

# Clare and Gilbert Valleys Council Development Plan

Square Mile Road Clare Development Plan Amendment

## **Approval Development Plan Amendment**

By the Minister

Declared by the Minister for Urban Development and Planning to be an approved amendment under Section 26 (8), Development Act 1993

Signature

2 3 SEP 2010

Date of Gazette

## Approval DPA

## **Background**

The Square Mile Road Clare Development Plan Amendment (DPA) by the Minister amends the following Development Plan:

Clare and Gilbert Valleys Development Plan

This DPA was undertaken as a DPA process B, which included:

- An Initiation document agreed on 16 December 2008
- A DPA released for agency and public/council consultation from 25 February 2010 to 21 April 2010
- Public Meeting conducted by the Development Policy Advisory Committee (DPAC)
   Public Meeting Subcommittee on 12 May 2010.

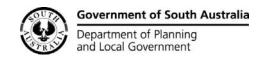
#### Consultation

A total of 21 public submissions, one council submission, and 14 agency submissions were received in relation to the DPA during the consultation period. Verbal submissions were made at the Public Meeting. No submissions were received from Members of Parliament.

### **Approval Stage**

Based on a review of all submissions and the recommendations of DPAC, the following changes have been made to the Amendment:

- Affordable Housing policy inserted into the Residential Zone to bring the Development Plan in line with the latest Affordable Housing policy from Version 5 of the Better Development Plan Policy Library.
- Water Sensitive Urban Design policy inserted into the Natural Resources module in the General section of the Development Plan to bring it into line with the latest Water Sensitive Urban Design policy from Version 5 of the Better Development Plan Policy Library.
- Interface policy inserted into the Square Mile Road Policy Area to address potential for future interface issues.
- Principle of Development Control 2(e) amended in the Land Division module in the General section of the Development Plan to bring it into line with the latest Wastewater policy from Version 5 of the Better Development Plan Policy Library.



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EXECUTIVE SUMMARY AND ANALYSIS RELEASED FOR CONSULTATION FROM 25 FEBRUARY TO 21 APRIL 2010

By the Minister

## **TABLE OF CONTENTS**

EXECUT	IVE SUMMARY	İ
Introduc	tion	i
Need for	the amendment	i
Area affe	ected	ii
Propose	d policy changes	ii
	quirements	
•	ation	
	stage	
ANALYS	IS	1
1.0 BAC	CKGROUND	1
2.0 THE	STRATEGIC CONTEXT AND POLICY DIRECTIONS	2
2.1	South Australia's Strategic Plan	2
2.2	Planning Strategy	3
2.3	Consistency with other key policy documents	7
2.4	BDP Policy Library	
	ESTIGATIONS PREVIOUSLY UNDERTAKEN	_
	ESTIGATIONS	11
4.1	Supply and Demand for Land and Housing (including Aged Accommodation)	44
4.2	Clare Growth Opportunities	
4.3	Access to Services	
4.4	Physical Attributes of Area Affected	18
4.5	Value of Land for Agriculture / Viticulture	
4.6	Interface Between Land Uses	_
4.7 4.8	Character Interface  Traffic and Transport Infrastructure Capacity	
4.9	Bushfire Hazard	
4.10	Utility Infrastructure	
4.10.1	Common Waste Management Scheme	
	Stormwater	
	Water Supply	
	Power Supply	
	NCLUSION AND RECOMMENDED POLICY CHANGES	
	TEMENT OF STATUTORY COMPLIANCE	
6.1	Accords with Other Ports of the Davidsment Blan	
6.2 6.3	Accords with Other Parts of the Development Plan Complements the policies in the Development Plans for adjoin	
0.5	areas	
6.4	Satisfies the Requirements Prescribed by the Regulations	
REFERE	NCES / BIBLIOGRAPHY	
IXLI LIXL	NOLO / DIDLICONAL III	50
THE AME	FNDMENT	

## **EXECUTIVE SUMMARY**

#### INTRODUCTION

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

In this case, the Minister is undertaking the amendment in response to a request from the Council (Section 24(1)(a)(ii) of the Act).

