

**POINT TURTON & PORT VICTORIA URBAN GROWTH
CODE AMENDMENT
YORKE PENINSULA COUNCIL**

FOR CONSULTATION

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HAVE YOUR SAY

This Code Amendment is on consultation from **Monday 27 March 2023** to **Monday 15 May 2023**.

During this time you are welcome to lodge a written submission about any of the changes proposed in this Code Amendment.

There are several ways in which you can provide feedback on the Code Amendment. These include:

- Completing an online submission via the SA Planning Portal at plan.sa.gov.au/have_your_say/code_amendments/public_feedback_on_initiated_code_amendment
- Providing a written submission to admin@yorke.sa.gov.au with subject "Code Amendment Submission"
- Provide a written submission by post to:

Code Amendment Submission
Yorke Peninsula Council
PO Box 57
MAITLAND SA 5573

- Or in person at one of the Council Offices at

8 Elizabeth Street
Maitland

18 Main Street
Minlaton

15 Edithburgh Road
Yorketown

1. WHAT IS THE PLANNING AND DESIGN CODE?

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

1.1 Planning and Design Code Framework

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the PlanSA portal.

1.2 Overlays

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk.

They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy trumps the zone policy.

1.3 Zones

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

1.4 Sub zones

Sub zones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

1.5 General Development Policies

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

1.6 Amending the Planning and Design Code

The *Planning, Development and Infrastructure Act 2016* (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint

Planning Board, Government Agency or private proponent may initiate an amendment to the Code and undertake a Code Amendment process.

An approved Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form.

The State Planning Commission (the Commission) is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

The Commission provided independent advice to the Minister for Planning and Local Government on the Proposal to initiate this Code Amendment. The Commission will also provide a report on the Code Amendment (including compliance with the Community Engagement Charter) at the final stage of the



Code Amendment process.

2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

2.1 Need for the amendment

The affected areas are currently in the Deferred Urban Zone of the Planning and Design Code which seeks to safeguard land for future urban growth. A portion of both of the affected land areas, approximately two hectares in the southeast corner in Port Victoria and 12 hectares in the northern section of Point Turton, have already been developed into residential allotments.

The Code Amendment seeks to align the zoning with this current land use and to make the remaining areas, 13 hectares in Port Victoria and 27 hectares in Point Turton, available for future residential development. The subject area at Port Victoria was rezoned from Rural Living and General Farming (Port Victoria) to Residential (Deferred) in 2004 and then to Deferred Urban in 2012. The subject area at Point Turton was rezoned from General Farming to Holiday Settlement (Deferred) in 2004 and then to Deferred Urban in 2012.

The demand for residential land has increased on the Yorke Peninsula in the last 12-18 months with coastal allotments taking preference. The owners of substantial allotments at both affected areas have expressed interest in lodging new land division applications which would finalise the developments which have already commenced but still require completion of the stormwater management systems, roads and associated infrastructure.

2.2 Affected Area

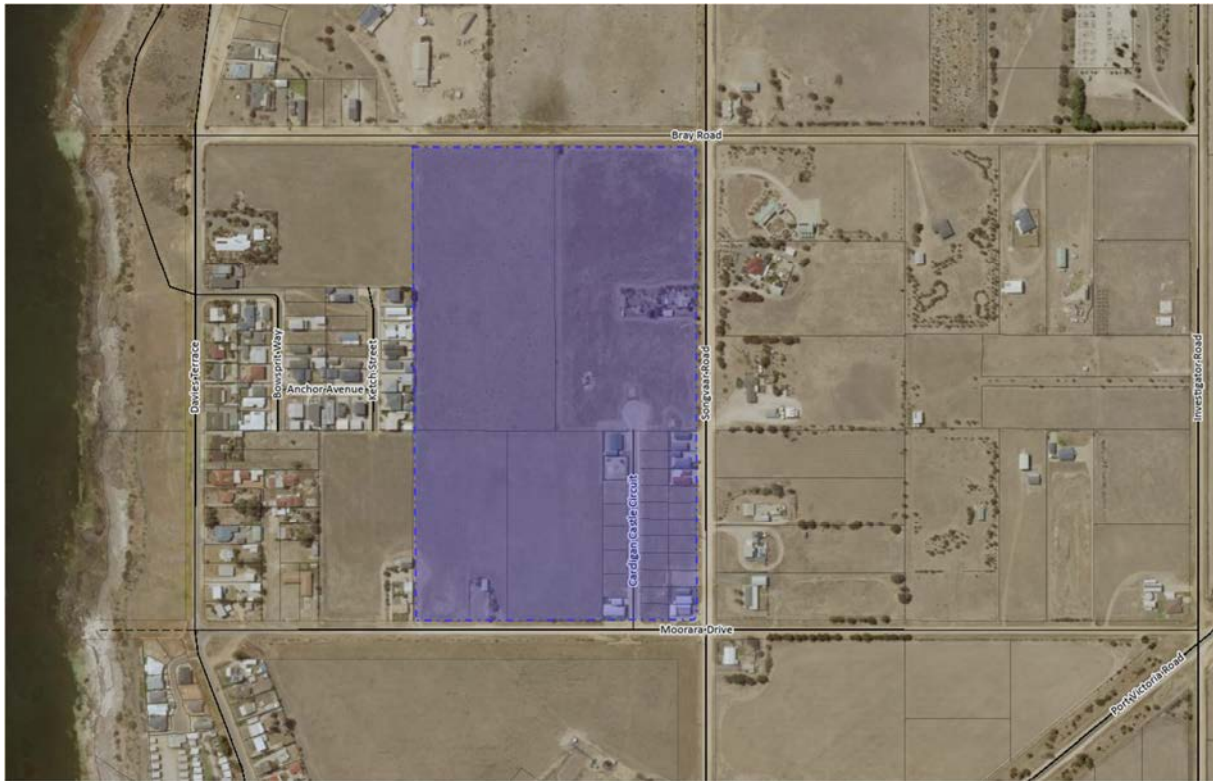
The areas affected by the proposed amendment are described as follows and as shown in the maps at **Attachment A** and includes:

- Approximately 54 hectares in Point Turton, 12 hectares of which has already been developed into residential allotments, 2.5 hectares which is utilised for Council infrastructure being the community wastewater management system and the remainder still being utilised for cropping. The land is bounded by Bayview Road and Brutus Road and including Mariner, Coral and Neptune Courts, Reef Crescent, Beachcomber Drive and part of Captain Hutchinson Drive.



Point Turton – Affected Area Source: SAPPA

- Approximately 15 hectares in Port Victoria with 2 hectares already developed into residential allotments and the remainder predominantly being vacant land divided into 4 allotments with one allotment including a farm shed and another a vacant dwelling. The land is bounded by Bray Road, Songvaar Road and Moorara Drive and includes Castle Cardigan Circuit.



Port Victoria – Affected Area Source: SAPPA

2.3 Summary of proposed policy changes

2.3.1 Current Code Policy

The Affected Area is currently located in **Deferred Urban Zone** and Hazards (Bushfire - Urban Interface) Overlay, Hazards (Flooding – Evidence Required) Overlay and Native Vegetation Overlay in the Code, as shown in **Attachment B**.

The existing **Deferred Urban Zone** seeks to safeguard land for future urban growth. A copy of the policies that apply within the **Deferred Urban Zone** are available in **Attachment C**.

The Overlays apply to all of the land the subject of this proposed Code Amendment, their Desired Outcome and their impact on the development of the land are summarised in the following table.

Overlay	Purpose	Impact on Development
Hazards (Bushfire - Urban Interface) Overlay	Ensures that urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk: (a) allow access through to bushfire risk areas (b) are designed to protect life and	Includes policies guiding access for emergency vehicles through new land division proposals and to habitable buildings.

	<p>property from the threat of bushfire and the dangers posed by ember attack</p> <p>(c) facilitate evacuation to areas safe from bushfire danger.</p>	
Hazards (Flooding – Evidence Required) Overlay	Ensures development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.	Development should include measures to prevent the entry of water, noting that the land is not within an identified flood plain.
Native Vegetation Overlay	Applies to areas of the State where the <i>Native Vegetation Act 1991</i> applies and ensures areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.	Does not identify areas where there is native vegetation, however, seeks to protect native vegetation if any is identified on the land.

2.3.2 Proposed Code Policy

The Code Amendment proposes the following changes:

Point Turton

Rezone the Affected Area to a Rural Settlement Zone

Retain the existing Overlays to the Affected Area:

- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation

Apply the following Technical and Numeric Variations (TNVs) to the Affected Area:

- Minimum Site Area (Minimum site area is 450 sqm)

Port Victoria

Rezone the Affected Area to a Neighbourhood Zone

Apply the following Overlays to the Affected Area:

- Affordable Housing
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation

Apply the following Technical and Numeric Variations (TNVs) to the Affected Area:

- Finished Ground and Floor Levels (Minimum finished ground level is 3.1m AHD; Minimum finished floor level is 3.35m AHD)
- Maximum Building Height (Metres) (Maximum building height is 8m)
- Minimum Frontage (Minimum frontage is 15m) Minimum Site Area (Minimum site area is 450 sqm)

The proposed policy changes are shown in **Attachment C**.

3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

3.1 Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which required that:

- engagement is genuine
- engagement is inclusive and respectful
- engagement is fit for purpose
- engagement is informed and transparent
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter. For more information on the Community Engagement Charter go to the PlanSA portal at (plan.sa.gov.au/en/charter).

A summary of the engagement that is occurring for this Code Amendment is as follows:

- Letters will be sent to owners and occupiers of the land within and adjacent the affected land.
- Engagement with interested parties and groups including relevant Progress Associations.
- Engagement with staff and Elected Members of Yorke Peninsula Council.
- Engagement with the Traditional Owners of the land within the affected areas the Narungga/Adjahdura People.
- Engagement with State and Federal Members of Parliament.
- Engagement with emergency services providers, including the Country Fire Service (CFS).
- Engagement with utility providers, including SA Power Networks, ElectraNet, APA Group, SA Water, Epic Energy, NBN and other telecommunications providers.
- Engagement with State Government Agencies with an interest in the affected area and proposed future development, including the following:
 - Environment Protection Authority (EPA)
 - Department of Environment and Water
 - Department for Infrastructure and Transport (DIT)

3.2 How can I have my say on the Code Amendment?

There are several ways in which you can provide feedback on the Code Amendment. This includes:

- Completing an online submission via the SA Planning Portal at plan.sa.gov.au/have_your_say/code_amendments/public_feedback_on_initiated_code_amendment
- Providing a written submission to admin@yorke.sa.gov.au with subject "Submission – Code Amendment"

- Provide a written submission by post to:

Yorke Peninsula Council
Attention: Jodie Terp
PO Box 57
MAITLAND SA 5573

- Or in person at one of the Council Offices at

8 Elizabeth Street
Maitland

18 Main Street
Minlaton

15 Edithburgh Road
Yorketown

3.3 What changes to the Code Amendment can my feedback influence?

Your feedback can influence the Code Amendment in the following ways:

- the zone selection
- the application of overlays to the affected areas
- the Technical and Numeric Variations (TNVs) that may apply.

Feedback cannot influence:

- instruments that are separate to the Code, such as the *Planning, Development and Infrastructure Act 2016* and its associated regulations
- policies within the Planning and Design Code, which have a broader application to the whole of South Australia
- the policies/zoning applying to areas outside of the areas affected by this Code Amendment.

3.4 What will happen with my feedback?

The Yorke Peninsula Council is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions will be considered by Yorke Peninsula Council when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register and you will receive an email acknowledging receipt of your submission. Your submission will be published on the PlanSA portal. Personal addresses, email and phone numbers will not be published, however company details will be.

The Yorke Peninsula Council will consider the feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the PlanSA portal.

3.5 Decision on the Code Amendment

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister at the Minister's request, if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the PlanSA portal.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

4. ANALYSIS

4.1 Strategic Planning Outcomes

4.1.1 Summary of Strategic Planning Outcomes

Drafting Note (to be deleted):

*This section should set out the key strategic planning considerations and where **necessary** should draw on relevant investigations undertaken, analysis of matters including (but not limited to):*

- *infrastructure and services*
- *integrated transport*
- *environmental impacts*
- *land supply and demand*
- *economic analysis*
- *environmental impacts*
- *interface between different land uses*
- *development patterns and trends*

4.1.2 Consistency with the State Planning Policies

State Planning Policies define South Australia's planning priorities, goals and interests. They are the overarching umbrella policies that define the state's interests in land use. There are 16 State Planning Policies and six special legislative State Planning Policies.

