

Development Plan Amendment

By the Council

Yorke Peninsula Council

Balgowan Settlement DPA

Explanatory Statement and Analysis

For Consultation

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Have Your Say

This Development Plan Amendment (DPA) will be available for inspection by the public on Council's website www.yorke.sa.gov.au and at the front counter of Council offices at Maitland, Minlaton, Yorketown and Warooka from Thursday 7 April 2016 until Friday 3 June 2016.

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

Submissions should be sent to the:

Chief Executive Officer
Yorke Peninsula Council
PO Box 57
MAITLAND SA 5573
Or via email at admin@yorke.sa.gov.au

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 Tuesday 7 June 2016 at 7.00pm at the Maitland Town Hall, 11 Robert Street, Maitland.

Explanatory Statement

Introduction

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

Before amending a Development Plan, a council must first reach agreement with the Minister 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 may include:

- An Explanatory Statement (this section)
- Analysis, which may include:
 - Background information
 - Investigations
 - 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 review two parcels of land to the immediate south of the existing Balgowan Settlement, for the purpose of accommodating an extension of the existing Settlement Zone.

The affected land is presently vacant and zoned Caravan and Tourist Park.

The subject land has been earmarked for development for a considerable period which is evidenced by the historical zoning of the site. Prior to the amalgamation of the four District Councils the land was zoned Holiday Settlement (Balgowan) (Central Yorke DC). After the amalgamation in 2001, the land was zoned Tourist Accommodation and has since been converted to the current zoning as part of the Better Development Plan conversion DPA.

It was originally envisaged that the land would be suitable for a caravan and tourist park in order to provide tourist accommodation within the township, in recognition of its popularity as a coastal holiday destination. Also the zoning would allow the establishment of a formal camping ground to assist reduce issues associated with the car park adjacent main street (fronting the coast) and other areas along the coast being used for camping.

The proposed DPA provides the opportunity to the review the appropriateness of the current zoning of the land in relation to the future expansion of the settlement, particularly as Council (being the landowner) has no intention of developing the land and has not received any approaches from independent operators to develop the land for tourist accommodation purposes.

It is noted that developing the land as a viable caravan park maybe restricted by the size of the affected land and current limited provision of services and infrastructure.

Similar to other coastal settlements on the peninsula demand for development in the town has been strong over the past decade, largely as consequence of the Balgowan Rise development which created 57 residential allotments within the north portion of the township in 2001.

Whilst there is a number of vacant land parcels within the settlement many are already held in private ownership which limits development opportunities for the town.

The town accommodates an existing small Community Wastewater Management System (CWMS) which services the freehold shacks sites and a number of residential properties located along the Esplanade. There may be an opportunity in the future for the CWMS to be expanded to allow additional connections including servicing the affected land.

The affected land does contain stands of Native Vegetation and thus any development on the land will be contingent on Native Vegetation clearance approval. A vegetation assessment has occurred as part of the DPA, however, historical aerial photos of the site show that the land has been extensively cleared in the past and the majority of the vegetation currently on the land is relatively recent re-growth, particularly within the eastern portion of the site.

The expected allotment yield as a consequence of the proposed DPA is not expected to be excessive, ranging from 20 to 30 allotments depending on CWMS connection availability and extent of Native Vegetation clearance approval.

The proposed DPA would result in the small scale expansion of the Settlement Zone within the existing township boundary which would allow for some localised development opportunities whilst maintaining the modest sized settlement. The rezoning would provide a medium to long term land supply for Balgowan, which is one of the coastal settlements specifically identified to accommodate future development within the Planning Strategy.

Statement of Intent

The Statement of Intent relating to this DPA was agreed to by the Minister on 3 December 2015.

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

Affected area

The area affected by the DPA consists of allotments 503 and 504 in DP 40742, contained within Certificate of Title Volume 5259 Folio 719.

The subject land is located adjacent to the south of the existing Settlement Zone and is currently zoned Caravan and Tourist Park.

The affected land comprises an area of some 3.7 hectares and presents frontages of 18.21 metres to South Terrace to the north and 145.02 metres to an unmade road (extension of High Street) to the east.

The land is best described as gently undulating which includes low level sand dunes within the south western corner of the site. Both allotments contain low lying coastal native vegetation with coverage ranging from sparse within the eastern portion of the site to dense along the western boundary.

The land is adjoined by the Settlement Zone to the north, Coastal Conservation Zone to the west and south and Primary Production Zone to the east.

The affected land is more particularly identified on the maps below.



Figure 1: Subject land and Locality
Source: SA Council Map

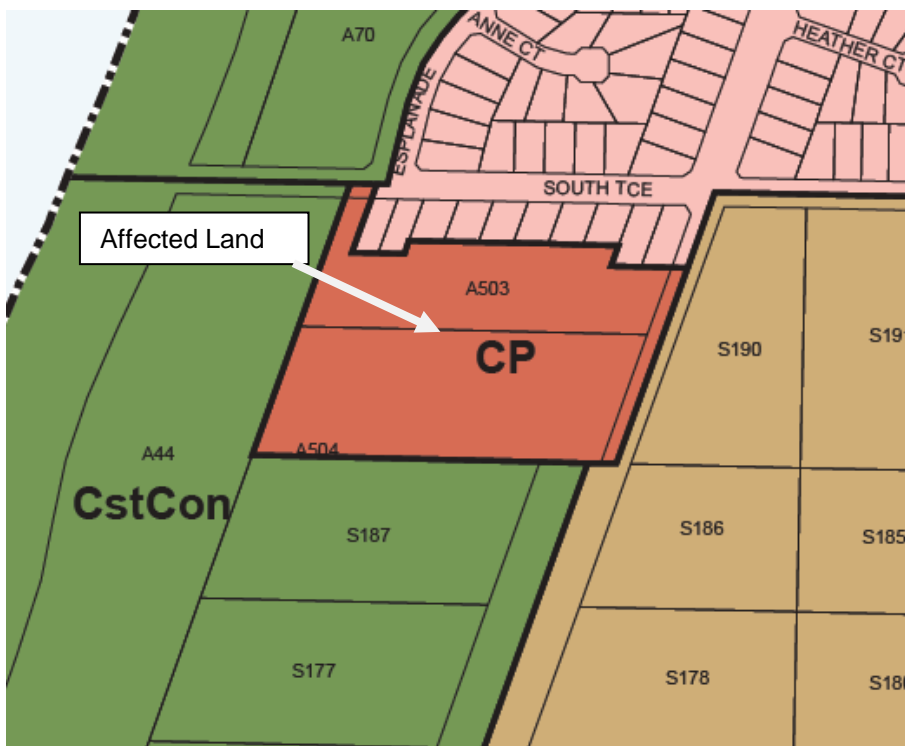


Figure 2: Zoning
Source: Zone Map YoP/4 Yorke Peninsula Council Development Plan

Summary of proposed policy changes

The DPA proposes the following changes:

- Rezone the affected land from Caravan and Tourist Park to Settlement.
- Introduce a concept plan to guide future development on the land

Legal requirements

Prior to the preparation of this DPA, council received advice from a person or persons holding prescribed qualifications pursuant to section 25(4) of the *Development Act 1993*.

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

- accords with the Planning Strategy
- accords with the Statement of Intent
- accords with other parts of council's Development Plan
- complements the policies in Development Plans for adjoining areas
- accords with relevant infrastructure planning
- satisfies the requirements prescribed by the *Development Regulations 2008*.

Interim operation

Interim Operation was not sought for this DPA.

Consultation

This DPA is now released for formal agency and public consultation. The following government agencies and organisations are to be formally consulted:

- Department of Planning, Transport and Infrastructure
- Environmental Protection Authority
- Department of Environment, Water and Natural Resources
- Country Fire Service
- Department of Premier and Cabinet – Aboriginal Affairs and Reconciliation Division
- Department for Health and Ageing
- SA Power Networks
- SA Water

Consultation will also be undertaken with the following State Member of Parliament

- The Hon. 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
- Natural Resources Northern and Yorke
- Narrunga Nations

All written and verbal, agency and public submissions made during the consultation phase will be recorded, considered, summarised and responses provided. Subsequent changes to the DPA may occur as a result of this consultation process.

Important Note for Agencies: This DPA includes modules from the State Planning Policy Library.

As the policy library was subject to agency consultation during its development, agencies are requested to comment only on the range and application of the modules selected and not on the actual policy content, except where that policy has been included as a local addition. Agencies are invited to comment on any additional issues (if relevant).

The final stage

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

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

Analysis

1. Background

The affected land has been located within the township boundary for at least 20 years as the land was originally zoned Holiday Settlement (Balgowan) Zone prior to the amalgamations of the four district Councils in 2001. The land was subsequently zoned for tourist accommodation purposes.

The current zoning is not considered to be the most suited and economic for the land given there has been no intention to develop the land for tourist accommodation purposes in the past 15 years.

The DPA proposes to rezone land currently zoned for urban purposes which presents a unique opportunity, in that it will provide a long term residential land supply for Balgowan in a manner that does not extend the existing township boundary and therefore avoiding any encroachment on sensitive coastal or economically important primary production land that surrounds the town.

The proposed amendment simply reinstates the previous residential zoning of the land which will likely increase the potential for the land to be developed.