A Development Plan Amendment (DPA) (this document) explains what policy changes are being proposed, and why and how the amendment process will be conducted.

#### A DPA consists of:

- an Executive Summary (this section)
- Analysis
- Conclusions and Recommended Policy Changes
- Statement of Statutory Compliance
- References / Bibliography
- The Amendment.

#### **NEED FOR THE AMENDMENT**

The DPA is proposing to review and update policies in the Clare and Gilbert Valleys Council Development Plan to allow for the logical and orderly expansion of the Clare township. The DPA also examines the availability of retirement / lifestyle village form of development within the Council area and explores what opportunities may exist for the establishment of such facilities.

The Development Plan is considered to require amendment to provide policy more conducive to facilitating the development of a retirement village development of a size necessary to provide for orderly and economic provision of this form of development to serve the needs of the community.

The policies of the Clare and Gilbert Valleys Council Development Plan were last formally amended on 3 September 2009 when the Better Development (BDP) and General Development Plan Amendment was approved. The BDP DPA converted the Development Plan to BDP policy, format, including standard modules from the BDP library. A number of the modules and policies which were introduced into the Development Plan as a result are considered to address issues which were intended to be investigated as part of this DPA as they introduce best practice policies regarding:

- renewable energy resources / recycling
- allocation of potential development costs

urban design principles.

#### AREA AFFECTED

The DPA affects Allotment 1 in Filed Plan 138100 Square Mile Road, Clare. This area affected is depicted in Figure 1.

The area affected is defined by the outer boundaries of Allotment 1 in File Plan 138100, Certificate of Title Reference Volume 5866 Folio 680. The area affected comprises of approximately 37.09 hectares which is adjacent the Clare Residential Zone Low Density Policy Area, Recreation Zone containing the golf course to the south and Primary Production Zone to the west (see Figure 2).

#### PROPOSED POLICY CHANGES

The DPA is proposing amendments to the Clare and Gilbert Valleys Council Development Plan as follows:

- changing the existing zoning of the area affected from Primary Production Zone (Horticulture Policy Area 2) to Residential Zone
- establishing a new Residential Policy Area over the affected area to:
  - allow for supported accommodation (approximately 100 unit retirement village)
  - allow for residential development at a density consistent with the capacity of the road network servicing the land (approximately 240 dwellings on allotments of a minimum of 600 square metres, in addition to the proposed retirement village)
  - establish appropriate setbacks from adjacent land uses to manage potential operational and character interface issues
  - protect and preserve existing native vegetation and watercourses on the subject land
  - ensure future residential development is sited a minimum of 20 metres from areas of native vegetation and planted landscape buffers
- providing a Concept Plan Map for the area affected as a guide for future development.