These policies are given effect through the Code, with referral powers assigned to relevant Government Agencies (for example, the Environmental Protection Agency for contaminated land). The Code (including any Code Amendments) must comply with any principle prescribed by a State Planning Policy.

This Code Amendment is considered to be consistent with the State Planning Policies as shown in **Attachment D**.

4.1.3 Consistency with the Regional Plan

The directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, will apply until such time as the new Regional Plans are prepared and adopted. Refer to the PlanSA portal for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Attachment D**.

4.1.4 Consistency with other key strategic policy documents

This Code Amendment aligns with other key policy documents in the following manner:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
<i>Yorke Peninsula Council 2021-2025 Strategic Management Plan</i>	The code amendment aligns with the goal of an economically prosperous peninsula which seeks to attract more residents and visitors and recognises success as the revitalisation of towns and retaining young, active and working future generations.

4.2 Infrastructure planning

Drafting Note (to be deleted):

Where relevant, a Code Amendment must ensure that relevant infrastructure can be economically provided to the Affected Area. In some instances, this may be resolved at the development application stage. However, where significant upgrades are required to trunk infrastructure or road improvements which cannot form part of a development application, agreements or other arrangements to fund and provide infrastructure must be put in place prior to approval of the Code Amendment.

The following infrastructure planning is relevant to this Code Amendment:

The following upgrades to infrastructure can be economically provided to the affected areas as part of future development authorisations and under existing agreements, therefore no further agreements or other arrangements are required to fund the infrastructure.

Council Infrastructure Planning	Response/Comment
Wastewater	<p>The affected areas both have access to existing Community Waste Water Systems (CWMS) and both CWMS were built with the capacity to have the additional allotments connected and the provision made for the soakage area to be extended at each stage of development. The landowners for both developments are aware of this and there are agreements in place that will require them to make a contribution as part of each Planning and Land Division Development Authorisation.</p> <p>If further land divisions are proposed with allotment sizes of a size to accommodate on-site wastewater systems they will be</p>

Council Infrastructure Planning	Response/Comment
	assessed pursuant to the <i>SA Public Health (Wastewater) Regulations 2013</i> and against the On-site Wastewater Systems Code by Council's Environmental Health Officer prior to development authorisation for the associated dwelling is granted.
Stormwater	Stormwater capture and retention has already been commenced with the existing developments and will required and finalised with the new planning & land division applications.
Other Infrastructure Planning	Response/Comment
SA Water – Potable water	SA Water mains are connected to the affected area in Port Victoria but have not been connected in Point Turton and water harvest, storage and reuse has occurred on each allotment that has been developed with housing and this will be maintained with any new developments.
SAPN - Electricity	SA Power Networks electricity transmission infrastructure is available for connection in both affected areas.
Gas	No reticulated gas is provided to either of the affected areas and property owners currently source bottled gas which is stored onsite for each dwelling if required.
NBN - Telecommunications	NBN fixed wireless is available in both affected areas.

4.3 Investigations

4.3.1 Investigations undertaken

The extent of investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister in the Proposal to Initiate. In addition to this, the Commission has also specified certain investigations to be undertaken to support the Code Amendment.

The following investigations have been undertaken to inform this Code Amendment:

- A comprehensive infrastructure analysis that identifies all future infrastructure works required in order to accommodate the development of the affected areas as proposed by the Code Amendment and provide a strategy which offers a funding and delivery solution for all required infrastructure work.
- A search was undertaken of the Aboriginal Site and Objects Register (Taa wika) to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.
- Investigations undertaken to provide a concept plan for both areas to enable integrated road networks and land division planning.
- A review of land supply and demand for both affected areas.

The outcomes of these investigations undertaken in support of the Code Amendment are included in **Attachment E**.

4.3.2 Recommended policy changes

The scope of the proposed Code Amendment does not include the creation of new planning rules and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (the Code) on the date the Amendment is released for consultation.

ATTACHMENT A – AFFECTED AREAS MAPPING

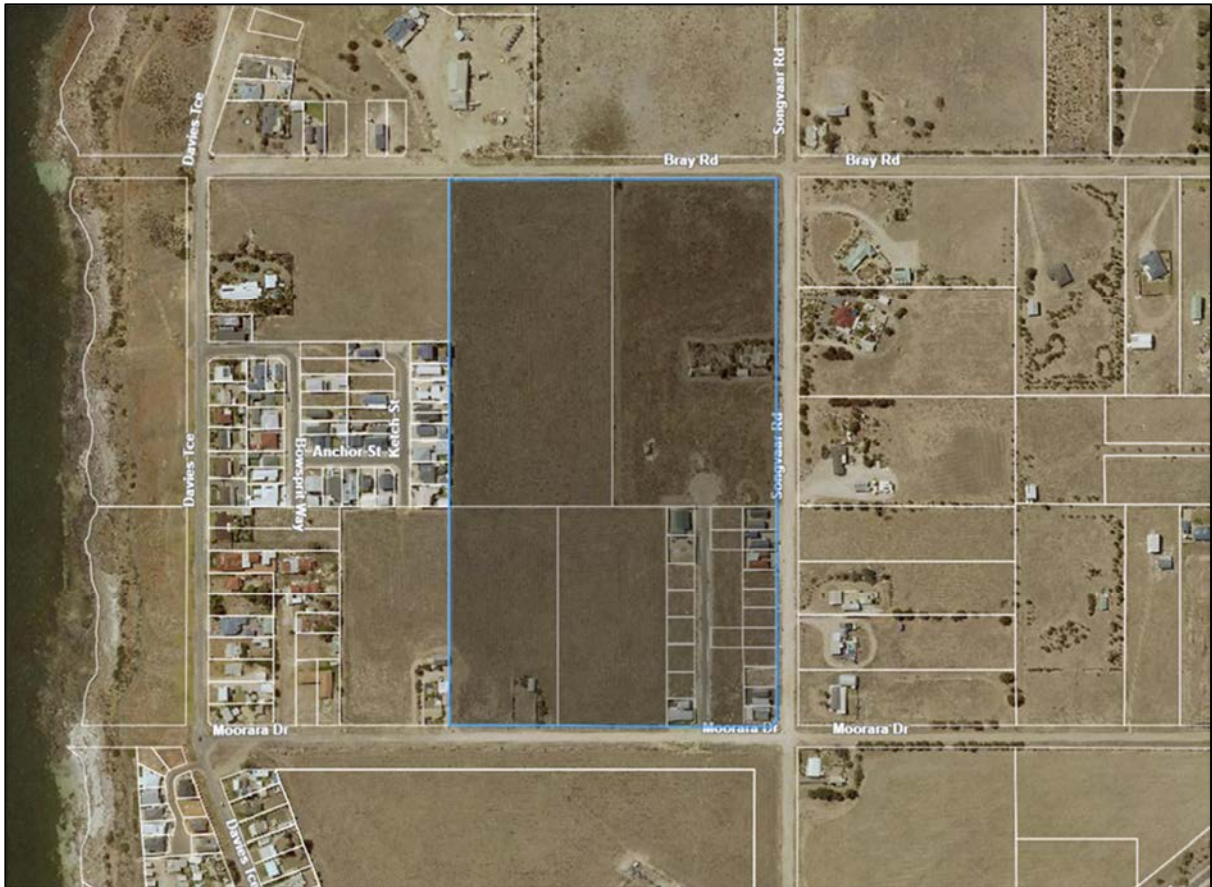


Point Turton *Source: SAPPA*

LEGEND

 Affected Area





Port Victoria *Source: SAPPA*

LEGEND

 Affected Area



ATTACHMENT B – CURRENT CODE POLICY



Point Turton *Source: SAPPA*

Zone

Deferred Urban

Overlays

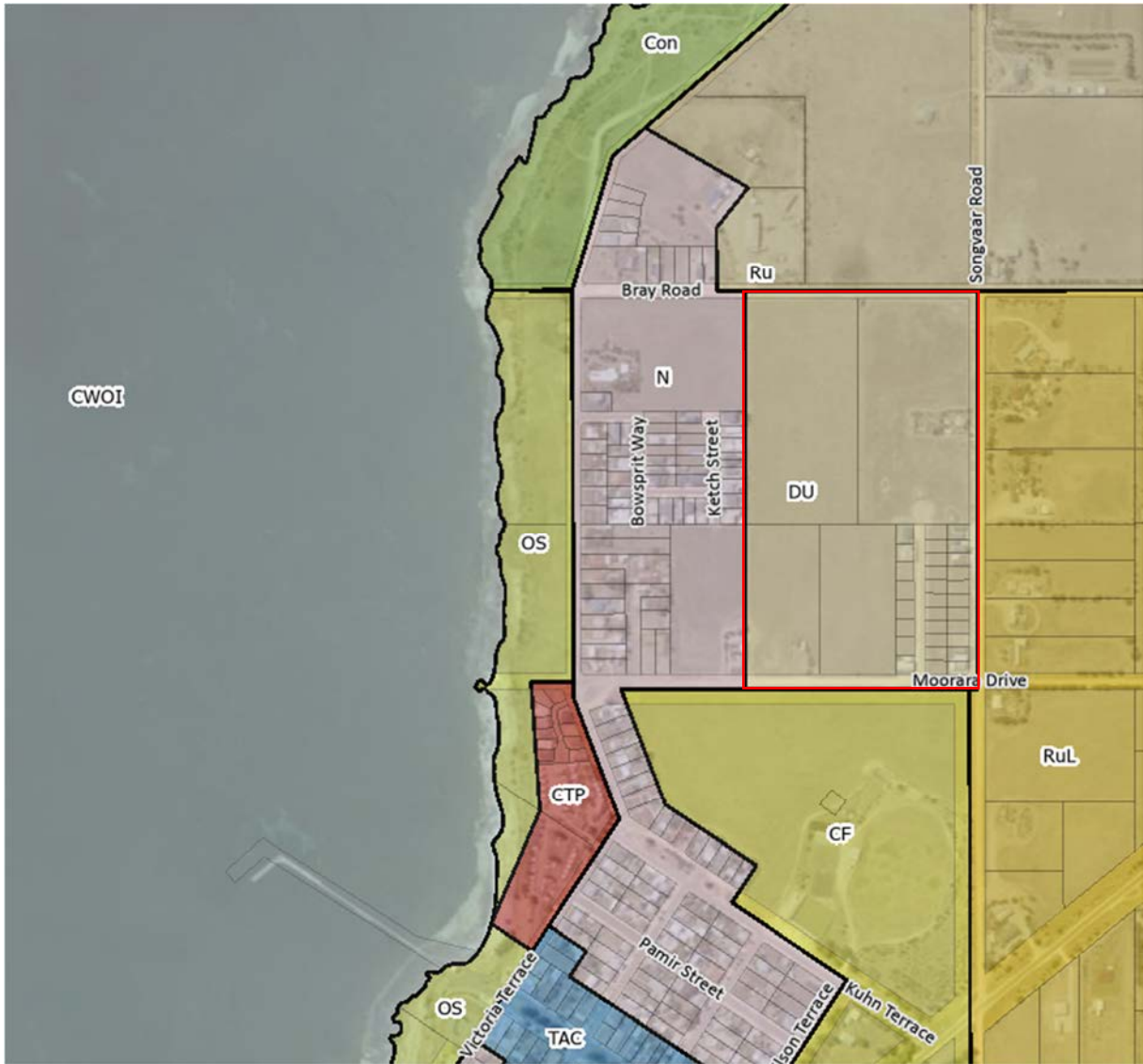
Hazards (Bushfire – Urban Interface)

Hazards (Flooding – Evidence Required)

Native Vegetation

LEGEND

	Affected Area
DU	Deferred Urban
Con	Conservation
CWOI	Coastal Waters and Offshore
OS	Open Space
RuS	Rural Settlement
TAC	Township Activity Centre



Port Victoria *Source: SAPP*

Zone

Deferred Urban

Overlays

Hazards (Bushfire – Urban Interface)