2. The strategic context and policy directions

2.1 Consistency with South Australia's Strategic Plan

South Australia's Strategic Plan outlines a medium to long-term vision for the whole of South Australia. It has two important, complementary roles. Firstly, it provides a framework for the activities of the South Australian Government, business and the entire South Australian community. Secondly, it is a means for tracking progress state-wide, with the targets acting as points of reference that can be assessed periodically.

The DPA supports the following targets of South Australia's Strategic Plan:

Policy	How the policy will be implemented:
South Australian Strategic Plan	
Target 35: Economic Growth Exceed the national economic growth rate over the period to 2020	The proposed amendments will allow for additional residential development within the Balgowan Settlement which will support the economic growth of the town and region and provides further job opportunities assisting to retain existing residents and attract new people, boosting the regional population and economy.
Target 45: Total Population Increase South Australia's population to 2 million by 2027	
Target 46: Regional Population Increase regional populations, outside Greater Adelaide, by 20,000 to 320,000 or more by 2020	

2.2 Consistency with the Planning Strategy

The Planning Strategy presents current State Government planning 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 following volumes of the Planning Strategy are relevant to this DPA:

- Yorke Peninsula Regional Land Use Framework

A detailed assessment of the DPA against the Planning Strategy is contained in **Appendices**.

2.3 Consistency with other key strategic policy documents

This DPA accords with other key policy documents in the following manner:

2.3.1 Council's Strategic Directions Report

This proposed DPA was not one of the recommendations contained within Council's most recent Strategic Direction Report.

It should be noted that the land has long been in Council possession earmarked for other purposes. Those purposes have not eventuated, and now Council is seeking to review the zoning of the land. The DPA is quite minor with limited effects and can be done separately to the Strategic Directions Report, leaving the review to focus on much larger issues for the Peninsula.

2.3.2 Infrastructure planning

Where relevant, a DPA must take into account relevant infrastructure planning (both physical and social infrastructure) as identified by Council (usually through the Strategic Directions Report), the Minister and/or other government agencies.

The following infrastructure planning is of relevance to this DPA:

- There are no Infrastructure projects or implications related to this DPA.

2.3.3 Current Ministerial and Council DPAs

This DPA has taken into account the following Ministerial and Council DPAs which are currently being processed:

- There are no Ministerial or other DPAs affected by this DPA

2.3.4 Existing Ministerial Policy

This DPA does not propose changes to any existing Ministerial policy:

3. Investigations

3.1 Investigations undertaken prior to the SOI

No investigations were undertaken prior to the SOI of this DPA.

3.2 Investigations undertaken to inform this DPA

In accordance with the Statement of Intent for this DPA the following investigations have been undertaken to inform this DPA:

- Undertake a demographic analysis of the region to identify trends, including population growth;
- Investigate residential land supply and demand within Balgowan and wider Council area;
- Provide scope for policy change and analyse the relative impact this would have on the functionality of existing zones and the surrounding council area;
- Undertake a desk top site history analysis to identify possible potentially contaminating activities on the land proposed for rezoning;
- Investigate stormwater management to ensure that appropriate infrastructure is available to manage stormwater resulting from any development on the land, including the adoption water sensitive design techniques as part of the future development of the land to improve stormwater quality outcomes and to reduce flows to predevelopment levels;
- Investigate potential interface issues between future residential development on the land proposed to be rezoned and the Primary Production Zone to the east;
- Investigate the potential interface issues (including the type and size of buffer areas) with any future residential development to the existing sensitive coastal features that accommodate long term physical coastal processes and undertake direct consultation with DEWNR in this examination to inform the DPA;
- Investigate the proximity, availability and capacity of existing physical infrastructure, such as water supply and common wastewater management;
- Investigate the capacity of the existing road network to support projected demand from the future development of the land;
- Undertake a vegetation assessment, by a suitably qualified person to determine the nature and significance of existing native vegetation within the affected land, including its relationship with vegetation on the adjacent land to the west and south.
- Undertake an assessment by a suitably qualified person, to determine if the affected land has sensitive coastal features (including unstable dunes) which (if exist) will be considered for inclusion within an appropriate zone (Coastal Conservation or similar). The assessment will also consider appropriate buffers to protect the dunes and development from sand dune drift along with coastal access points, paths and management measures to minimise impacts on sensitive coastal features.
- Undertake an analysis of caravan park sites on Yorke Peninsula (particularly surrounding townships) and their use, to confirm whether there is any likely demand for this site to be used as a caravan park.

The investigations are as follows:

3.2.1 Demographic Analysis

Relevant Investigation

- Undertake a demographic analysis of the region to identify trends, including population growth;

Demographic data specifically applying to Balgowan is limited as a consequence of the settlement being incorporated with other settlements and towns as part of the Australian Bureau of Statistics (ABS) Census statistical areas.

In 2006, Census data showed Balgowan had a population of 154 however, this figure also included a wide catchment area including the settlement of Chinaman Wells.

In 2011 the statistical area boundaries changed and Balgowan was incorporated into a much larger statistical division, which also encompassed the land surrounding Maitland. The changes to the statistical boundaries make it difficult to gauge any accurate comparisons between the Census data.

Council records indicate that the population within the settlement may have increased slightly over the past decade due to the additional development occurring within the Balgowan Rise development. However, no information is available to assess whether the new dwellings were used on a permanent basis or as holiday homes.

The population within the Council area as a whole, has remained steady over the past ten years, however, some coastal settlements have experienced growth, particularly where residential land has been available for development.

Detached dwellings are the dominant housing type within the Balgowan settlement which is consistent with the balance of the Council area.

3.2.2 Residential Land Supply and Demand

Relevant Investigation

- Investigate residential land supply and demand within Balgowan and wider Council area;

Council's development approval statistics outlined in Table 1 below, show that new dwellings comprised approximately 40% of all development applications within Balgowan over the past decade.

It is noted that dwelling approval numbers have declined, particularly over the past 5 years, perhaps as consequence of the Global Financial Crisis and/or limited availability of vacant land for sale. It is noted that this trend is consistent with the general decline in the number of development and dwelling applications that has been experience across the entire Council area during this period, as illustrated in Figure 4 below.

Notwithstanding the above, similar to other coastal settlements on the peninsula demand for development in the town has been strong over the past decade. The latest expansion of Balgowan occurred in 2001 via a land division (Balgowan Rise) to the north of the town which created 57 allotments.

Whilst approximately 50% of the allotments within the Balgowan Rise division are still vacant, as at the date of this DPA there were only 6 vacant allotments for sale within the Balgowan Rise development and 3 vacant allotments for sale in the balance of the township.

At present there is 47 vacant allotments within the entire Settlement Zone.

The number of vacant properties does not necessarily represent a good indication of the land supply as many of these properties are held as owners give priority to personal objectives or hold land in trust for family members or as a retirement investment, making it available only as needed.

In the last 24 month period, 5 dwellings and 18 vacant land parcels were sold which indicates demand for properties within the town remains strong. Currently there are eight dwellings for sale within the township.

Year	Dwellings	Other
2005	13	21
2006	6	13
2007	11	14
2008	3	10
2009	7	11
2010	8	14
2011	2	15
2012	3	11
2013	3	13
2014	2	15
2015	1	9

Table 1: Balgowan Dwelling Development Applications 10 Year Period
Source: Council Records

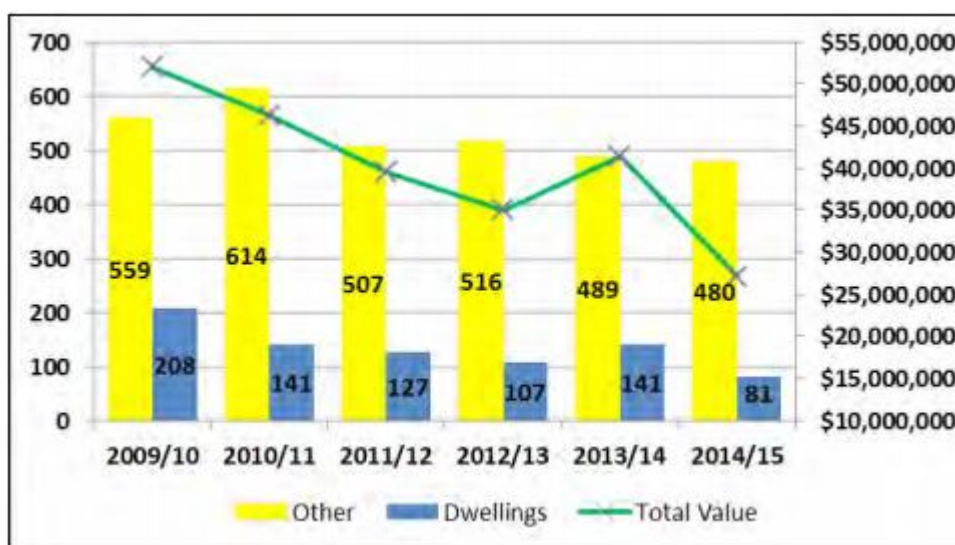


Figure 4: Yearly Comparison of Development Application
Source: Yorke Peninsula Council Annual Report 2014/15



Figure 5: Land Use
 Source: Atlas SA Land Use 2014

3.2.3 Policy Review

Relevant Investigation

- Provide scope for policy change and analyse the relative impact this would have on the functionality of existing zones and the surrounding council area;

Caravan and Tourist Park Zone

The affected land is currently located within the Caravan and Tourist Park Zone. Land within the zone is currently undeveloped.