Figure 1: Area Affected: Square Mile Road, Clare

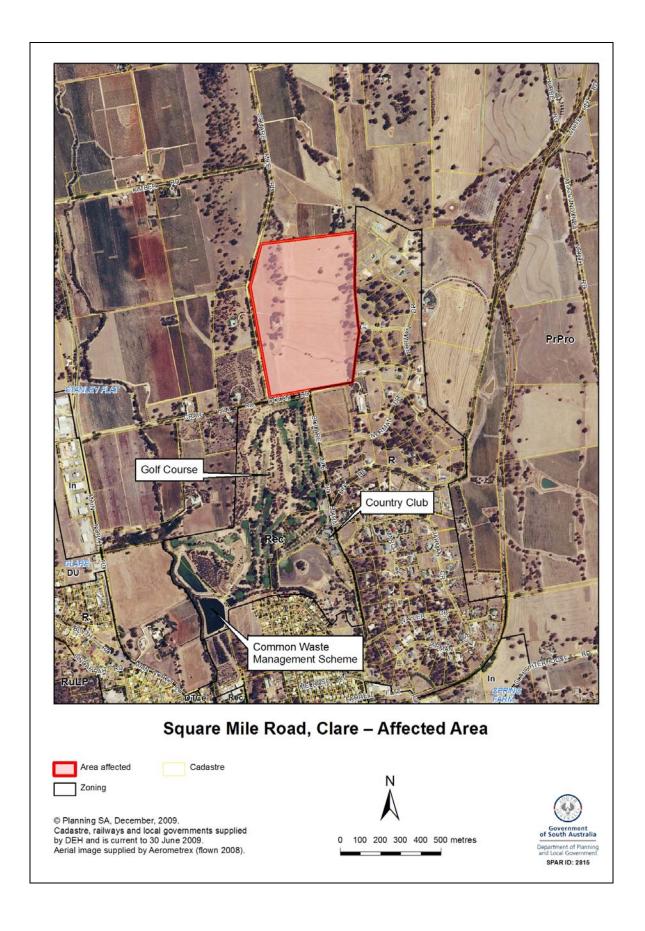
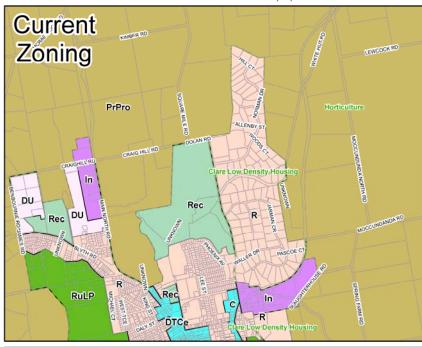
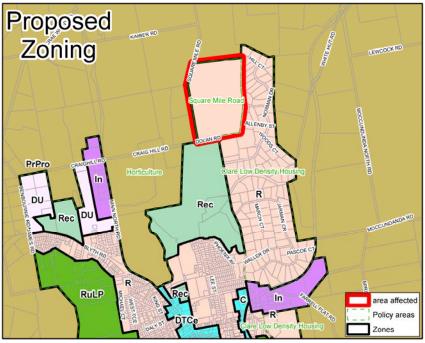


Figure 2 - Current and Proposed Zoning Clare







#### LEGAL REQUIREMENTS

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

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

- accords with the Planning Strategy;
- accords with other parts of the Development Plan;
- · complements the policies in Development Plans for adjoining areas; and
- satisfies the requirements prescribed by the Regulations under the Development Act 1993.

#### CONSULTATION

This document is now released for concurrent agency and public consultation for a period of eight weeks.

The following organisations and agencies will be consulted regarding the DPA:

- Department of Trade and Economic Development
- Department of the Premier and Cabinet
  - o Department for Aboriginal Affairs and Reconciliation
- Department of Primary Industries and Resources
  - o Sustainable Resources
- Department of Health
- Department for Further Education, Employment, Science and Technology
- Department of Education and Children's Services
- Department for Families and Communities
  - o Housing SA / Affordable Housing Innovations Unit
  - SA Community Housing Authority
- Department for Environment and Heritage
- Environment Protection Authority
- Department for Transport, Energy and Infrastructure
  - Transport Services
- Department of Water, Land and Biodiversity Conservation
- Land Management Corporation
- Department of Justice
  - o SA Police
  - SA Country Fire Service
  - State Emergency Service
- South Australian Tourism Commission
- ETSA Utilities

- SA Water
- Origin Energy
- ElectraNet
- Northern and Yorke Natural Resources Management Board
- Mid North Regional Development Board
- Conservation Council
- · Clare and Gilbert Valleys Council
- · Hon Jennifer Rankine MP, Minister for Housing, Minister for Ageing
- Mr Geoff Brock, Sitting Member for Parliament for the Electorate of Frome.