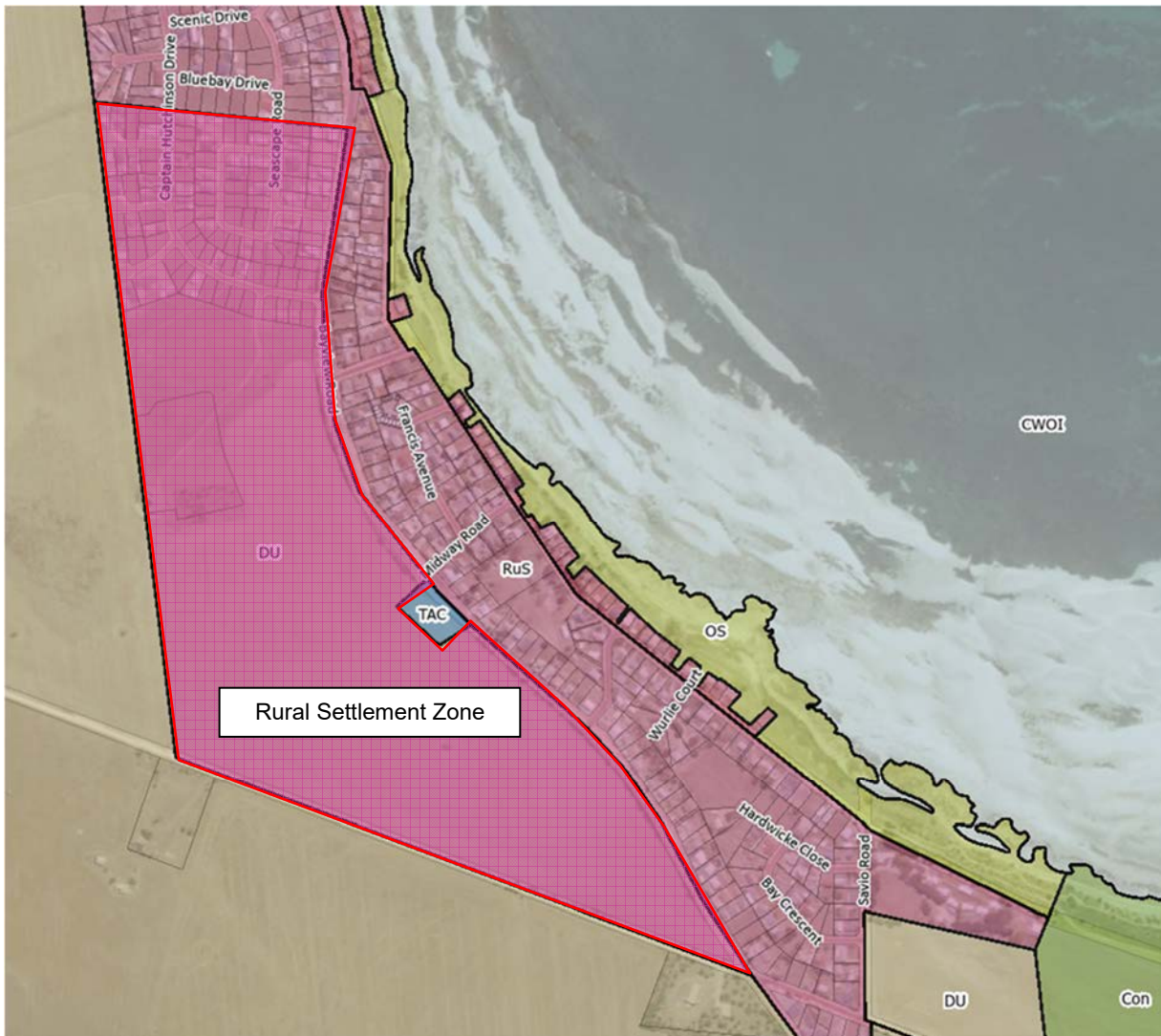
Hazards (Flooding – Evidence Required)

Native Vegetation

LEGEND

- Affected Area
- DU Deferred Urban
- Con Conservation
- CTP Caravan and Tourist Park
- CWOI Coastal Waters and Offshore
- OS Open Space
- RuL Rural Living
- Ru Rural
- TAC Township Activity Centre

ATTACHMENT C – PROPOSED CODE POLICY



Point Turton *Source: SAPP*

Zone

Rural Settlement

Overlays (existing to be retained)

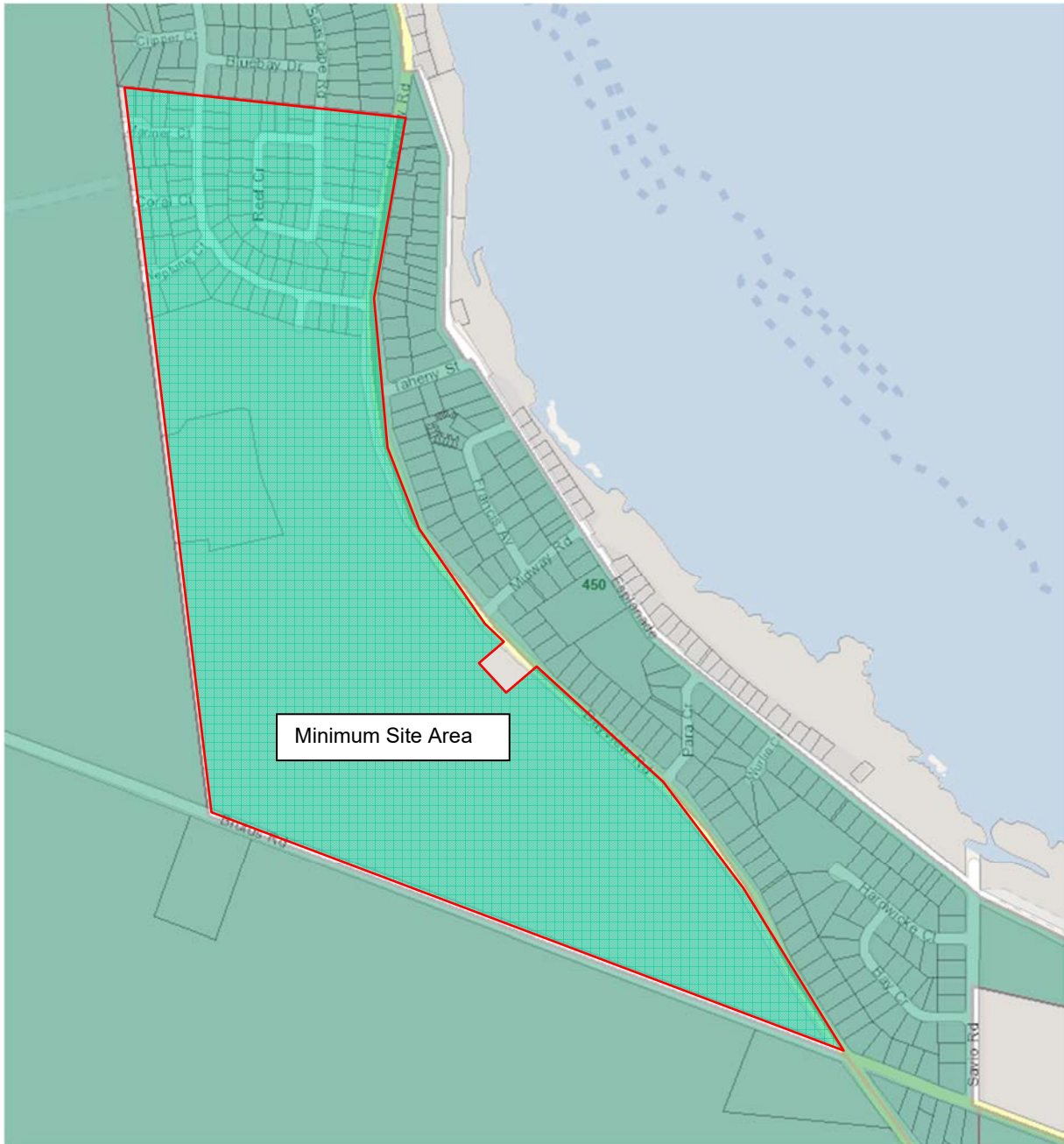
Hazards (Bushfire – Urban Interface)

Hazards (Flooding – Evidence Required)

Native Vegetation

LEGEND

— Affected Area



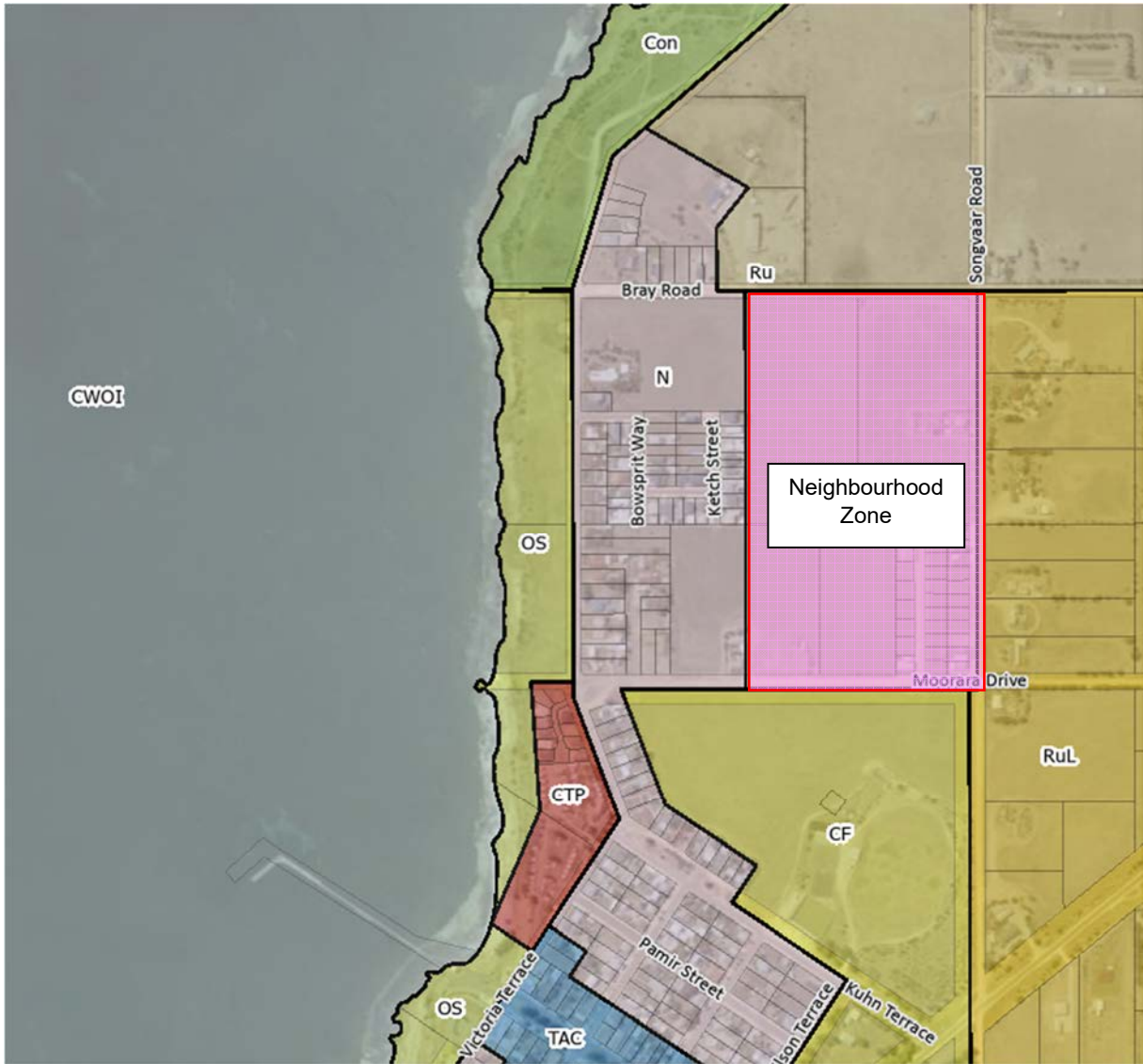
Point Turton *Source: SAPP*

Technical & Numeric Variation

Minimum Site Area (Minimum Site Area is 450 sqm)