The primary intent of the zone is to accommodate short term tourist accommodation and associated facilities.

Current policy pertinent to the zone lists the following as non-complying forms of development in the zone:

- dwelling (except a managers residence)
- land division creating an addition allotment(s) (except where a lease or license agreement is made, granted or accepted under the Residential Parks Act 2007)

With regard to the above, developing the land for residential purposes under the present zoning is largely restricted given that a dwelling and land division are both non-complying forms of development.

Proposed Policy

It is proposed to include the affected land within the Settlement Zone which currently adjoins the affected land to the north.

The Settlement Zone and associated policies already exist within Council's Development Plan and it is intended to make no changes to the existing policy, apart from including reference to the concept plan which is proposed to be introduced as part of this amendment.

The principle forms of development envisaged in the zone are detached dwellings at low density, along with tourist accommodation and retail facilities to service the local community.

Dwellings are generally a consent form of development within the zone; however, dwellings greater than 4.5 metres in height on coastal fronted allotments are non-complying. In addition, whilst envisaged shops greater than 250m² are also non-complying in the zone.

The parcels of land within the Settlement Zone at Balgowan are predominately developed with detached dwellings and associated outbuildings. The dwellings are a mixture of two and single storey comprising varying ages and designs.

Other development in the zone is limited to a kiosk and camping area located on Main Street adjacent the coast.

As discussed above, tourist accommodation is envisaged within the zone and a caravan park and tourist park are consent forms of development within the zone. Thus removing the current zoning will not restrict this type of development on the subject land rather the proposed rezoning simply provides greater development options for the site.

The proposed rezoning would provide a medium to long term land supply for Balgowan, which is one of the coastal settlements specifically identified to accommodate future development within the Planning Strategy (Yorke Peninsula Land Use Framework).

With respect to the above and given the subject land's interface with the existing Settlement Zone to the north, Coastal Conservation Zone to the south and west and Primary Production Zone to the east, the proposed policy amendments are unlikely to have any impact on the functionality of the existing zones or surrounding Council Area.

3.2.4 Infrastructure Provision

Relevant Investigation

- Investigate the proximity, availability and capacity of existing physical infrastructure, such as water supply and common wastewater management;
- Investigate stormwater management to ensure that appropriate infrastructure is available to manage stormwater resulting from any development on the land, including the adoption water sensitive design techniques as part of the future development of the land to improve stormwater quality outcomes and to reduce flows to predevelopment levels;
- Investigate the capacity of the existing road network to support projected demand from the future development of the land;

Water

Balgowan is serviced by a restricted mains water supply via a 100mm pipe from the existing water mains which cease approximately 1.4 kilometres along Old Dump Road to the south east and approximately 2.5 kilometres along Balgowan Road to the north east of the township.

This system services the properties within the Balgowan Rise development and other properties throughout the township including the properties fronting South Terrace. It is understood that this system is capable of the servicing the subject land.

The Development Plan provides the following policy with respect to dwellings on land supplied via a restricted system.

Infrastructure

Principles

- 8 *In areas where a restricted reticulated water supply is available, development should provide for an adequate and reliable on-site water storage system having a capacity of at least 10 000 litres which should be:*
- (a) connected to and trickle fed from the reticulated water supply at a rate of not less than 2.5 litres per minute*
 - (b) used in connection with an on-site pump of sufficient capacity to reticulate water to a dwelling and throughout the site generally*
 - (c) interconnected to a roof collection rainwater system that is subject to the installation of a residential dual check valve in compliance with Australian Standard AS 2845: Water supply - Backflow prevention devices - Materials, design and performance requirements.*

Future residential development on the subject land would need to satisfy the above requirements.

Alternatively, if main waters is not able to be provided, future development would need to be provided with onsite water storage in accordance with existing Infrastructure Principles 6 and 9 included below:

- 6 *In areas where no reticulated water supply is available, development should provide for an adequate and reliable on-site water storage system having a capacity of at least 45 000 litres which is connected to the development.*
- 9 *The on-site storage of stormwater and water run-off for water supply purposes to development should be adopted in preference to the extension and/or augmentation of an existing reticulated water supply system where:*
- (a) sufficient land is available to accommodate on-site water storage at the volumes required, namely 45 000 litres of storage where there is no reticulated water supply*

With regard to the above, the Development Plan provides sufficient policy to ensure that development is provided with an appropriate water supply and any augmentation works/costs required to service new development on the land will be the responsibility of the developer.

Wastewater

The town accommodates an existing small Community Wastewater Management System (CWMS) which services the freehold shacks sites (13 properties) located along the Esplanade (zone Coastal Settlement) and 5 properties located behind the shacks sites on the eastern side of the Esplanade within the Settlement Zone.

The balance of the township relies on onsite disposal.

This facility was up until recently managed by the shack owners, however, the management of this system has been transferred to Council.

The existing system is a gravity sewer scheme and current flows are approximately 800 litres per day. The design capacity of the system is limited and essentially is sufficient to only accommodate the properties it currently services.

There may be an opportunity for the CWMS to be expanded in the future to allow additional connections including servicing the affected land and if expanded, the treatment plant would also require upgrading/expanding.

Initial investigations indicate that extending the CWMS is not viable from Council perspective at this time, however, this may be reviewed when a development proposal is considered for the land.

If the land is sold to a private developer, then there may be an opportunity for the developer to contribute to connecting the land to the CWMS. This is potentially an attractive proposition given that connecting the land to the CWMS will allow for an increase in allotment yields by two to three times based on current land division policy.

Settlement Zone Principle 20 identifies that land division creating allotments of 450m² is appropriate for areas that will be connected to a CWMS. The same provision further identifies that for allotments that are not connected to a CWMS, a minimum area of 1200m² is required.

It is noted that allotments within the most recent subdivision (Balgowan Rise) to occur in the town comprise areas around 900m². These allotments do require onsite disposal, however, the minimum allotment size was 900m² at the time the subdivision was assessed and approved.

Regardless of whether or not the land will be connected to the CWMS, any development on the land will be required to be connected to an appropriately designed wastewater management system and the Development Plan provides sufficient policy to address this issue as part of the Development Assessment process.

Electricity

Balgowan is provided with reticulated electricity by SA Power Networks via aboveground and underground 19kv lines (underground within the Balgowan Rise Development, aboveground the balance of the township).

The subject land can be connected to the system via the existing mains located along South Terrace.

The electricity to Balgowan is supplied via the Maitland substation, where the SA Power Networks Distribution Annual Planning Report indicates sufficient capacity remains within the substation to accommodate anticipated future growth and the report identifies that there are no forecast system limitations.

It is unlikely that there will be any issues relating to electricity delivery and/or supply to the subject land. Any electricity augmentation required to service new development on the land will be at the cost of the developer, not the wider community.

Stormwater

Formal stormwater infrastructure at Balgowan is limited; however, there are no significant stormwater issues within the settlement. In addition, soil conditions of the subject land are described as free draining¹.

Notwithstanding the above, any future development of the site will result in an increase to stormwater runoff generated on the land and stormwater will be required to be managed on the site, in accordance with existing Development Plan policy.

The proposed rezoning provides the opportunity for sufficient stormwater management systems to be established on the land which will be required as part of any future development and any future works will be the responsibility of the developer and not the wider community.

Council's Development Plan includes Water Sensitive Urban Design (WSUD) principles within the General section. These principles will need to be considered with respect to the design of stormwater management at the land division stage.

Included in these WSUD principles is policy that specifically seeks to improve stormwater quality outcomes and to reduce flows to predevelopment levels, as outlined in Natural Resources Principle 8 provided below:

8 Water discharged from a development site should:

- (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state*
- (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.*

¹ Department of Water, Land and Biodiversity Conservation, June 2007, Regional Land Resource information for Southern South Australia

With regard to the above, current policy is considered to be sufficient to ensure appropriate WSUD stormwater management techniques are incorporated into the future development of the land.

Roads

The roads abutting the affected land are all local roads in the care and control of Council.

South Terrace which adjoins the site to the north, is a sealed road comprising a 20 metre wide road reserve and a pavement width of approximately 7 metres.

As described previously, an unformed road reserve adjoins the eastern boundary of subject land.

No traffic counts are available for the adjoining roads, however, given the scale of development within the settlement the current volumes of traffic are likely to be low and well within the capacity of the existing road network.

The proposed rezoning would create a maximum of approximately 50 allotments if connection to CWMS (minimum lot size 450m²) or approximately 20 allotments if wastewater is to be managed on site (minimum lot size 1200m²).

The “Guide to Traffic Generating Developments” produced by the NSW Government – Transport Roads and Maritime Services, provides daily and peak hour traffic generation rates for various forms of developments including residential development.

With respect to low density residential development within regional areas the guide applies the following figures:

- 7.4 daily trips per dwelling
- 0.71 trips per dwelling in morning peak hour; and
- 0.78 trips per dwelling in the evening peak hour.