All written and verbal agency and public submissions made during the consultation phase will be considered by the Development Policy Advisory Committee (DPAC), which is an independent body responsible for conducting the consultation stage of Ministerial DPAs. Changes to the DPA may occur as a result of this consultation process (see also the 'Have your say' information box at the front of this DPA).

## THE FINAL STAGE

When the Development Policy Advisory Committee (DPAC) has considered the comments received and heard all the public submissions, it will provide the Minister for Urban Development and Planning with a report on its findings.

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

Note: This Executive Summary is for information only and does not form part of the Amendment to the Development Plan.

## **ANALYSIS**

## 1.0 BACKGROUND

In 2006, the Clare and Gilbert Valleys Council engaged consultants to prepare the Clare Residential and Centre Planning Study Strategic Directions Report in response to recent strong development activity within the township and a need to review policy to support this. The study investigated the supply and demand of residential land and examined population projections, building approvals and infrastructure capacity in order to determine whether additional residential areas should be provided.

The study identified that the proportion of older people in the township is likely to increase dramatically and that this would have significant implications in the provision of services and housing.

This Development Plan Amendment (DPA) has been initiated by the Minister for Urban Development and Planning at the request of Council. This request has stemmed from a recent development application that highlighted the need to review and amend policy relating to residential growth areas and identification of areas for retirement village forms of development.

The volumes of the Planning Strategy for the Mid-North Region (draft) and Regional South Australia both identify the need to provide for the housing needs of an aging population particularly within the regional areas of the state.

## 2.0 THE STRATEGIC CONTEXT AND POLICY DIRECTIONS

## 2.1 South Australia's Strategic Plan

The South Australia Strategic Plan 2007 establishes six objectives and relevant targets to ensure the State is a prosperous place to live and conduct business.

The relevant targets are listed below with a brief overview of the DPA response to these objectives.

## Objective 1: Growing Prosperity

South Australians want a dynamic economy that is competitive, resilient and diverse. The state's prosperity should benefit all citizens. Our growth will be managed in an environmentally sustainable way.

Investors will be drawn to South Australia because of the quality of our workforce, the vitality of our communities, the efficiency of our government, and our reputation for innovation.

#### **Economic Environment**

**T1.5 Business Investment:** exceed Australia's ratio of business investment as a percentage of the economy by 2014.

#### **Employment**

**T1.10 Jobs:** Better the Australian average employment growth rate by 2014.

#### Infrastructure

**T1.21 Strategic infrastructure:** match the national average in terms of investment in key economic and social infrastructure.

#### Population

**T1.22 Total population:** increase South Australia's population to 2 million by 2050, with an interim target of 1.64 million by 2014.

The DPA accords with the State Strategic Plan in that it allows for a strategic expansion of the Clare township, and in doing so providing business and infrastructure investment opportunity, as well as employment and support for population growth. Allowing an increased range and volume of housing in turn assists the viability of the community of Clare and its environs.

## Objective 2: Improving Wellbeing

South Australians should enjoy a good quality of life at every stage of life. Our children should be able to grow up in a safe environment, to acquire knowledge and be equipped to make the right choices.

As we mature, we need to stay connected to the community and to the environment, even as our roles change and priorities shift. We need to be in charge of our lives and not unreasonably constrained in our options.

The DPA allows the development of a range of housing stock within the township of Clare. Currently there is an identified need for aged care or lifestyle choice / independent living throughout the State.

Increasing housing diversity will cater for a range of persons in the community, particularly the aged and allow them to enjoy quality of life within the community of Clare.

### Objective 3: Attaining Sustainability

South Australians value the natural beauty of our state. We are concerned about the depletion of natural resources and want to minimise the impact of human activity on the environment. Our legacy must be a thriving and well-cared-for environment. The challenge of sustainable development requires the focus, commitment and ingenuity of all South Australians.

In addition to supporting the proposed BDP provisions relating to sustainable development, the DPA introduces specific policies associated with interface between different land uses and natural resource management.