LEGEND

— Affected Area



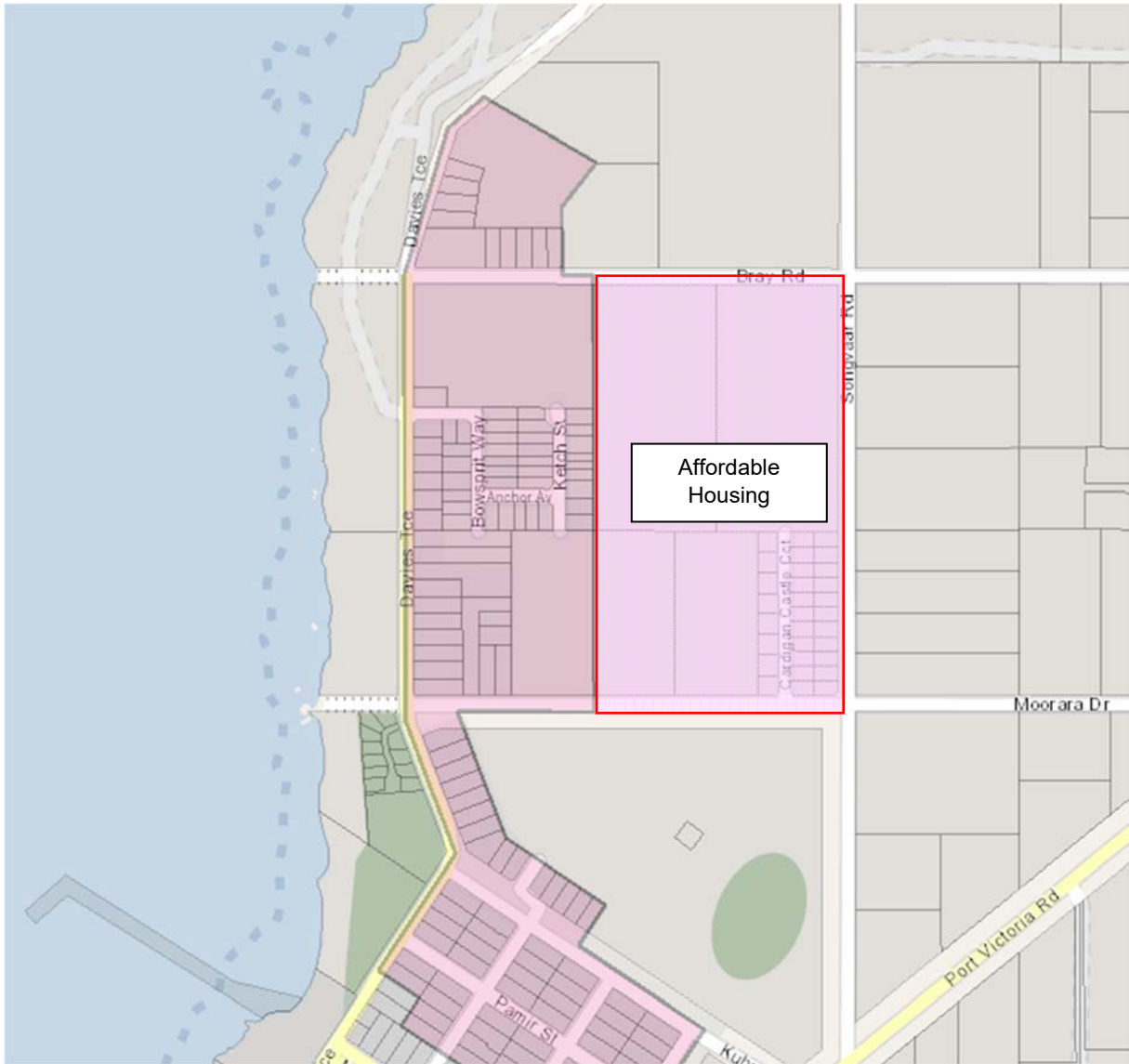
Port Victoria *Source: SAPP*

Zone

Neighbourhood

LEGEND

— Affected Area



Port Victoria *Source: SAPPA*

Overlays

Affordable Housing

(Retain existing)

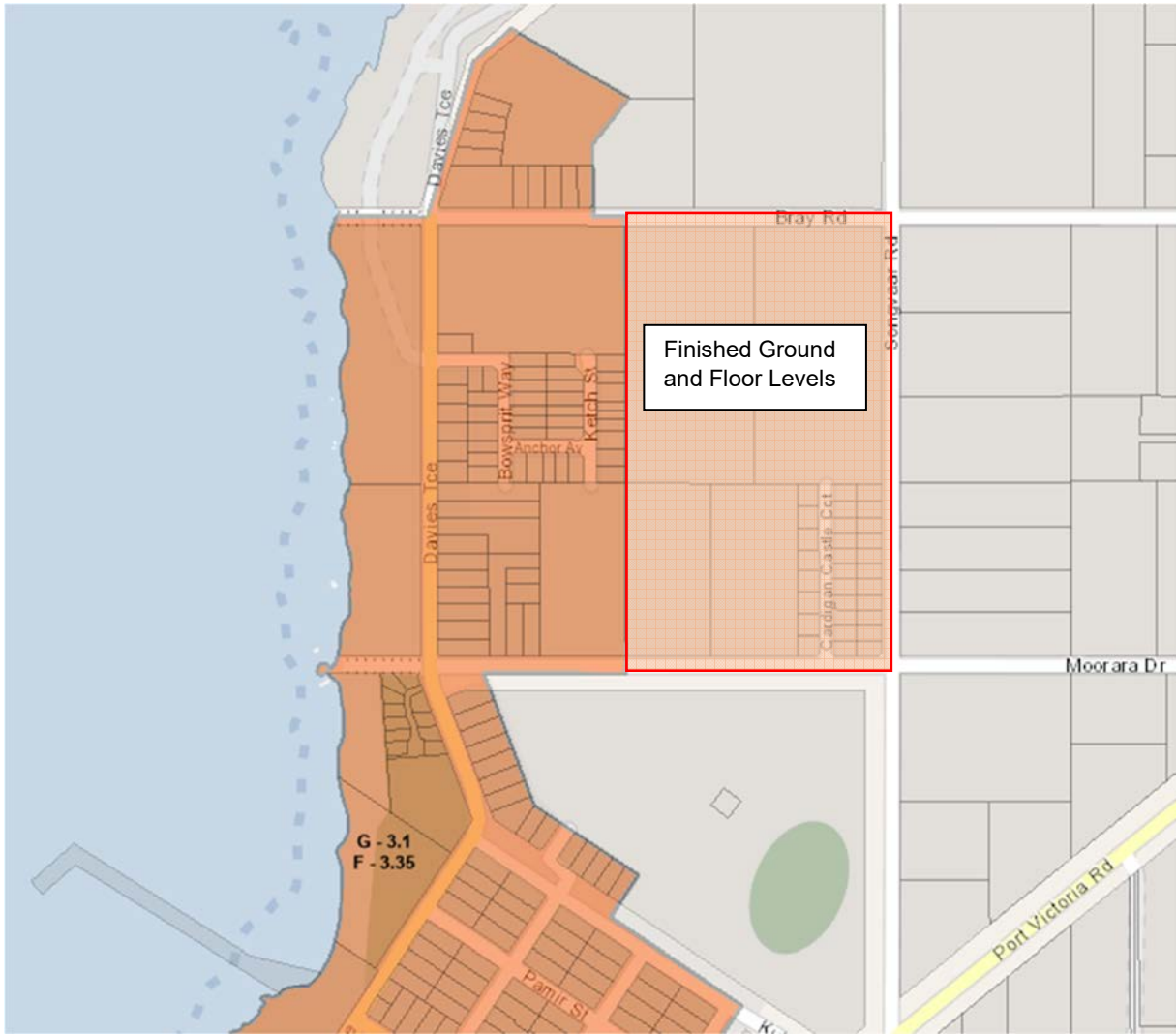
Hazards (Bushfire – Urban Interface)

Hazards (Flooding – Evidence Required)

Native Vegetation

LEGEND

— Affected Area



Port Victoria *Source: SAPP*

Technical & Numeric Variations

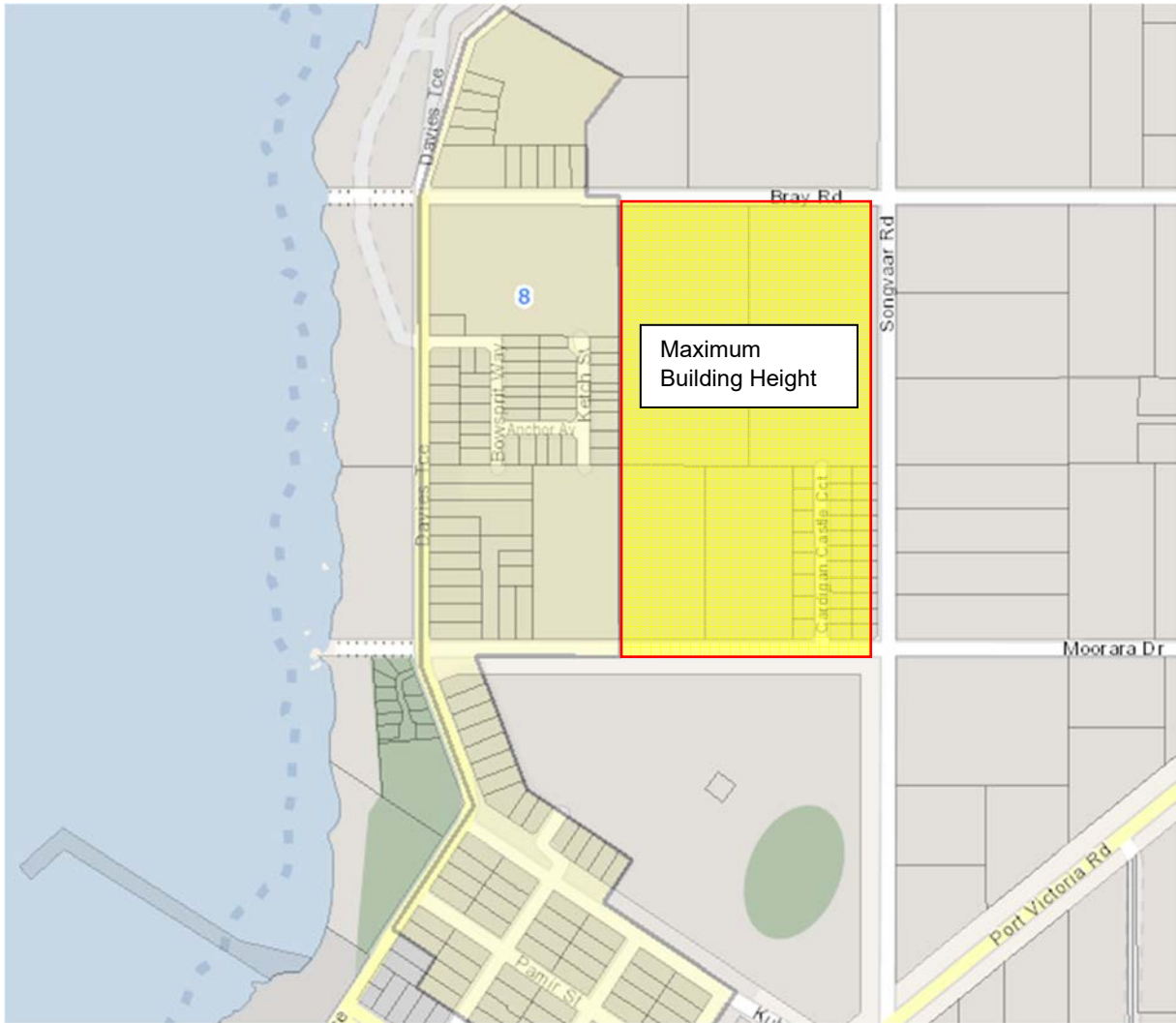
Finished Ground and Floor Levels

(Minimum finished ground level is 3.1m AHD;

Minimum finished floor level is 3.35m AHD)