With regard to the above, if the land was divided in 50 allotments, the future development of the land would generate approximately 370 daily vehicle movements, with 35.5 movements occurring in the morning peak hour and 39 movements occurring in evening peak hour, once fully developed.

It is noted that market preference within coastal settlement has traditionally be towards larger allotments (greater than 450m²), in order to provide sufficient area for the siting of a dwelling and a large shed used for the storage of a boat, caravan etc. As a consequence, the allotment yield, if the land was connected to the CWMS, would likely to be closer to 35 and therefore the above calculations certainly represents a worst case scenario.

If the land was divided into 20 allotments (onsite wastewater disposal required), the future development of the land would generate approximately 148 daily vehicle movements, with 14.2 movements occurring in the morning peak hour and 15.6 movements occurring in evening peak hour, once fully developed.

The fact that Balgowan is a popular holiday destination will likely limit peak periods to summer months. In addition, the total number of trips is likely to be less than the above projected figures due to limited services being provided in Balgowan. Residents would likely access Maitland and other townships for schools, shopping, employment etc and for convenience purposes people would likely undertake numerous tasks per trip, rather than travelling multiple times between the towns each day.

Notwithstanding the above, the projected traffic volumes at peak times, in both scenarios, are not significant and are more than capable of being accommodated within the existing road network.

Access to the subject site is currently provided from the unmade road reserve to the east of the site off South Terrace. It is noted, the final design of the road network and any additional intersections will be assessed at the land division stage of the development to ensure it is appropriately sited with respect to minimising impacts on the existing road network.

3.2.5 Potential Interface Issues

Relevant Investigation

- Investigate potential interface issues between future residential development on the land proposed to be rezoned and the Primary Production zone to the east;
- Investigate the potential interface issues (including the type and size of buffer areas) with any future residential development to the existing sensitive coastal features that accommodate long term physical coastal processes and undertake direct consultation with DEWNR in this examination to inform the DPA;

The subject land is adjoined by the Settlement Zone to the north, Coastal Conservation Zone to the south and west and Primary Production Zone to the east.

The proposed rezoning is unlikely to give rise to potential land use conflicts given the zoning and development of the surrounding land and the existing policy within the Development Plan which specifically seeks to minimise land use conflicts.

Primary Production Zone

The Primary Production Zone is located adjacent to the east and south east of the subject land.

Interface issues can occur between residential and agricultural uses and the Development Plan provides general polices which seek to manage land use conflicts, including policies specifically to address, noise generating activities, air quality and rural interface issues.

Existing policy also encourage the establishment of a 40 metre buffer between new urban development and rural activities as outlined in Interface between Land Uses Principle 17 below:

17 New urban development should provide a buffer of at least 40 metres wide (inclusive of any fuel break, emergency vehicle access or road) separating urban and rural activities.

The proposed Settlement Zone is to be separated from the Primary Production land by an unmade road reserve. This arrangement will assist to provide a buffer for the proposed Settlement Zone in accordance with the above policy which is a situation that does not currently exists in other parts of the Settlement Zone within Balgowan which has an interface with the Primary Production Zone.

People residing in residential areas adjacent farming land would likely be aware of activities that may occur on adjoining primary production land, consistent with the level of amenity that you would expect to find in semi-rural areas.

Notwithstanding the above, the primary production land within the locality is principally used for cropping with no intensive activities occurring within the wider area. In addition, the Development Plan discourages intensive uses being located adjacent township boundaries which further assists to minimise potential interface issues.

Coastal Environment

The Coastal Conservation Zone adjoins the affected land to the south and west and the site is separated from the coast by approximately 100 metres. The area to the west which is located between the subject land and the coast contains vegetated sand dunes covered with dense coastal vegetation.

It is acknowledged that additional residential development adjacent the coast has the potential to impact on the sensitive coastal environment.

The DPA proposes a small scale extension of the settlement and the affected land whilst undeveloped is currently zoned for urban purposes.

To minimise impacts to the sensitive coastal environment to the west a reserve is proposed to be created along the western boundary which will contain the sand dunes and the higher quality vegetation found on the

site. The intention of the reserve is to protect the coastal features on the subject land and provide a buffer between the coastal reserve and future residential development on the site.

The proposed reserve will also assist to provide pedestrian access from the subject land to the existing formalised walkway to the beach which is located at the western end of South Terrace. This design feature will prevent the need for any additional access points directly from the subject land to the coast which is not desirable considering the environmental impacts it would likely create.

Coastal flooding is not considered to be an issue given the land's separation from the coast and its elevated position relative to the coast (between 10-20 metres above sea level). As a consequence, the development on the land would likely be able to satisfy the above minimum site and floors levels (AHD) outlined within Table YoP/1 – Coastal Areas: Site/Building Floor Levels, without the need for any significant site works (i.e. filling of the land).

The required site and floor levels are 3.35AHD and 3.6AHD respectively.

As discussed above, it is likely that development on the land will be serviced by onsite effluent management. Considering the western boundary of the affected land is setback in excess of 100 metres, onsite waste water disposal systems will be able to be sited on the property in accordance with Coastal Areas Principle 6 below.

Coastal Areas

- 6 *Effluent disposal systems incorporating soakage trenches or similar should prevent effluent migration onto the inter-tidal zone and be sited at least 100 metres from whichever of the following requires the greater distance:*
- (a) the mean high-water mark at spring tide, adjusted for any subsidence for the first 50 years of development plus a sea level rise of 1 metre*
 - (b) the nearest boundary of any erosion buffer determined in accordance with the relevant provisions in this Development Plan.*

Sand Drift

As illustrated in the figure 6 below, the south western corner of the affected land is subject to sand dune drift hazards as it is located within a potential risk area.

The use of vegetation to trap and retain drifting sand is critical to minimising drift risks and the retention/use of endemic vegetation species to area is preferred given they are well adapted to the local harsh coastal environment and are able to tolerate strong winds.

With regard to the above, it is proposed that this area be retained within a reserve in order to prevent vegetation clearance and to preclude the establishment of residential development within the hazard area identified below.

A concept plan is proposed to be introduced within the Development Plan which shows this land forming part of a reserve area which extends along the western boundary of the affected land.



Figure 6: Sand Dune Hazard Risk

Source: Nature Maps (<https://data.environment.sa.gov.au/NatureMaps/Pages/default.aspx>)

Bushfire Risk

The affected land is currently located within an area excluded from bushfire protection planning provisions. It is therefore considered rezoning the land to accommodate residential development is appropriate.

Notwithstanding the above, as illustrated on BPA Map YoP/6 & YoP/43, it is noted that the land adjoining to the west and south is located within a High Bushfire Risk area.

In accordance with Development Plan policy and the *Minster's Code: Undertaking development in Bushfire Protection Areas* (refer to policies below), future development on the subject land will need to consider buffers (including road reserve) along the western and southern boundary, in order to create a fire hazard separation zone to assist to isolate the proposed residential allotments from vegetation held within the adjoining high bushfire risk area.

The above issues will need to be considered as part of the Development Assessment stage and it is considered that the existing policy within the Development Plan is sufficient to address and minimise bushfire risks.

Hazards Principle

13 Where land division does occur it should be designed to:

- (a) *minimise the danger to residents, other occupants of buildings and fire fighting personnel*
- (b) *minimise the extent of damage to buildings and other property during a bushfire*
- (c) *ensure each allotment contains a suitable building site that is located away from vegetation that would pose an unacceptable risk in the event of bushfire*
- (d) *ensure provision of a fire hazard separation zone isolating residential allotments from areas that pose an unacceptable bushfire risk by containing the allotments within a perimeter road or through other means that achieve an adequate separation.*

Minister's Code

2.2.3 *Provision of bushfire buffer zones in High Bushfire Risk Areas* If the application proposes a land division adjacent to or within a High Bushfire Risk Area, provision shall be made for a bushfire buffer zone which isolates the proposed residential allotments from areas that pose an unacceptable bushfire risk, such as areas with rugged terrain or hazardous vegetation. This can be achieved by containing the allotments within a perimeter road or through other means that achieve an adequate separation, such as those demonstrated in Figure 3. The use of a perimeter road shall ensure that two entry and exit points are provided to and from the division (refer to Figure 3).

Community Wastewater Management Scheme

As discussed previously, Balgowan is serviced by a CWMS, however, this is a relatively small scale system as it is only connected to 18 properties.

The existing small treatment plant is located to the east of the affected land on lot 10 Old Dump Road (Lot 10 DP65032 CT 5924/531) within the Primary Production Zone.

With respect to the EPA guideline for separation distances, a CWMS servicing a population less than 1000 requires a separation distance of 100 metres from sensitive land uses.

The subject land is located approximately 420 metres from the existing treatment plan and thus residential development on the subject land will exceed the relevant EPA setback requirement.

3.2.6 Site Contamination

Relevant Investigation

- Undertake a desk top site history analysis to identify possible potentially contaminating activities on the land proposed for rezoning;

The affected land has remained vacant and without a use for a considerable period of time.

Council records and historic aerial photos indicate that the land has only ever been periodically used for low intensity agricultural purposes.

Contamination of rural land can occur due to the use of agricultural chemicals but is more likely to occur as result of concentrated activity such chemical storage, sheep dips and the like. However, the subject land has only been used for low intensity grazing and has not included any intensive activity that might have given rise to contamination. Further, no structures have been constructed on the property.