## Objective 5: Building Communities

Democratic practices – founded on principles of free expression, equity and tolerance – are the foundation of a well-functioning society and a healthy economy. Our citizens aspire to be well-informed and engaged in decision-making. We value community cohesion and inclusion, but resist insularity. Our regional populations and our migrant communities give us diversity; they enrich and invigorate the state.

#### Regional Population Levels

**T5.9** Regional population levels: maintain regional South Australia's share of the state's population (18%).

The DPA seeks to support the target by providing for expected housing demand in the Clare township and maintaining housing options to support the population. Accommodation for our ageing population is often limited within regional areas. Facilitation of retirement village forms of accommodation allows this population group to age in their community and continue to be active participants.

#### Objective 6: Expanding Opportunity

Placing a value on knowledge is fundamental to securing a successful, cohesive and vibrant society. Literacy is crucial from the early years. Skills for living and working become vital in adult life. All South Australians must have the opportunity to reach their potential, and to continue to learn and develop throughout their lives. Giving a helping hand to those in need is a central tenet. An educated and inspired community, actively participating in the work, life and health of South Australia, is our best legacy for the future.

## Housing

- **T6.7** Affordable housing: increase affordable home purchase and rental opportunities by 5 percentage points by 2014.
- **T6.8 Housing stress**: halve the number of South Australians experiencing housing stress by 2014.

Provision of housing choice particularly for the aged in the form of retirement villages often fosters lifestyle opportunities for lifelong learning and active participation.

## 2.2 Planning Strategy

The Planning Strategy presents current State Government policy for development in South Australia and is based on key economic, social and environmental imperatives. In particular, it seeks to guide

and coordinate State Government activity in the construction and provision of services and infrastructure that influence the development of South Australia. It also indicates directions for future development to the community, the private sector and Local Government.

The Planning Strategy currently comprises several volumes, of which the Planning Strategy for Regional SA and the (draft) Planning Strategy Mid-North Region are most relevant to this DPA.

## 2.2.1 Planning Strategy for Regional South Australia

The DPA recognises and supports the Planning Strategy. The most pertinent sections in the Planning Strategy for Regional South Australia, January 2003 (as amended at December 2007) are identified and addressed as follows:

## **Economic Activity**

#### Key Industry Sectors Strategies

2 Align land use planning with regional economic development priorities for key industry sectors.

## Broadhectare Primary Industry

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

#### **Business Support**

21 Promote a business environment conducive to private investment and capital attraction.

The DPA seeks to support these strategies by providing opportunity for residential development as well as expanding the population base to support business activities, while ensuring there is adequate policy to reduce potential conflict with primary production uses.

It is acknowledged that the proposed rezoning will result in the small loss of agricultural land, this is discussed further within the investigations.

#### **Environment and Resources**

## Ecologically Sustainable Development

Promote ecologically sustainable development principles and apply them in all aspects of development and revitalisation.

#### **Biodiversity**

3 Conserve biodiversity and integrate with land use planning.

#### Landscapes

5 Protect visually important areas from inappropriate development.

#### Hazards

- 16 Minimise the impact of natural hazards.
- 17 Ensure land use planning and development takes into account bushfire management and prevention.

The DPA seeks to support these strategies by protecting existing natural features of the site, including native vegetation and watercourses, as well as promoting development that is ecologically sustainable and mindful of the broader environment. The DPA also addresses hazards by identifying the role of stormwater and bushfire risks and management for the area affected.

## People. Towns and Housing

#### Housing

- 1 Ensure diverse and affordable housing to suit community needs and preferences.
- 2 Provide affordable housing for community groups with special needs.
- Provide for adequate accommodation for the aged in regional townships by providing a comprehensive range of aged housing alternatives at affordable prices.

## <u>Design</u>

6 Provide safe, secure and healthy living environments.

#### Town Growth and Business Centres

13 Integrate the planning and management of urban infrastructure in an efficient manner, to conveniently locate facilities and to create an attractive, safe, inclusive and enjoyable place to live.