LEGEND

— Affected Area



Port Victoria *Source: SAPP*

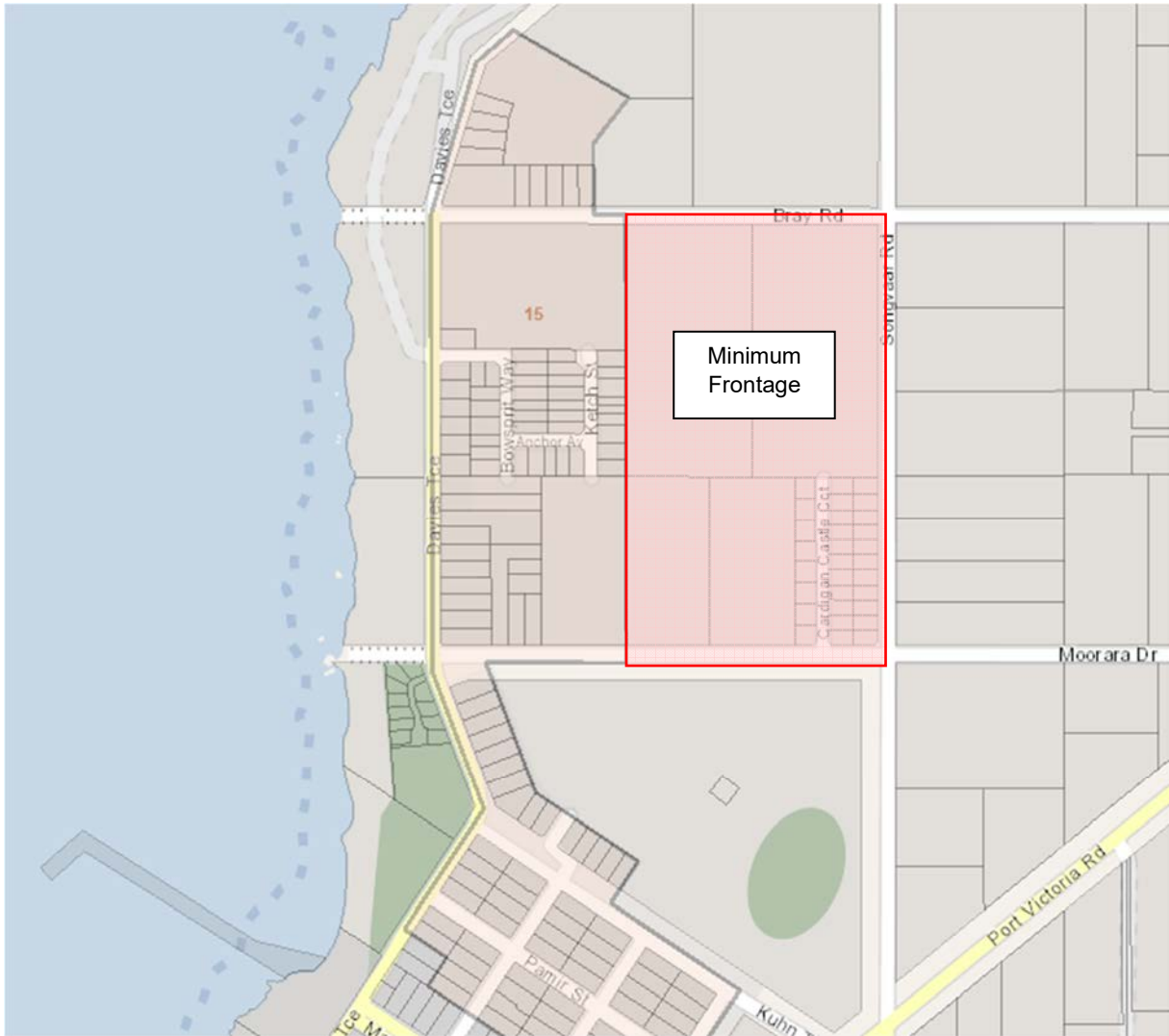
Technical & Numeric Variations

Maximum Building Height (Metres)

(Maximum building height is 8m)

LEGEND

— Affected Area



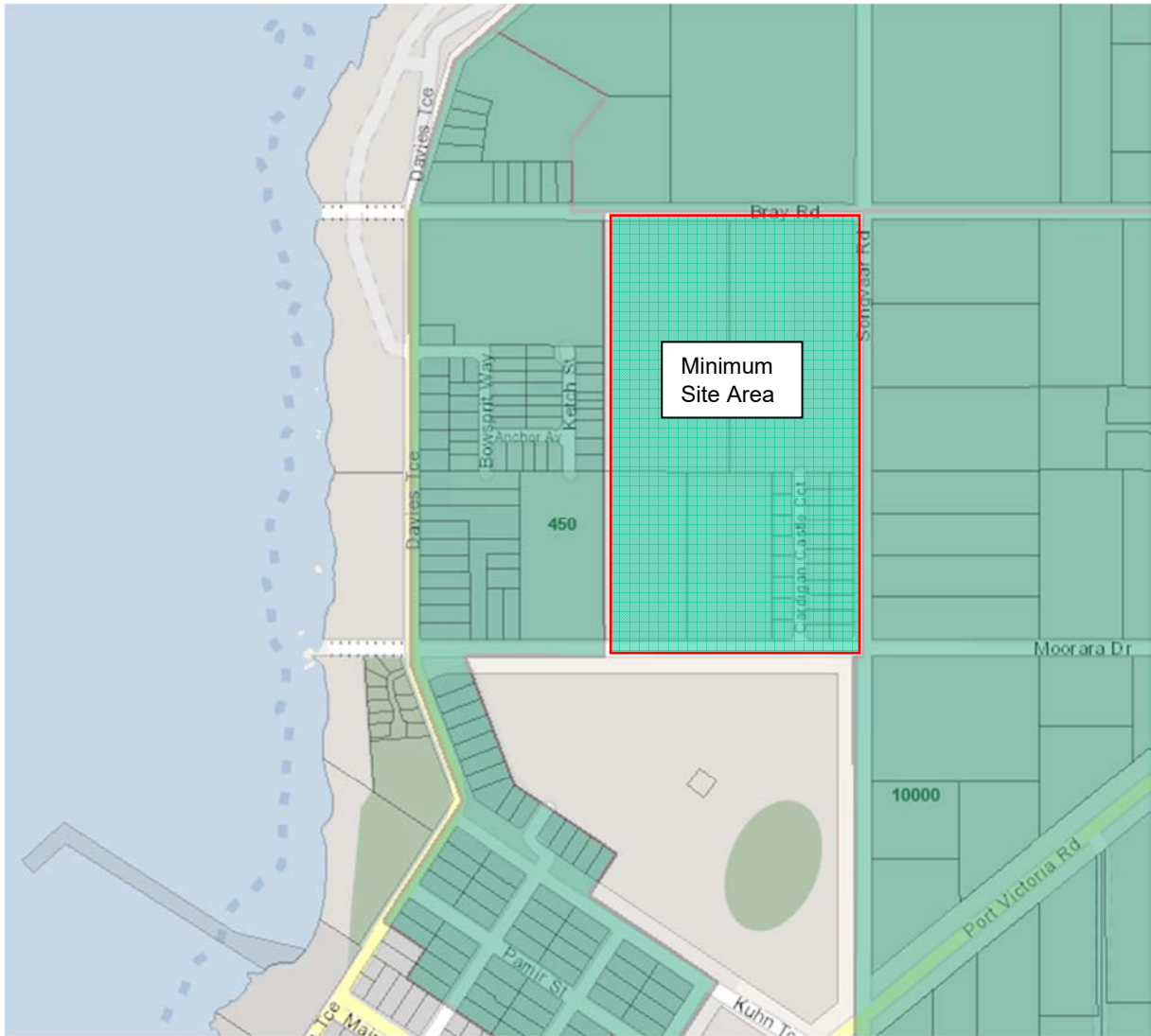
Port Victoria *Source: SAPP*

Technical & Numeric Variations

Minimum Frontage
 (Minimum frontage is 15m)

LEGEND

— Affected Area



Port Victoria *Source: SAPPA*

Technical & Numeric Variations

Minimum Site Area

(Minimum site area is 450 sqm)

LEGEND

— Affected Area

ATTACHMENT D – STRATEGIC PLANNING OUTCOMES

1. State Planning Policies

The State Planning Policies (SPPs) require that the Principles of Good Planning are considered in the preparation of any designated instrument, including a Code Amendment.

SPP Key Principles

There are 16 SPPs that include Objectives, Policies and Principles for Statutory Instruments (including the Planning and Design Code). The most critical SPPs in the context of this Code Amendment are:

State Planning Policy (SPP)	Code Amendment Outcome
State Planning Policy 1: Integrated Planning	
<i>1.1 An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period.</i>	The code amendment will rezone existing deferred urban land to allow for residential development and provide for an increase in housing to satisfy demand for new dwellings, holiday, and workers accommodation.
<i>1.2 Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.</i>	The affected areas are both contiguous with existing residential areas. Infrastructure is already in place for both areas and will be able to upgrade to accommodate growth as needed.
<i>1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.</i>	The rezoning of the deferred urban zone which has already been identified for expansion of residential zones will increase the land supply without any encroachment into valuable primary production and conservation areas.
State Planning Policy 4: Biodiversity	
<i>4.1 Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state be maintained.</i>	The rezoning of the deferred urban zone which has already been identified for expansion of residential zones will avoid any urban sprawl in to sensitive areas.

State Planning Policy 5: Climate Change	
<i>5.5 Avoid development in hazard-prone areas or, where unavoidable, ensure risks to people and property are mitigated to an acceptable or tolerable level through cost-effective measures.</i>	The rezoning of the deferred urban zone which has already been identified for expansion of residential zones will avoid any urban sprawl into high risk and hazard prone areas.
State Planning Policy 6: Housing Supply and Diversity	
<i>6.2 The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support liveable and walkable neighbourhoods.</i>	The land divisions that have been established in both affected areas are nearing completion so the opening up of the adjacent land will be a timely supply of land.
<i>6.4 The growth of regional centres and towns within the existing footprint or outside towns where there is demonstrated demand and the land is serviced with infrastructure.</i>	The proposed amendment will allow expansion of the townships populations without extending the towns boundaries and will utilise existing town infrastructure.
<i>6.11 Residential development that does not fragment valuable primary production land, create land use conflicts or encroaches on sensitive environmental assets and places or high landscape value.</i>	The rezoning of the deferred urban zone which has already been identified for expansion of residential zones will avoid any urban sprawl into valuable farming land.
State Planning Policy 13: Coastal Environment	
<i>13.2 Development that is not at risk from current and future coastal hazards (including sea-level rise, coastal flooding, erosion, inundation, dune drift and acid sulfate soils) consistent with the hierarchy of 'avoid', 'accommodate' and 'adapt'.</i>	The rezoning of the deferred urban zone which has already been identified for expansion of residential zones will avoid any urban sprawl in to sensitive and potentially flood prone coastal areas.
State Planning Policy 15: Natural Hazards	
<i>15.6 Avoid development in high or extreme hazard risk areas (such</i>	The rezoning of the deferred urban zone which has already been identified for

<i>as bushfire risk areas) that will necessitate the removal</i>	expansion of residential zones will avoid any urban sprawl into high bushfire risk areas.
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2. Regional Plans

The Regional Plan

The key policies and targets of The Yorke Peninsula Regional Plan dated December 2007 which are most relevant to this Code Amendment are detailed in the table below.

The investigations undertaken to date and outlined in this Code Amendment, will ensure that the proposed rezoning is largely consistent with the key policies and targets of the Regional Plan as described below.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<i>Objective 17: Reinforce the role, functionality and vibrancy of towns and settlements</i>	The rezoning of the affected areas is consistent with the desire to reinforce the role, functionality, and vibrancy of towns like Port Victoria and settlements like Point Turton.
<i>Objective 18: Strategically plan and manage township growth, with master planning for coastal areas a priority</i>	The rezoning of the already identified deferred urban growth areas is aligned to strategic growth of the affected coastal townships.
<i>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</i>	The rezoning will provide residential land which will enable a supply of diverse, affordable, and sustainable housing to meet the needs of current and future residents and visitors.