With regard to the above, the desk top analysis identified that there is likely to be minimal site contamination risks with the subject land.

Nonetheless and in accordance with the requirements of the General Hazards 'Site Contamination' Principle 21 within Council's Development Plan, development will not occur unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed uses.

Given the previous low intensity use of the land, the abovementioned principle is considered to be adequate to address potential site contamination concerns at the development assessment stage, albeit any risk is considered to be low.

3.2.7 Native Vegetation

Relevant Investigation

- Undertake a vegetation assessment, by a suitably qualified person to determine the nature and significance of existing native vegetation within the affected land, including its relationship with vegetation on the adjacent land to the west and south.
- Undertake an assessment by a suitably qualified person, to determine if the affected land has sensitive coastal features (including unstable dunes) which (if exist) will be considered for inclusion within an appropriate zone (Coastal Conservation or similar). The assessment will also consider appropriate buffers to protect the dunes and development from sand dune drift along with coastal access points, paths and management measures to minimise impacts on sensitive coastal features.

The subject land contains low lying coastal native vegetation. Coverage of the vegetation ranges from sparse within the eastern portion of the site to dense along the western boundary.

A vegetation assessment has been undertaken by EBS Ecology in May 2014. The study included a detailed survey of the land which identified the quality of the existing vegetation on the site with respect to its Significant Environment Benefit (SEB) rating which is illustrated on figure 7 below. A full copy of the report is attached at Appendix B.

The SEB rating across the site varied from 1:1, 4:1 and 6:1. The study identified that the higher quality vegetation was generally found within the western portion of the allotment, adjacent the coastal reserve.

Two vegetation associations were recorded across the project area. The two areas are described as follows and are identified on Figure 7 below:

Association 1 Exotic Herbland

Association 1 consisted of mainly of exotic weed species dominated by *Nothoscordum borbonicum* (onion weed) with scattered low laying natives such as *Carpobrotus rossii* (Native Pigface). Scattered *Eucalyptus* species were also recorded along the northern boundary fence line.

Association 2- *Acacia cyclops (Western Australian Coastal Wattle) + Acacia cupularis (Cup Wattle) + Olearia axillaris (Coast Daisy Bush) low coastal shrubland

Association 2 had three dominant mid shrub species; *Acacia cyclops* (Western Australian Coastal Wattle), *Acacia cupularis* (Cup Wattle), *Olearia axillaris* (Coast Daisy Bush). A good level of understory species exists such as *Dianella revoluta* ssp. *revoluta* (Native Flax-lily), *Carpobrotus rossii* (Native Pigface), *Austrostipa* species, *Tetragonia implexicoma* (Bower Spinach). There were common weed species such as *Avena barbata* (Bearded Oats), *Brassica* sp. and *Euphorbia terracina* (False Cape) throughout the project site. In some areas weed species were more prominent than others. According to the NVC guidelines February 2014; *Acacia cyclops* is considered an exotic weed anywhere from West of Ceduna to eastern South Australia. Therefore it is considered exotic in the project area. Condition ratings varied within this association



Figure 7: Vegetation SEB Rating
Source: EBS Ecology Vegetation Assessment

The study found that no nationally or state rated species were detected within the area, however, the EPBC listed Marine species; the Osprey was recorded within the Balgowan Township (within 500m of the project area) but is considered a likely flyover species and would be unlikely to utilise the project area due to the specific habitat requirements of the species. There is potential for other marine bird EPBC listed to flyover the project area but are also unlikely to utilise the project area.

The EBS Ecology report provided the following recommendations to minimise the impact of the project on the native fauna and flora within the project area should clearance of intact native vegetation be proposed:

- Approval from the Native Vegetation Council (NVC) will need to be sought.
- Determine a suitable offset (SEB) or payment into the Native Vegetation Fund in consultation with Native Vegetation Council to satisfy the SEB requirement under the *Native Vegetation Act 1991*.
- Utilise areas with lower SEB condition ratings to minimise impacts
- Utilise existing tracks

The Native Vegetation Act prevents the clearance of vegetation which comprises or forms part of a stratum of native vegetation that is substantially intact.

An Intact Stratum is defined within the Native Vegetation Act as:

- (1) *A stratum of native vegetation will be taken for the purposes of this Act to be substantially intact if, in the opinion of the Council— (a) the stratum has not been seriously degraded by human activity during the immediately preceding period of 20 years; or (b) the only serious degradation of the stratum by human activity during that period has been caused by fire.*

Historical aerial photos of the site show that the land has been extensively cleared in the past and the majority of the vegetation currently on the land is relatively recent re-growth, particularly within the eastern portion of the site (refer to figure 9 below).

The photos indicate that the land was cleared prior to the 1970s and potentially used for grazing purposes.

The 1996 photo below shows the land still substantially cleared of vegetation and thus based on the above definition, the existing vegetation is not considered to be an intact stratum given it has been seriously degraded in the past 20 years.

Notwithstanding the above, it is acknowledged that the vegetation along the western boundary and in particular within the south western corner has been least affected by previously clearing activities on the site. This vegetation provides a strong link to the existing intact vegetation that exists on the land to the west and south. The land to the west is Crown Land and forms part of coastal reserve, whilst the land to the south is privately owned.

The land within the south western corner of the affected also contains portion of the sand dune and is identified as being a potential risk of sand dune drift.

As a result, it is proposed to retain land along the western boundary (west of the path shown of the 1996 aerial photo) as reserve and introduce a concept plan depicting this reserve area for the purposes of guiding the design of a future land division application. The extent of the proposed reserve area is illustrated below in Figure 8.

The location of the reserve along the western boundary will provide a buffer to the coastal reserve and will also assist to provide pedestrian access from the subject land to the existing walkway to the beach which is located at the western end of South Terrace.

This proposed reserve area will likely form part of the open space requirements pursuant to Section 50 of the Development Act 1993 (if 20+ allotments are created) which will be required at the land division stage. The proposed reserve is approximately 7900m² which equates to 21% of the land. The proposed reserve area will therefore exceed the minimum 12.5% requirement required by Section 50 of the Act.

Whilst some of the land outside of the proposed reserve area is identified as SEB rating 6:1 it is noted that the clearance of land with a SEB rating 6:1 is not seriously at variance with native vegetation clearance principles (NVC Interim Policy (1.2.11)).

The extent of development (i.e. number of allotments) will be subject to native vegetation clearance approval. There are two avenues for requesting clearance approval which are via a Clearance Application or pursuant to Regulation 5(1)(ab) of the Native Vegetation Regulations.

Regulation 5(1)(ab) allows for native vegetation to be cleared if associated with the division of land for residential purposes. Dividing and developing the land for residential purposes is the most likely outcome as a consequence of the proposed rezoning.

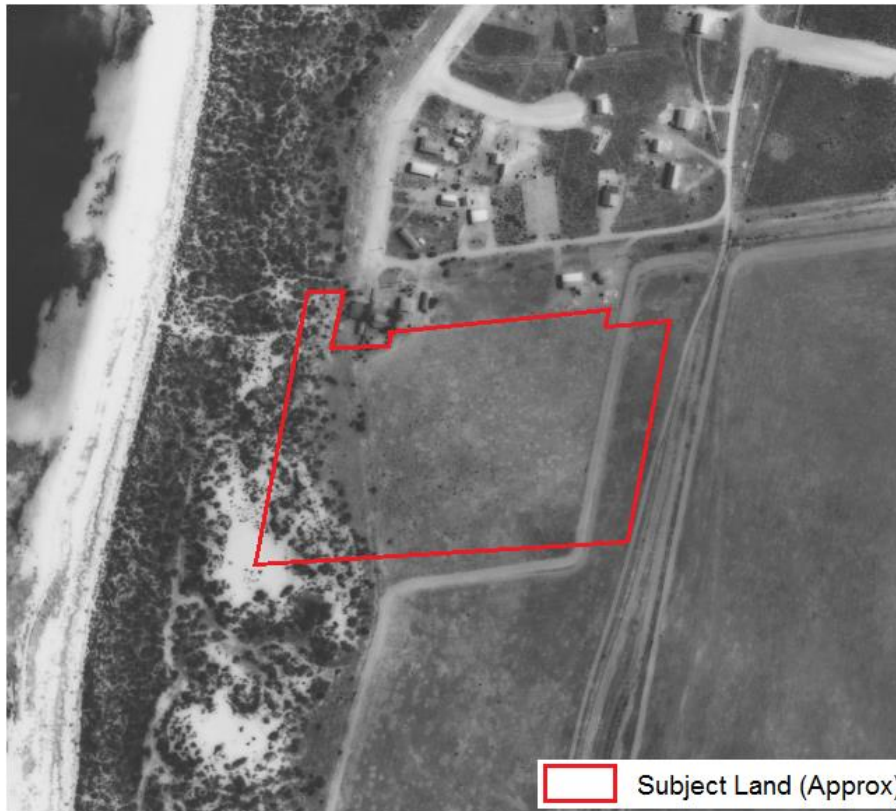
Which every method is adopted, any clearance will need to occur in association with a management plan and offset requirements which will be determined as part of a formal application/assessment process.