The DPA seeks to support these strategies by providing for a diversity of housing opportunities to meet diverse population requirements. Infrastructure required for the future development of the affected area is proposed to be incorporated into the towns existing infrastructure networks.

#### Water Resources

Efficient use of Water

#### Industry and Town Water Use

- 2 Plan for the sustainable, economic and efficient use of water resources.
- 3 Protect water resources while allowing sustainable economic development.

#### Rural Living and Farming

Support water management plans incorporating land and water capability.

## Water Quality and Quantity

#### Environment

- 7 Integrate water resource policies and local water planning with land use planning.
- 10 Restore and improve minor streams, lakes and wetlands in association with planning for recreation and flood prevention.

#### **Pollution**

11 Protect catchments from poor land use and management practices.

The DPA seeks to protect existing natural water systems and will require development to appropriately interface with water recycling activities on adjacent sites.

#### Infrastructure

## <u>Water</u>

4 Ensure water supply, sewage and stormwater drainage services of appropriate standards and costs are available to meet community needs.

#### Road

19 Enable the safe and efficient movement of people and goods.

The DPA seeks to ensure that development is of a size and scale appropriate to the existing infrastructure networks of the locality.

#### Mid North Planning and Development Area

#### Economic Activity

- 3 Protect and develop the area's reputation as a producer of grapes and fine wines.
- 4 Restrict encroachment by closer settlement on prime agricultural land or where capital intensive agriculture is likely to be prejudiced.

#### **Environment and Resources Strategies**

14 Undertake land capability and analysis and mapping.

## People, Towns and Housing Strategies

- 15 Facilitate expansion and regeneration of existing townships to provide locational choice for new business ventures and urban growth commensurate with demand, physical infrastructure and supply of suitable land.
- Reinforce the function of Clare as a major regional centre for business and community services and strengthen the supplementary roles played by Riverton, Jamestown, Eudunda and Burra townships.

#### Infrastructure Strategies

21 Improve access and upgrade key roads within the area.

The DPA seeks to promote appropriate expansion of the existing township and protect existing adjacent horticultural activities. The DPA also investigates the value of the area affected for horticultural activities and has determined the best use of the land accordingly.

The DPA reflects the most relevant strategies in the Planning Strategy by allowing the logical expansion of the Clare township. This in turn facilitates the orderly and economic development of the Clare township.

#### 2.2.2 Mid North Regional Land Use Framework

This Strategy is currently in draft format and was the subject of consultation with the community between 13 October 2008 and 12 December 2008. Once finalised the Strategy will become an official volume of the Planning Strategy for South Australia. The purpose of this document is to guide future land use and development within the mid-north region of South Australia and act as a resource for Local Governments in the preparation and development of policy frameworks within their council area. The mid-north region includes:

- Clare and Gilbert Valleys Council
- The Regional Council of Goyder
- Northern Areas Council
- Port Pirie Regional Council
- The District Council of Peterborough
- The District Council of Orroroo Carrieton
- The District Council of Mount Remarkable.

The following key draft strategies relate to Clare and Gilbert Valleys Council and reinforce the Clare township as principal commercial and service role:

- 11.1 Reinforce the primary commercial role of Port Pirie and Clare, the secondary commercial role of Peterborough, Jamestown, Crystal Brook, Booleroo Centre, Burra, Quorn, and Eudunda:
  - locate commercial uses in town centres or existing commercial zones;
  - design development to be consistent with desired future character of town or that part of town; and
  - prevent linear / ribbon development along major roads to support an efficient road network.
- 14.2 Reinforce the major commercial and service roles of Clare as the focus of secondary retail, commercial, administrative, education, health and recreational development in the region.
- 14.8 Provide supported aged care accommodation in towns with health services Clare, Eudunda, Burra, Jamestown, Laura, Crystal Brook, Peterborough, Orroroo, Booleroo Centre, Port Pirie and Riverton and retain existing facilities.
- 15.3 Base expansion of Towns on substantial master planning that:
  - supports the role, function and desired character of the town
  - ensures new areas are continuous with and forms compact extensions of existing built up areas
  - 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,
- 15.4 Retain functional and visual separation between townships, particularly in the Clare Valley between Auburn and Clare, and the Southern Flinders Ranges between Laura and Wilmington.
- 17.6 Provide a range of accommodation for older people and people with a disability, and focus high-level care accommodation in towns with health services.
- 17.9 Provide for 15 percent affordable housing, including a 5 percent component for high needs housing, in a new housing development.