3. Other Strategic Plans

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
<i>Yorke Peninsula Council 2021-2025 Strategic Management Plan</i>	The code amendment aligns with the goal of an economically prosperous peninsula which seeks to attract more residents and visitors and recognises

	success as the revitalisation of towns and retaining young, active and working future generations.
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ATTACHMENT E – INVESTIGATIONS

The extent of the investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister on the Proposal to Initiate, and include the following:

- **Infrastructure Analysis** – Identify all future infrastructure works required in order to accommodate the development of the affected areas as proposed by the Code Amendment and provide a strategy which offers a funding and delivery solution for all required infrastructure works.
- **Land Supply and Demand** - A review of land supply and demand for both affected areas.
- **Aboriginal Sites and Objects Register (Taa wika) Search** - to identify relevant Aboriginal heritage considerations including any identified cultural sites and objects.
- **Concept Plans** - Investigate and provide a concept plan for both areas to enable integrated road networks and land division planning, noting rural living would not be supported.

Infrastructure Analysis

Background

Point Turton

In 2006 an 89 allotment land division was approved under the *Development Act 1993*, the area divided was 53.22 hectares with 1.5 hectares set aside for Reserve. The land was zoned Holiday Settlement (Deferred) at the time and was assessed against the planning provisions of the Yorke Peninsula (DC) Development Plan Consolidated 16 December 2004 which had two objectives the first being that *Land be kept free of residential development until required for such purposes* and that *Land used so as not to prejudice its future orderly and economic development for urban purposes*. Assessments were guided by the relevant Principles of Development Control one of which stated that land could be divided if water, power and a common effluent drainage scheme were provided.

The applicant sought approval for a Community Wastewater Management Scheme (CWMS) from the South Australian Health Commission and ensured power connections were provided as well as allotment sizes large enough to accommodate on site retention and use of stormwater as a water supply which the policy at the time indicated 45 000 litres being the appropriate amount. Certificate of Approval plans were lodged and cleared in 2009, all of the allotments created through this division have now been developed or have been sold and being held for future development.

Port Victoria

In 2010 a 30 allotment land division was approved under the *Development Act 1993*, the area divided was 2 hectares being the first of two stages. The land was zoned Residential (Deferred) and was assessed against the planning provisions of the Yorke Peninsula (DC) Development Plan Consolidated 8 February 2007 which had two objectives the first being *A zone established to accommodate future residential growth when existing residential zoned land has been substantially developed* and *The prevention of development likely to be incompatible with long term housing, or likely to be detrimental to the orderly and efficient servicing and conversion of the land to urban use*. Assessments were guided by the relevant Principles of Development Control one of which stated that development should be provided with a reticulated water supply and effluent disposal system and these along with power connection were provided to the proposed allotments. Clearance for the allotments was granted in five stages with the final stage being granted in May 2021, all of the allotments created through this division have now been developed or have been sold and being held for future development.

Current situation

Point Turton

Wastewater

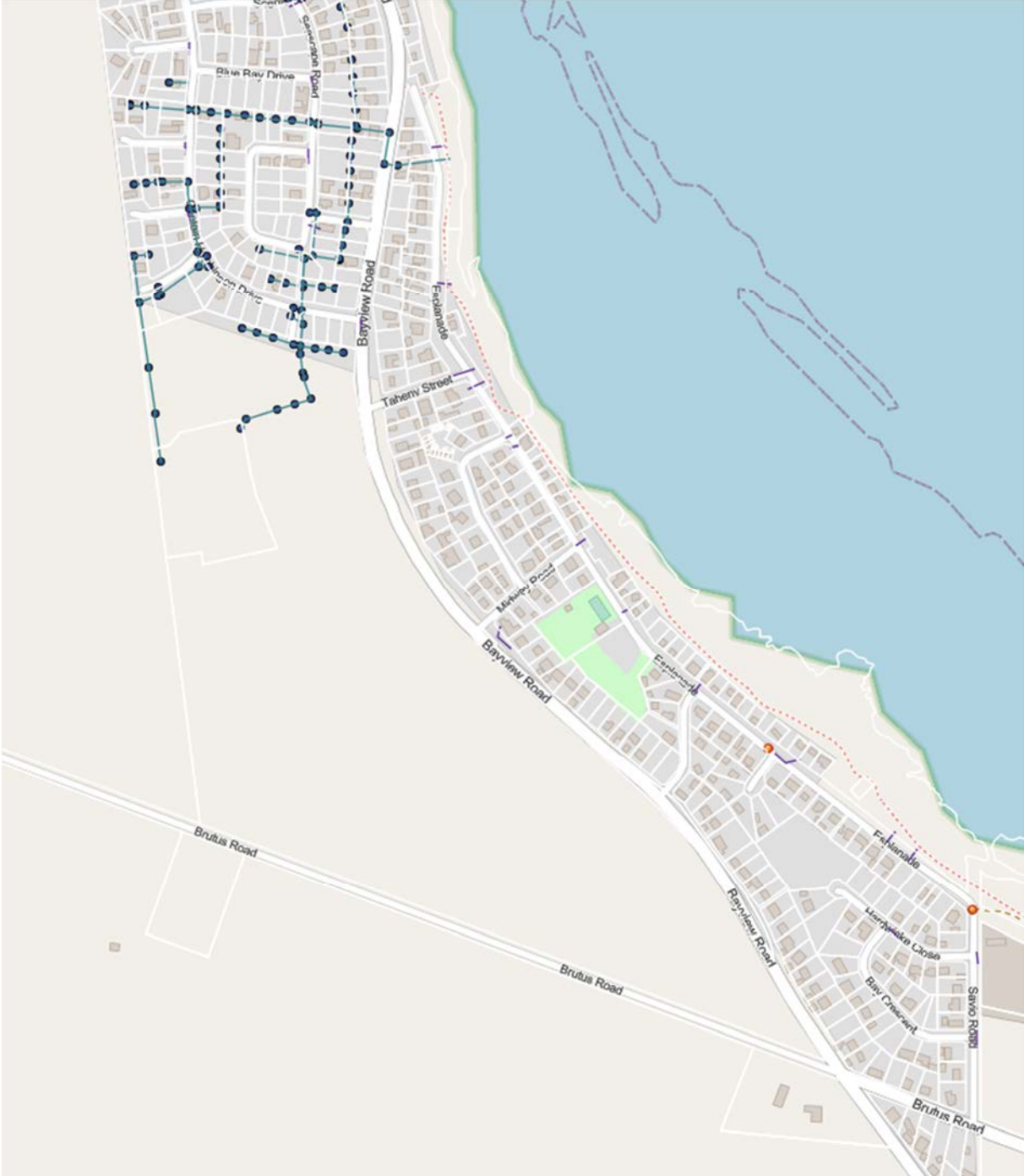
The affected area in Point Turton is serviced by a Community Wastewater Management System which is a gravity fed sewer system that doesn't require onsite septic tanks. The existing treatment plant was designed to accommodate the development of all of the affected land and a deed was entered into with the developer/landowner in July 2011 when Council took control of the system that the irrigation area would be developed by the landowner as future stages of the land division was established. The current system is shown below with the area set aside for the expansion of the treated water disposal area.



Point Turton Community Wastewater Management System

Stormwater

Similarly, the stormwater management system is all in place and just needs to be extended and a detention basin needs to be designed and installed to cater for the future land release stages.



Point Turton Stormwater Infrastructure

Electricity

SA Power Networks provides electricity to Point Turton and underground cabling has been installed in the first stages of the development that extends to the affected area and this would continue.



Point Turton SA Power Networks Source: SAPPA

Overhead Lines

Underground Cable

Gas

No reticulated gas is provided in Point Turton and property owners currently source bottled gas which is stored on-site. The affected areas are both serviced by bottled gas distributors.

Telecommunications

The affected land in Point Turton can be connected to the National Broadband Network via Fixed Wireless Technology.

Road Network

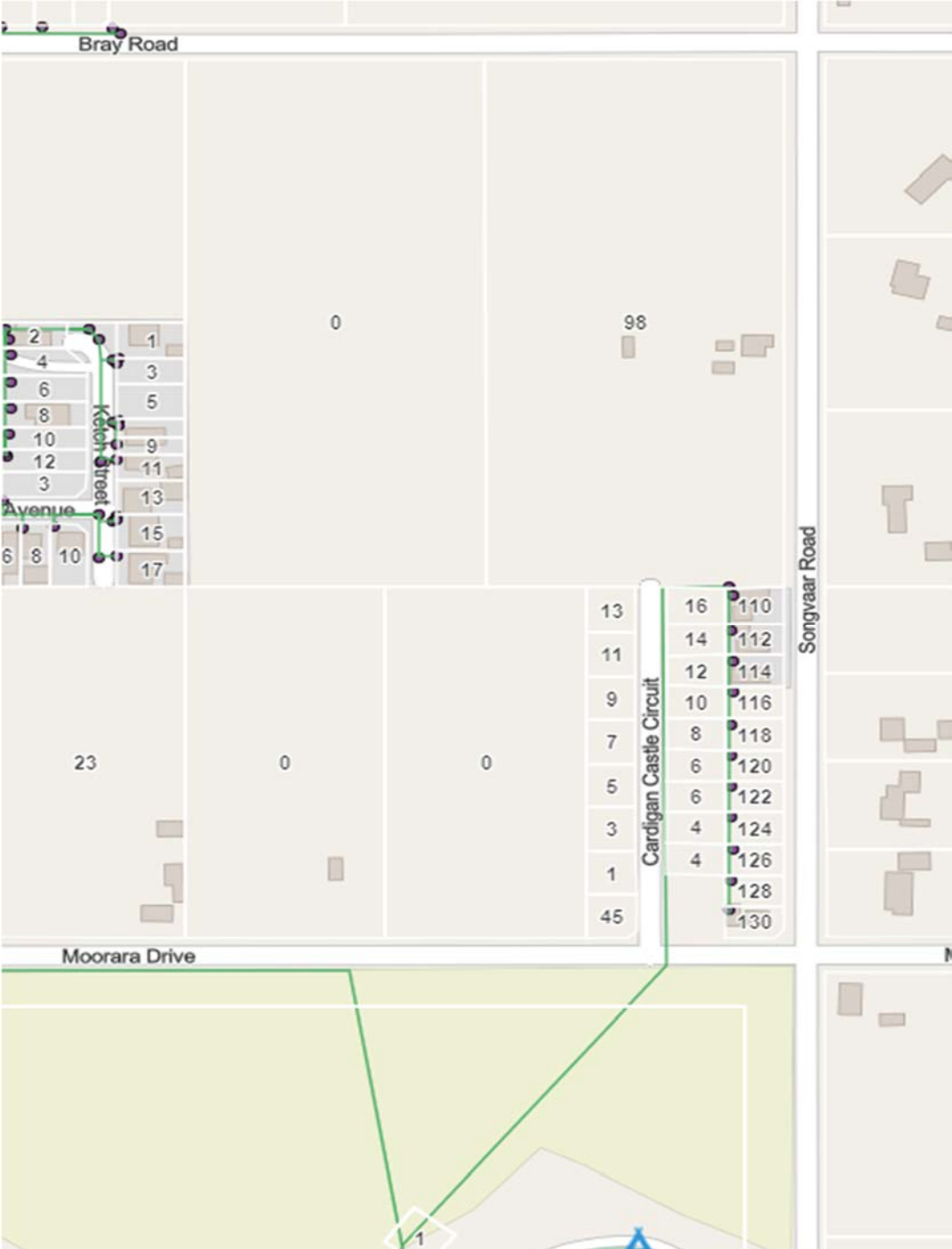
The two roads adjacent to the affected area are local roads, Bayview Road which runs along the eastern boundary of the affected area and Brutus Road along the southern boundary. Bayview Road runs off Brutus Road and provides access through from the Yorke Highway to North Coast Road which traverses the coastline until it comes inland and reunites with Brutus Road. It also links through to the service town of Warooka via Point Turton Road which is also a sealed local road. Brutus Road connects through from the Yorke Highway to Corny Point Road.

The section of Bayview Road bounding the affected area is fully sealed and the section of Brutus Road is currently half sealed and half unmade road. The unsealed section of Brutus Road has a current average daily traffic count of 51-100 and Bayview Road has an average daily traffic count of 501-1000. The majority of the additional traffic flow that would be generated from any future development of the affected area would be directed on to Bayview Road. The residential nature of the development and the light vehicles it is has been assessed that the safety and efficiency of movement on local roads is unlikely to be compromised. Further assessment would be undertaken as part of any land division development application.