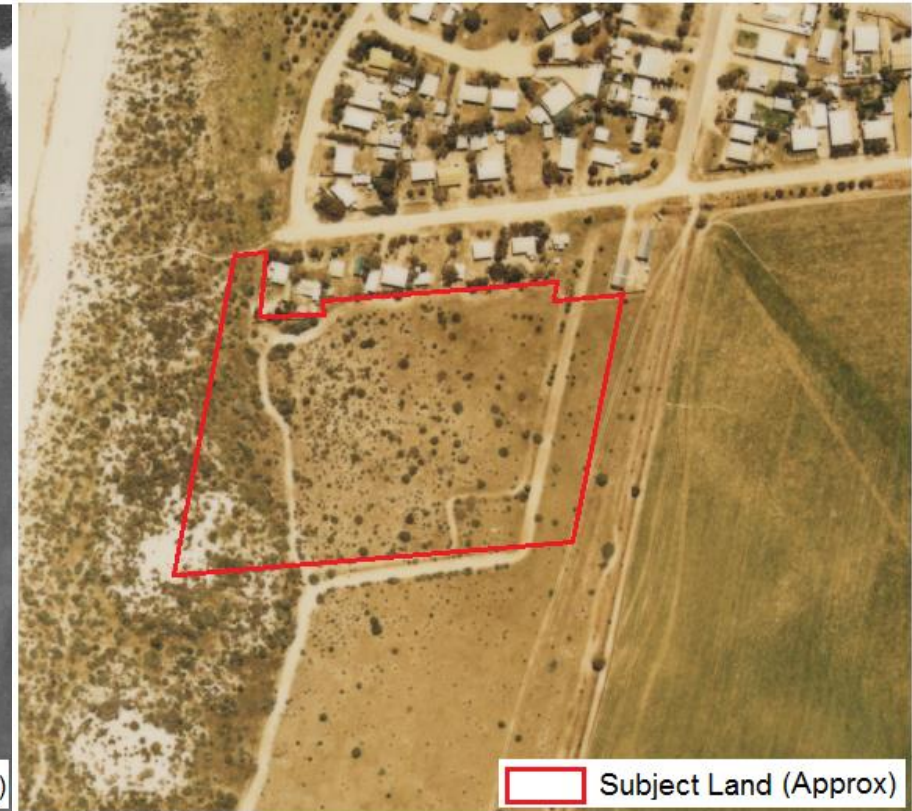
Figure 8: Proposed Reserve Area

Source: Nature Maps (<https://data.environment.sa.gov.au/NatureMaps/Pages/default.aspx>)

Figure 9: Historical Aerial Photos



Date of Photo: 28/1/1977



Date of Photo: 15/10/1996

3.2.8 Caravan Park and Tourist Accommodation Demand

Relevant Investigation

- Undertake an analysis of caravan park sites on Yorke Peninsula (particularly surrounding townships) and their use, to confirm whether there is any likely demand for this site to be used as a caravan park.

The affected land has been zoned for tourist accommodation purposes for the past 15 year, however, during this time there has been no intention or proposal to develop the land for a caravan park or other tourist accommodation related purposes. This fact alone would suggest that the likely demand for this type of development on the land is low.

It is noted that developing the land as a viable caravan park maybe restricted by the size of the affected land and current limited provision of services and infrastructure.

There is an existing camping/caravan parking area within Balgowan located on Main Street adjacent the coast and kiosk. This area has previously been sufficient to accommodate demand for this type of accommodation in the township.

There are also numerous caravan parks within the Council area including within the adjoining coastal town of Port Victoria. A detailed analysis of caravan parks outside of the township has not occurred, as it considered that it would be difficult to establish an accurate relationship between demand within these existing parks and demand for such a development on the subject land.

Notwithstanding above, as discussed previously tourist accommodation is envisaged within the Settlement Zone and a caravan park and tourist park are consent forms of development within the zone. Thus removing the current zoning will not restrict this type of development on the subject land, rather the proposed rezoning simply provides greater development options for the site.

4. Recommended Policy Changes

Following is a list of the recommended policy changes based on the investigations of this DPA:

- Rezone the affected land from Caravan and Tourist Park to Settlement
- Introduce a concept plan to guide future development on the land

A comprehensive summary, including a summary of the conclusions drawn from the investigations, is contained in the **Appendices**.

5. Consistency with the Residential Code

The Residential Development Code was introduced in 2009 to make simpler, faster and cheaper planning and building approvals for home construction and renovation.

This DPA does not affect the existing Residential Development Code boundaries.

6. 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 the Statement of Intent
- accords with other parts of council's Development Plan
- complements the policies in Development Plans for adjoining areas
- accords with relevant infrastructure planning
- satisfies the requirements prescribed by the Development Regulations 2008.

6.1 Accords with the Planning Strategy

Relevant strategies from the Planning Strategy are summarised in the Appendices of this document. This DPA is consistent with the direction of the Planning Strategy.

6.2 Accords with the Statement of Intent

The DPA has been prepared in accordance with the Statement of Intent agreed to on 3 December 2015. In particular, the proposed investigations outlined in the Statement of Intent have been have been addressed in section 3.2 of this document.

6.3 Accords with other parts of the Development Plan

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

For instance, the DPA only seeks to realign zone boundaries, no new zones are proposed to be introduced.

6.4 Complements the policies in the Development Plans for adjoining areas

The policies proposed in this DPA will not affect and will complement the policies of Development Plans for adjoining areas.

6.5 Accords with relevant infrastructure planning

This DPA complements current infrastructure planning for the Council area, as discussed in section 2.3.2 of this document.

6.6 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

- Atlas SA (www.atlas.sa.gov.au)
- Department of Water, Land and Biodiversity Conservation, June 2007, Regional Land Resource information for Southern South Australia.
- EBS Ecology, Balgowan Vegetation Assessment, 23 May 2014
- Government of South Australia, Minister's Code, Undertaking development in Bushfire Protection Areas, October 2012.
- Nature Maps (www.naturemaps.sa.gov.au)
- Property Location Browser (www.maps.sa.gov.au/plb)
- Department of Water, Land and Biodiversity Conservation, June 2007, Regional Land Resource information for Southern South Australia.
- Transport Roads & Maritime Services, NSW Government, Guide to Traffic Generating Developments, Updated traffic surveys August 2013.
- SA Power Networks Distribution Annual Planning Report, 31 October 2014
- SARIG (www.sarig.pir.sa.gov.au)
- South Australian Environment Protection Authority. December 2007, Guideline for Separation Distances.

Schedule 4a Certificate

CERTIFICATION BY COUNCIL'S CHIEF EXECUTIVE OFFICER

DEVELOPMENT REGULATIONS 2008

SCHEDULE 4A

Development Act 1993 – Section 25 (10) – Certificate - Public Consultation

CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF PUBLIC CONSULTATION

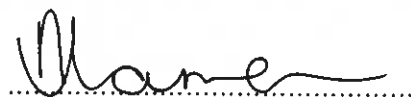
I Andrew Cameron, as Chief Executive Officer of the Yorke Peninsula Council, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments-

- (a) accord with the Statement of Intent (as agreed between the Yorke Peninsula Council 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 15th day of March 2016



Chief Executive Officer

Appendices

Appendix A - Assessment of the Planning Strategy

Appendix B – EBS Ecology Vegetation Assessment

Appendix A - Assessment of the Planning Strategy

Policy	How the target will be implemented:
Yorke Peninsula Regional Land Use Framework	
<p>Objective 1: Recognise and Protect the Region's Environmental Assets</p> <p>1.4- Establish Coastal Zones and manage development to:</p> <ul style="list-style-type: none"> • Minimise the impact of development and land uses, including cumulative impacts, on natural processes and systems • Limit development in areas of natural coasts of high conservation or landscape value unless the proposal has a neutral or beneficial effect • Prevent disturbance of natural coastal habitats and native vegetation • Provide buffer areas of sufficient width to separate new development from the foreshore and sensitive coastal features, accommodation long term coastal processes (i.e. that may result in the movement of the coastline). <p>1.6- locate and design development to prevent further loss, degradation and fragmentation of native vegetation, on public and private land, including within townships.</p> <p>1.9- Preserve areas of high landscape and amenity value and areas forming an attractive background or entrance to towns or tourist developments, and along the coast.</p>	<p>It is noted the DPA will rezone land currently occupied by coastal native vegetation. However, any expansion of Balgowan is limited in the sense that it is surrounded by a coastal reserve and arable Primary Production land. The proposed area is the most logical expansion to the town as the land is already zoned for urban purposes and thus there will be no amendments to the existing boundaries of the Coastal Conservation Zone or loss of farming land.</p> <p>In addition, as a consequence of previous clearance activities, together with the land's position adjacent the township and in between broadacre farming land and the coastal reserve, the vegetation on the subject land is degraded, particularly compared to the vegetation on the land to the west and south. Whilst any vegetation clearance on the subject land will be subject to the relevant approvals, the DPA will not fragment existing stands of high quality vegetation found within the adjoining Coastal Conservation Zone.</p> <p>The future residential development on the land will maintain an extensive setback from the coast, similar to the existing development within the settlement to the immediate north and will be screened by the existing vegetated sand dunes to the west. As a result views from the coast will not be adversely impacted.</p>
<p>Objective 4: Effectively manage waste, wastewater and stormwater</p> <p>4.3 Plan for effective wastewater disposal through the mains sewer and Community Waste Management Systems and maximise re-use opportunities</p>	<p>A CWMS currently services a limited number of properties within the township. The DPA will investigate the effectiveness of the system, and if augmentation works are possible to service the future development on the subject land in addition to existing properties within the settlement.</p>
<p>Objective 9: Retain and strengthen the economic potential of high quality agricultural land</p> <p>9.1 Prevent loss of productive agricultural land to other uses and through potential conflict with incompatible uses by:</p> <ul style="list-style-type: none"> • focusing housing (including rural living) and industrial development within townships and industrial estates, unless directly related to primary industry • preventing fragmentation of agricultural land • managing interfaces with residential areas 	<p>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.</p> <p>The DPA proposes to rezone existing Caravan and Tourist Park land to facilitate the extension of the settlement. It will not encroach on the surrounding, productive agricultural land.</p>

