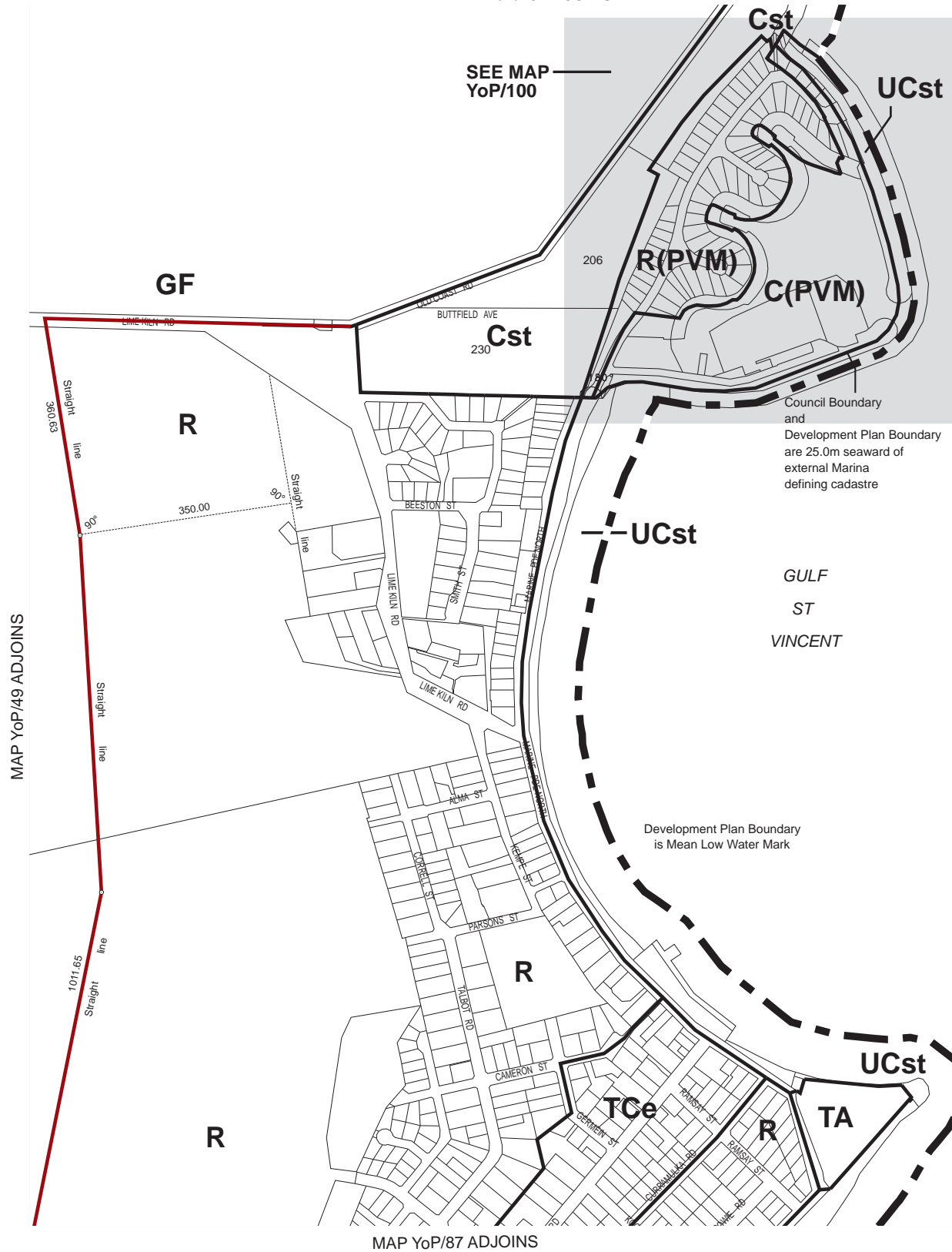
-  Zone Boundary
-  Development Plan Boundary

Scale 1:10000



**YORKE PENINSULA (DC)  
ZONES  
MAP YoP/87**





**PORT VINCENT**

- Cst** Coastal
- C(PVM)** Commercial (Port Vincent Marina)
- GF** General Farming
- R** Residential
- R(PVM)** Residential (Port Vincent Marina)
- TA** Tourist Accommodation
- TCe** Town Centre
- UCst** Urban Coastal

- Zone Boundary
- Development Plan Boundary



Scale 1:10000



**YORKE PENINSULA (DC)  
ZONES  
MAP YoP/88**