Port Victoria

Wastewater

The affected area in Port Victoria is serviced by Council's Community Wastewater Management System which is a full sewer system that doesn't require onsite septic tanks. The current development on the affected land involved funding from the landowner/developer to contribute to the extension of the system and it will be a requirement with any further land division authorisation should it be required.



Port Victoria Community Wastewater Management System

Stormwater

Similarly, the stormwater management system is all in place and just needs to be extended with the future land release stages. Importantly the next stage will include extend and finalise the initial stormwater infrastructure with the installation of a detention basin north of the current development.

Potable Water

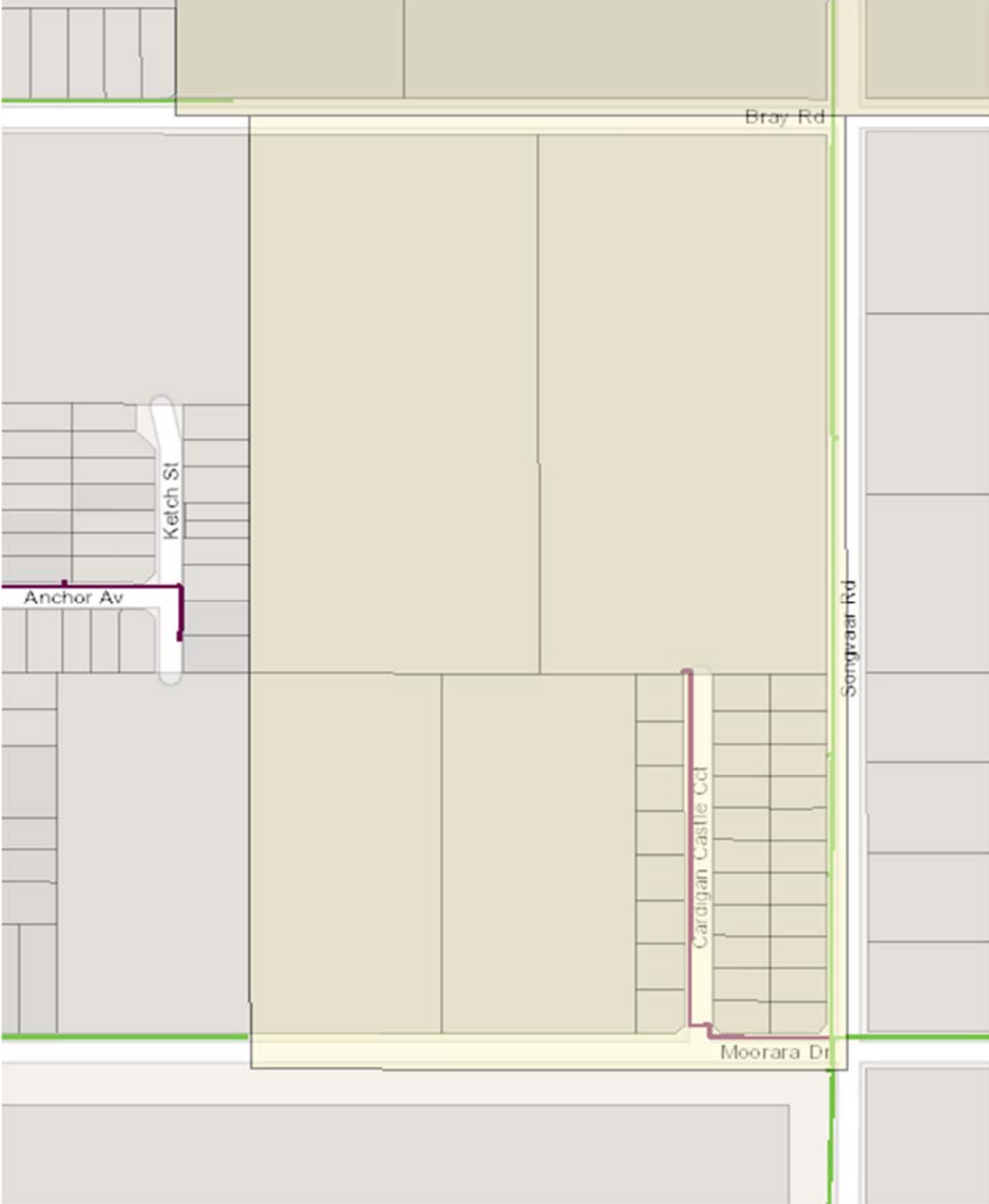
SA Water connection and capacity is available and will extend from the existing as shown below.



Port Victoria SA Water Mains Source: SAPP

Electricity

SA Power Networks provides electricity to Port Victoria and underground cabling has been installed in the first stages of the development within the affected area and this would just be extended.



Port Victoria SA Power Networks Source: SAPPA

Overhead Lines

Underground Cable

Gas

No reticulated gas is provided in Port Victoria and property owners currently source bottled gas which is stored on-site. The affected areas are both serviced by bottled gas distributors.

Telecommunications

The affected land in Port Victoria is able to be connected to the National Broadband Network via Fixed Wireless Technology.

Road Network

The three roads adjacent to the affected area are local roads, Songvaar Road which runs along the eastern boundary of the affected area, Moorara Drive Road along the southern boundary and Bray Road to the north. All of these roads are unmade roads which have very low traffic volumes of local traffic connecting through to the town centre or to the Port Victoria Road which is the arterial road connecting Port Victoria to the larger service town of Maitland.

The additional light vehicle traffic flow from any future development would be spread evenly between the three roads with future road upgrades as required. Importantly future development south of the existing on the affected land will allow extension of the road network to enable easier manoeuvring for the waste collection vehicles.

Future Infrastructure works required and Strategy for Funding and Delivery

Point Turton and Port Victoria

The upgrades required to infrastructure as mentioned above in regards to management of wastewater and stormwater can be economically provided to the affected areas as part of future land division development applications and through existing infrastructure provision agreements.

Aboriginal Sites and Objects Register (Taa wika) Search

We were advised that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites at any of the Affected Areas for the Code Amendment.

Jodie Terp
Yorke Peninsula Council
PO Box 57
Maitland 5573 South Australia

Dear Jodie

Thank you for the search request dated 15 Jul 2022. The search was based on the title details - Title Type: CT, Volume: 6043, Folio: 658. The address for this parcel is: 1 BAYVIEW RD POINT TURTON SA 5575. Your reference is 3718.

I advise that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites at this location.

The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the central archive or not. Land within 200 metres of a watercourse (for example the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

Pursuant to the Act, it is an offence to damage, disturb or interfere with any Aboriginal site, object or remains (registered or not) without the authority of the Premier. If the planned activity is likely to damage, disturb or interfere with a site, object or remains, authorisation of the activity must be first obtained from the Premier under Section 23 of the Act. Section 20 of the Act requires that any Aboriginal sites, objects or remains, discovered on the land, need to be reported to the Premier. Penalties apply for failure to comply with the Act. It should be noted that this Aboriginal heritage advice has not addressed any relevant obligations pursuant to the *Native Title Act 1993*.

Please be aware in this area there are Aboriginal groups/organisations/traditional owners that may have an interest. These may include:

Narungga Nations Aboriginal Corporation

Chairperson: Ann Newchurch

Address: SANTS Level 4 345 King William Street Adelaide SA 5000

Telephone: 0458440313

Email: annewchurch@hotmail.com

Contact Officer: Osker Linde

Telephone: 08 81102800

Email: info@nativetitlesa.org

If you require further information, please contact the Aboriginal Heritage Team on telephone (08) 8303 0738 or send to our generic email address dpc-aar.heritagesites1@sa.gov.au

Yours sincerely,

**HERITAGE INFORMATION TEAM
ABORIGINAL AFFAIRS & RECONCILIATION**

2 August 2022



Jodie Terp
Yorke Peninsula Council
PO Box 57
Maitland 5573 South Australia

Dear Jodie

Thank you for the search request dated 15 Jul 2022. The search was based on the title details - Title Type: CT, Volume: 6096, Folio: 839. The address for this parcel is: 98 SONGVAAR RD PORT VICTORIA SA 5573. Your reference is 3718.

I advise that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites at this location.

The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the central archive or not. Land within 200 metres of a watercourse (for example the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

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Yours sincerely,

**HERITAGE INFORMATION TEAM
ABORIGINAL AFFAIRS & RECONCILIATION**

2 August 2022



Jodie Terp
Yorke Peninsula Council
PO Box 57
Maitland 5573 South Australia

Dear Jodie

Thank you for the search request dated 15 Jul 2022. The search was based on the title details - Title Type: CT, Volume: 5440, Folio: 98. The address for this parcel is: BRAY RD PORT VICTORIA SA 5573. Your reference is 3718.

I advise that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites at this location.

The applicant is advised that sites or objects may exist in the proposed development area, even though the Register does not identify them. All Aboriginal sites and objects are protected under the *Aboriginal Heritage Act 1988* (the Act), whether they are listed in the central archive or not. Land within 200 metres of a watercourse (for example the River Murray and its overflow areas) in particular, may contain Aboriginal sites and objects.

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Yours sincerely,

**HERITAGE INFORMATION TEAM
ABORIGINAL AFFAIRS & RECONCILIATION**

2 August 2022



Jodie Terp
Yorke Peninsula Council
PO Box 57
Maitland 5573 South Australia

Dear Jodie

Thank you for the search request dated 15 Jul 2022. The search was based on the title details - Title Type: CT, Volume: 5464, Folio: 538. The address for this parcel is: MOORARA DR PORT VICTORIA SA 5573. Your reference is 3718.

I advise that the central archive, which includes the Register of Aboriginal Sites and Objects (the Register), administered by Aboriginal Affairs and Reconciliation (AAR), has no entries for Aboriginal sites at this location.

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2 August 2022



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Yours sincerely,

**HERITAGE INFORMATION TEAM
ABORIGINAL AFFAIRS & RECONCILIATION**

2 August 2022



Land Supply and Demand

Point Turton

An analysis of the land supply in Point Turton shows that all existing allotments have been sold and developed or held for future development and the only land zoned for future residential land use is the affected area the subject of this Code Amendment and another small portion of a larger rural allotment on the southern edge of the township.

The portion as shown below is zoned Deferred Urban so would require a Code Amendment to be approved for land division to occur and the area zoned is 4.66 hectares in area which allowing 10% for supporting infrastructure such as roads and minimum allotment sizes of 1200 square metres anticipating no available wastewater connection would yield approximately 35 allotments.