Policy	How the target will be implemented:
<p>Objective 17: Reinforce the Role, Functionality and Vibrancy of Towns and Settlements</p> <p>17.9 Limit expansion of towns on the western coast of the peninsula, south of Port Hughes, to provide housing and nature-based/low-key tourist experiences – focussing development in existing townships of Point Turton, Corny Point, marion Bay, Balgowan, Port Victoria, Port Rickaby and Hardwicke Bay.</p>	<p>The proposed zoning will provide a logical expansion to the town of Balgowan, as sought in this principle.</p>
<p>Objective 18: Strategically plan and Manage Township Growth, with Master Planning for Coastal Areas a Priority</p> <p>18.1 focus development in existing towns based on role and function</p> <p>18.2 base expansions of towns on clear and structured master planning that:</p> <ul style="list-style-type: none"> • supports the role, function and desired character of the town; • ensures new areas are continuous with and form compact extensions of existing built up areas; • prevents linear development along the coast and arterial roads; • does not encroach upon areas of importance to economic development; • supports equitable access to health, community and education services and facilities, including future needs of the community taking into account projected demographic changes; • supports cost-effective provision of infrastructure and services (e.g. health, education), including avoidance of unnecessary expansion or duplication; • of existing regional infrastructure and services; • supports the provision of passenger/public transport within and between towns; • in coastal settlements, retains public access to the coast, promotes strong linkages with the coast; • protects places of heritage and cultural value, minimises adverse environmental and aesthetic impacts, and prevents exposure of people and property to risk of hazards; • promotes development on existing vacant land and surplus government land prior to providing further broadacre/greenfield sites. <p>18.6 Discourage significant development along the western coast (south of Port Hughes) and foot of the peninsula, and focus</p>	<p>Balgowan is identified as one of the coastal settlements on the western side of the peninsula that should be the focus of future development (18.6).</p> <p>The proposed DPA would result in the compact extension of the settlement which will use underutilised land within the existing urban boundary.</p> <p>The close proximity of the subject land to the existing settlement means that the augmentation of infrastructure remains cost-effective.</p>

Appendix A - Assessment of the Planning Strategy

Policy	How the target will be implemented:
<p>future development in this area within the townships of Point Turton, Corny Point and Marion Bay, Balgowan, Port Victoria, Hardwicke Bay and Port Rickaby</p>	
<p>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</p> <p>20.1 Focus housing within townships, including 'rural living' (large residential allotments), to prevent encroachment on sensitive environments, agriculture, mining and industrial land, exposure to risks (e.g. flooding, bushfire, pollution) and to best utilise strategic infrastructure</p>	<p>As discussed previously, the proposal consists of a compact expansion of the existing Settlement Zone that will provide more housing opportunities within the existing township boundary and thus prevents the loss of farming and coastal zoned land.</p>

Appendix B – EBS Ecology Vegetation Assessment

Development Plan Amendment

By the Council

Yorke Peninsula Council

Balgowan Settlement DPA

The Amendment

For Consultation

Declared by the Minister responsible for the administration of the *Development Act 1993* to come into operation on an interim basis pursuant to Section 28, of the *Development Act 1993*.

.....
Signature

Date.....

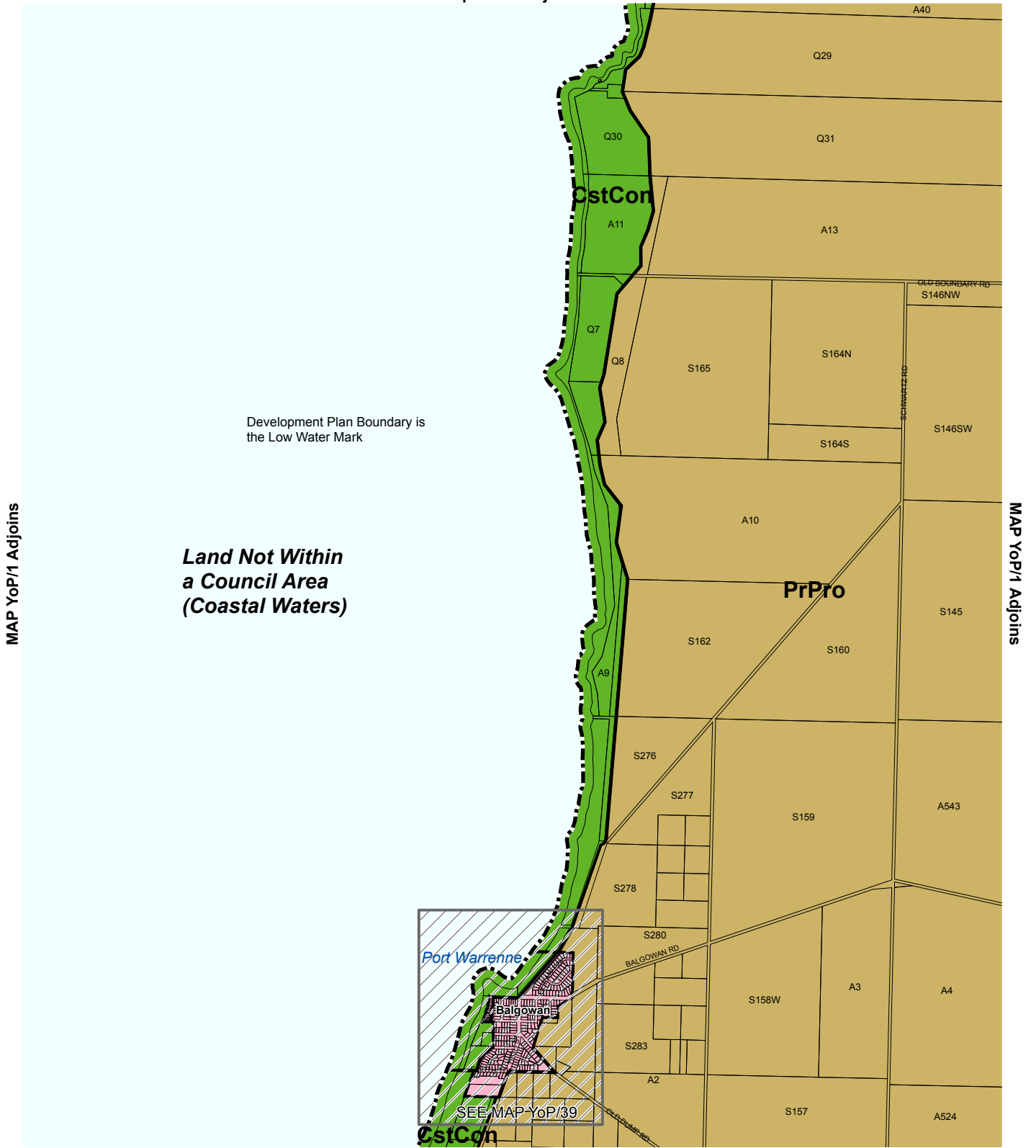
Amendment Instructions Table				
Name of Local Government Area: Yorke Peninsula Council				
Name of Development Plan: Yorke Peninsula Council Development Plan				
Name of DPA: Balgowan Settlement DPA				
<p><i>The following amendment instructions (at the time of drafting) relate to the Council Development Plan consolidated on 26 November 2015.</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>				
Amendment Instruction Number	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted. If applicable, detail what material is to be inserted and where. Use attachments for large bodies of material.	Is Renumbering required (Y/N)	Subsequent Policy cross-references requiring update (Y/N) if yes please specify.
COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
General Section				
1.	Insert	Reference to <u>Concept Plan YoP/7 – Balgowan</u> within Orderly and Sustainable PDC 9	N	N
ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)				
Amendments required (Yes/No): Yes				
Settlement Zone				
2.	Insert	The following new PDC 9 immediately after existing PDC 8: 9 Development should be carried out in accordance with the concepts shown on <u>Concept Plan YoP/7 – Balgowan</u>	Y	N
3.				
TABLES				
Amendments required (Yes/No): No				
Table				
MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)				
Amendments required (Yes/No): Yes				

Balgowan Settlement DPA
Yorke Peninsula Council
Amendment Instructions Table

Map Reference Table				
4.	Delete	Reference to YoP/39 within Caravan and Tourist Park Zone	N	N
5.	Insert	Reference to Balgowan YoP/7 within Concept Plan Maps	N	N
Map(s)				
6.	Replace	Zone Map YoP/3 With map contained within Attachment A	N	N
7.	Replace	Zone Map YoP/39 With map contained within Attachment B	N	N
8.	Insert	Concept Plan Map Ro/7 Balgowan as per Attachment C	N	N

Attachment A

Map YoP/2 Adjoins



See enlargement map for accurate representation.
 Lamberts Conformal Conic Projection, GDA94

- Zones**
- CstCon Coastal Conservation
 - PrPro Primary Production
 - Zone Boundary
 - Development Plan Boundary

Zone Map YoP/3

Attachment B

MAP YoP/3 Adjoins

Land Not Within a Council Area (Coastal Waters)

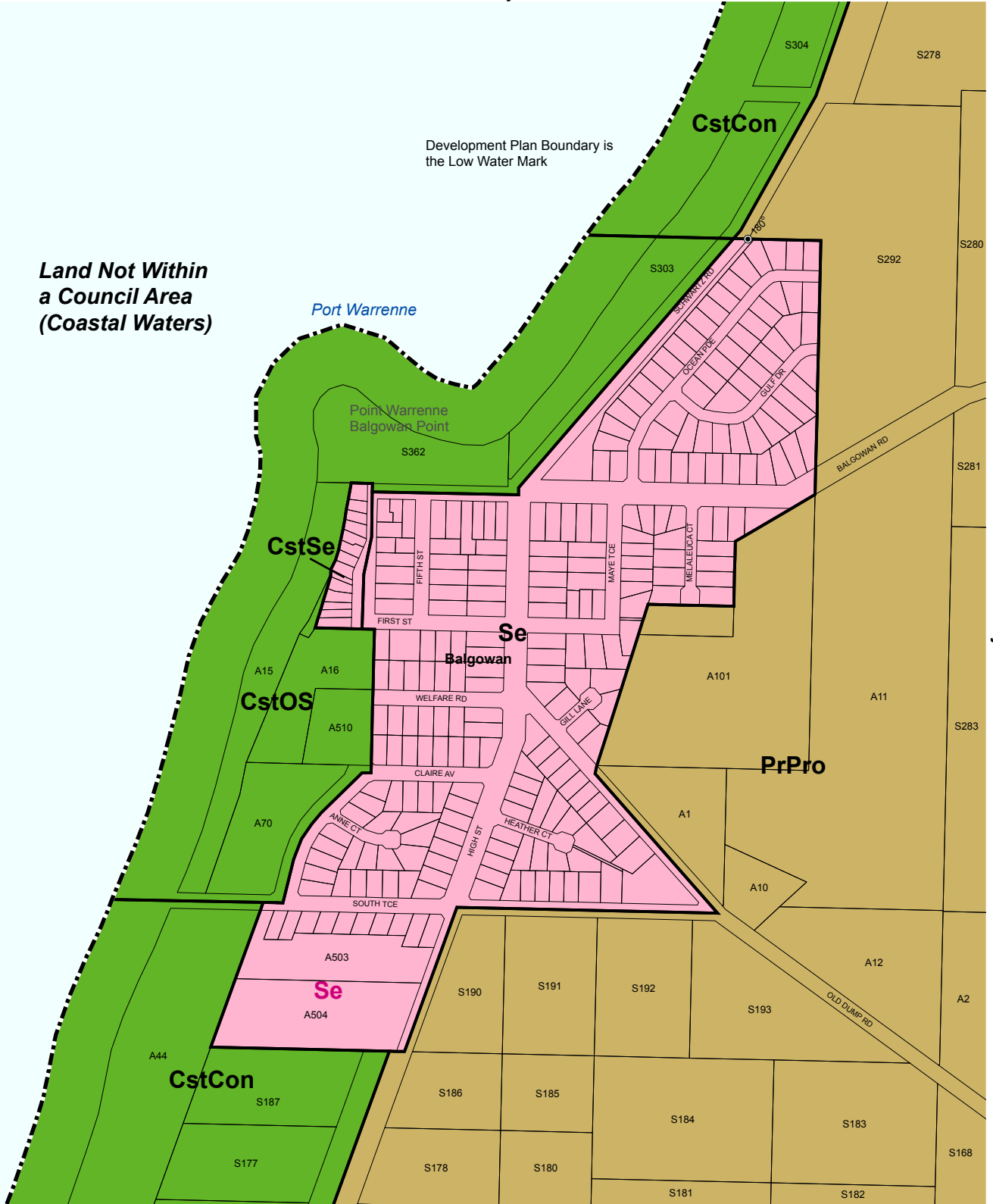
Development Plan Boundary is the Low Water Mark

Port Warrenne

Point Warrenne
Balgowan Point

MAP YoP/3 Adjoins

MAP YoP/3 Adjoins



MAP YoP/3 Adjoins

Lamberts Conformal Conic Projection, GDA94



0 250m

Zones

- CstCon Coastal Conservation
- CstOS Coastal Open Space
- CstSe Coastal Settlement
- PrPro Primary Production
- Se Settlement
- Zone Boundary
- Development Plan Boundary

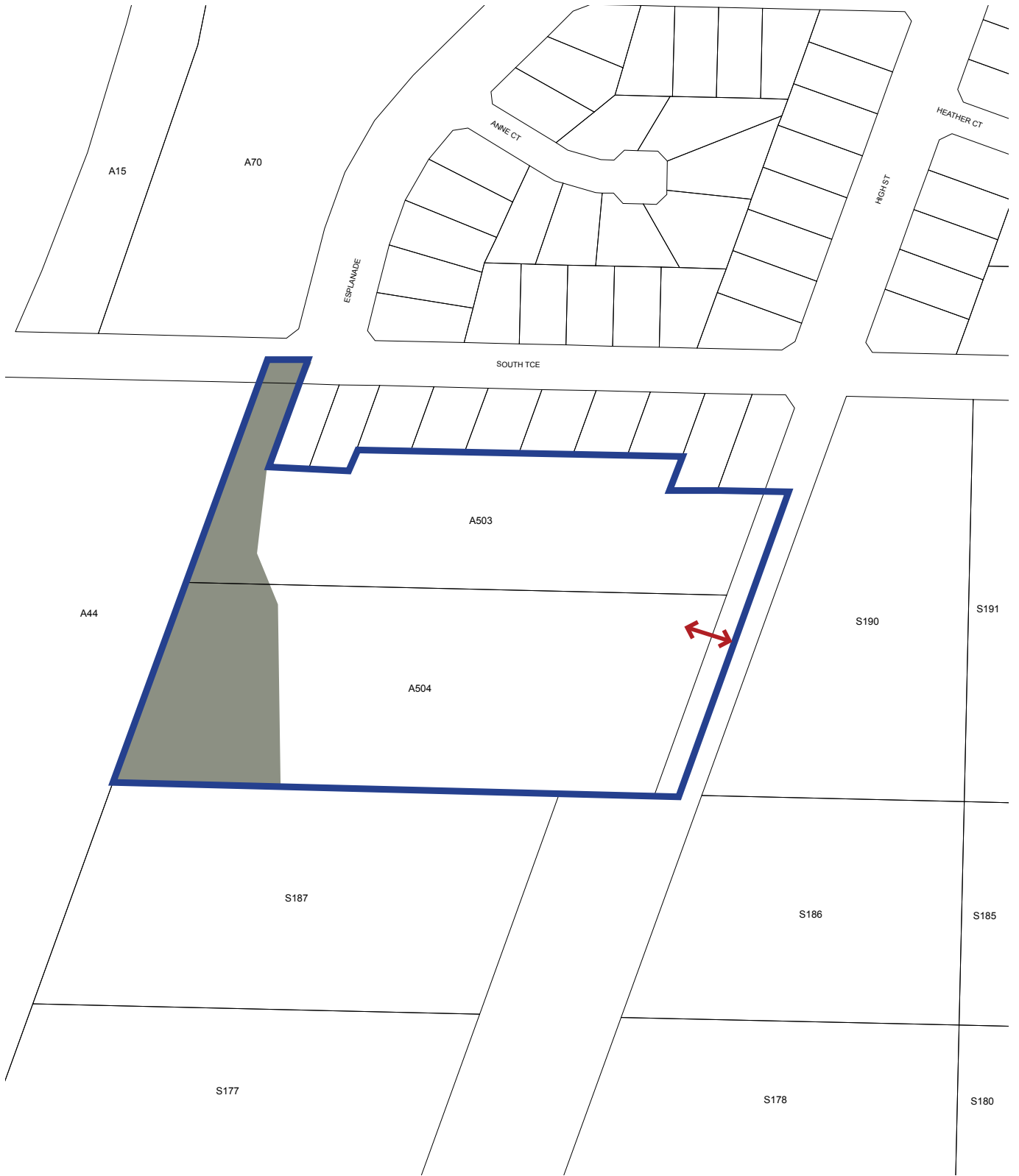
BALGOWAN

Zone Map YoP/39

YORKE PENINSULA COUNCIL

Version A 14/1/16

Attachment C



- Open Space / Reserve
- Vehicle Access
- Concept Plan Boundary

Concept Plan Map YoP/7

BALGOWAN