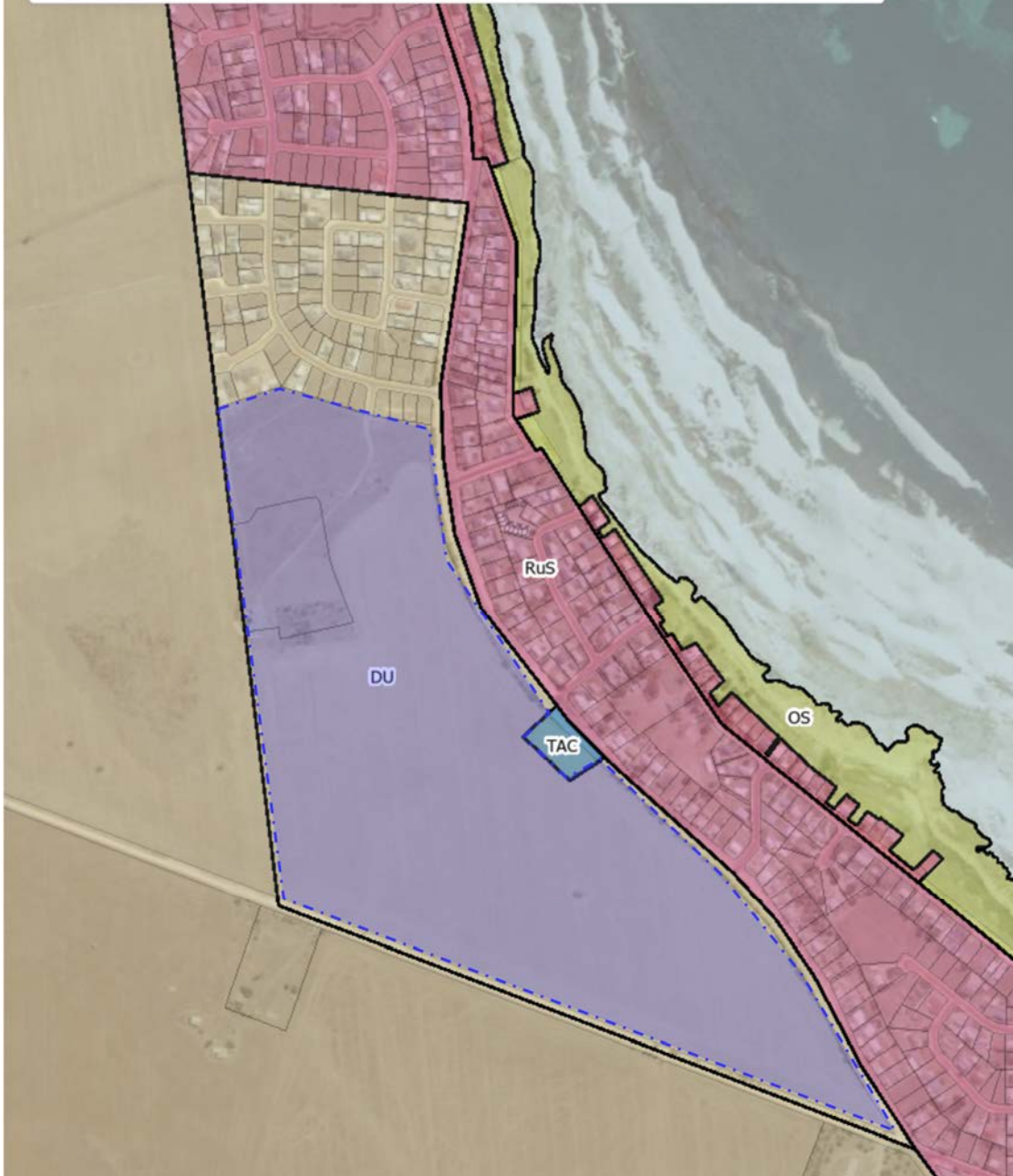


Point Turton – Deferred Urban Zones *Source: SAPPA*

The only other land zoned for future residential land use is the undeveloped portion of the affected area of the proposed code amendment shown below. A concept plan has been developed for this area which proposes approximately 338 allotments which would be developed in stages starting with approximately 59 residential allotments.

Measure Area

Area: 408542 m² Perimeter: 3342 m Result is approximate. Refer to survey plans for accurate measurements.



Point Turton – Deferred Urban Zone – Affected Area *Source: SAPP*

Port Victoria

An analysis of the land supply in Port Victoria shows that all existing allotments have been sold and developed or held for future development. The current developable land zoned Neighbourhood as shown in Figure 1 below has been divided in to north and south, with the area already zoned Neighbourhood and undeveloped to the south being approximately 296.4 hectares which allowing 32.5% of this land to allow for supporting infrastructure such as roads, stormwater retention/detention and public open space up to 87 allotments at a minimum of 1200 square metres could be created. The land already zoned Neighbourhood to the north is approximately 87.6 hectares and allowing the same 32.5% to support infrastructure provision would yield 24 allotments with a minimum site area of 1200 square metres or 63 allotments if connections to the community wastewater system were made available. It is unlikely that all developable land will be developed.

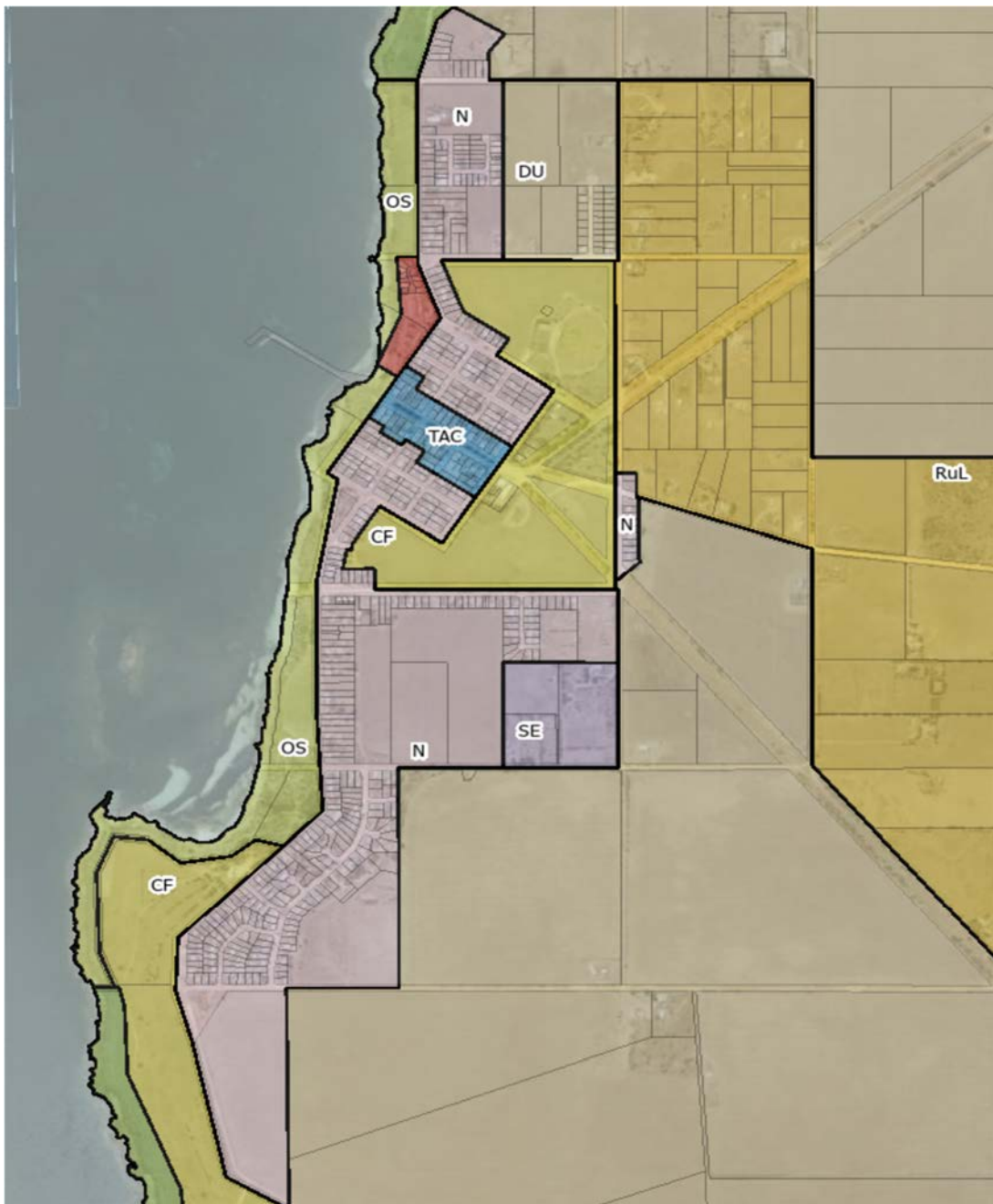


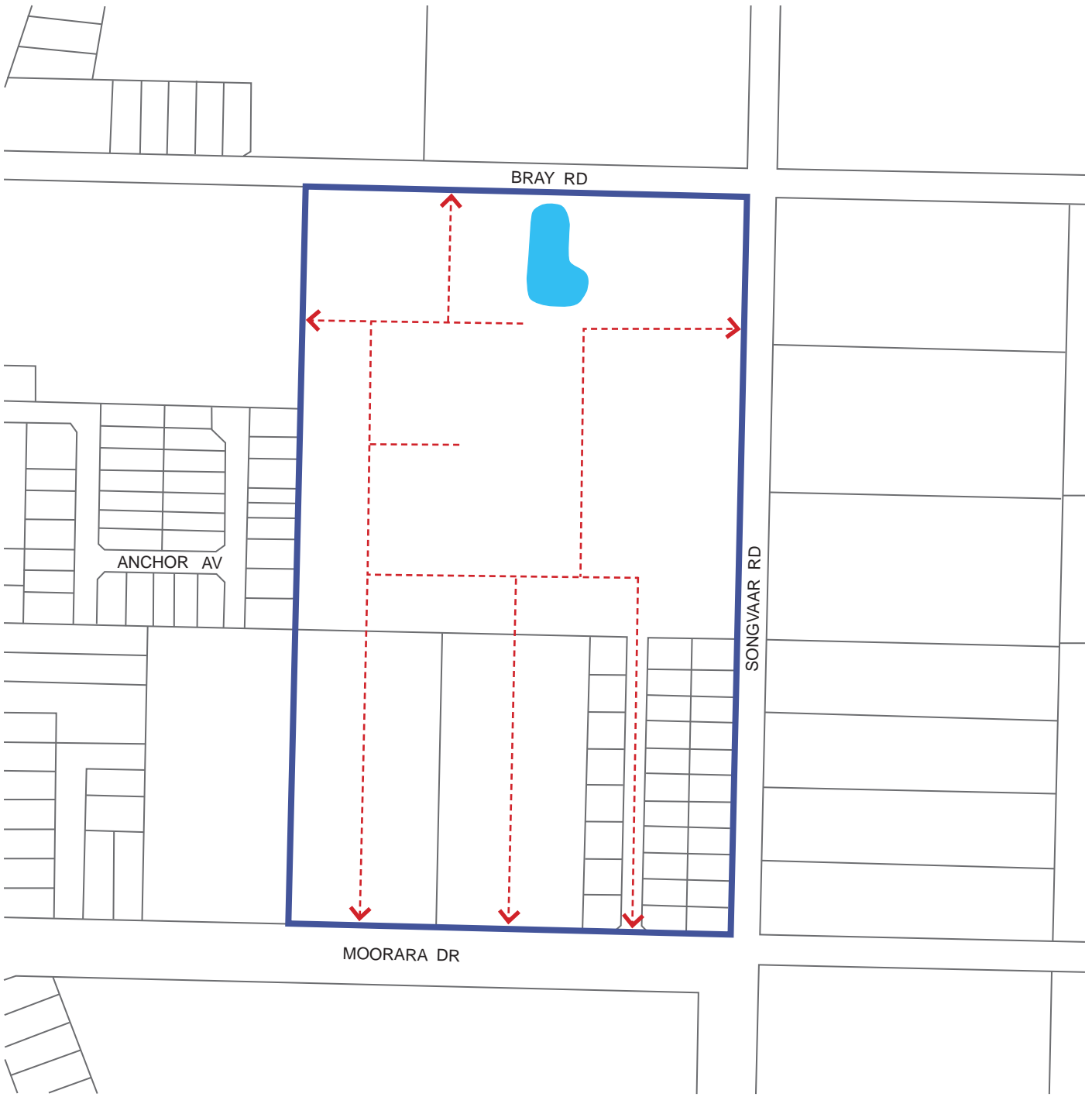
Figure 1– Port Victoria –Current Neighbourhood Zone *Source: SAPP*





The only other land zoned for future residential land use is the undeveloped portion of the affected area of the proposed code amendment shown below. A concept plan has been developed for the portion of the affected area directly north of the currently developed land which proposes 33 allotments which would be developed in stages starting with 8 residential allotments and the finalisation of the stormwater system with the installation of a detention basin and new pump station.

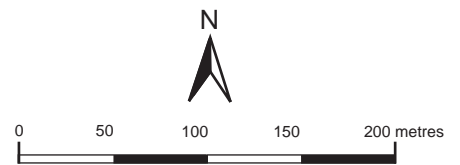


Port Victoria – Affected Area Source: SAPP

Concept Plans







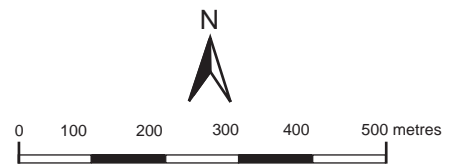
-  Concept Plan Boundary
-  Proposed roads & future access
-  Access / egress points
-  Stormwater Detention / CWMS



Concept Plan # PORT VICTORIA



-  Concept Plan Boundary
-  Proposed roads & future access
-  Access / egress points
-  Stormwater Detention / CWMS



Concept Plan # POINT TURTON