The DPA supports these strategies by continuing to strengthen the regional role of the Clare township as an economic and social centre with the provision of a range of residential developments to encourage population growth and support projected demographic changes.

## 2.3 Consistency with other key policy documents

The proposed amendments are consistent with the following key policy documents:

Clare and Gilbert Valleys Council Strategic Plan 2008-2012

The DPA is consistent with Council's strategy to develop initiatives to attract people to live, work, visit and invest in local business.

 Strategic Infrastructure Plan for South Australia (2005/6 – 2014/15) Mid North and Yorke Peninsula Region

The DPA is consistent with the Plan's projects, in particular the need to provide more aged care and residential facilities and services to meet the increased number of retirees moving to the region.

The proposed amendments do not conflict with adjoining councils' Development Plans.

## 2.4 BDP Policy Library

The Minister for Urban Planning and Development approved the Better Development Plan (BDP) and General Development Plan Amendment on 3 September 2009. This DPA included the conversion of the Development Plan to BDP format and introduced a range of standard policy modules to guide development. Of particular relevance to this Development Plan Amendment are the following BDP Modules which are now contained in the Clare and Gilbert Valleys Development Plan as a result of the recent Better Development Plan and General DPA.

#### **General Section**

- Interface between land uses
- Land division
- Natural resources
- Open space and recreation
- Residential development
- Supported accommodation
- Transport and access
- Waste water

#### **Zone Section**

Residential Zone

#### 2.3.1 Provision for Residential Diversity in the Development Plan

The General Section of the Clare and Gilbert Valleys Development Plan provides guidance for a range of housing forms. In particular, the Residential Development section includes policy as follows:

2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.

In addition, the Supported Accommodation section contains the following provisions:

#### **OBJECTIVES**

1 Provision of well designed supported accommodation for community groups with special needs.

## PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Supported accommodation (including nursing homes, hostels, retirement homes, retirement villages, residential care facilities and special accommodation houses) should be:
  - (a) located within walking distance of essential facilities such as convenience shops, health and community services and public and community transport
  - (b) located where on-site movement of residents is not unduly restricted by the slope of the land
  - (c) sited and designed to promote interaction with other sections of the community, without compromising privacy
  - (d) of a scale and appearance that reflects the residential style and character of the locality
  - (e) provided with public and private open space and landscaping to meet the needs of residents.
- 2 Supported accommodation should be designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents that include:
  - (a) ground-level access or lifted access to all units
  - (b) internal communal areas and private spaces

- (c) an interesting and attractive outlook from units and communal areas for all residents, including those in wheelchairs
- (d) useable recreation areas for residents and visitors, including visiting children
- (e) adequate living space allowing for the use of wheelchairs with an attendant
- (f) spaces to accommodate social needs and activities, including social gatherings, internet use, gardening, keeping pets, preparing meals and doing personal laundry
- (g) storage areas for items such as boats, trailers and caravans
- (h) storage for items such as small electric powered vehicles and other personal items, including facilities for recharging small electric powered vehicles
- (i) mail boxes and waste disposal areas within easy walking distance of all units.
- 3 Access roads within supported accommodation developments should:
  - (a) not have steep gradients
  - (b) provide convenient access for emergency vehicles, visitors and residents
  - (c) provide space for manoeuvring cars and community buses
  - (d) include kerb ramps at pedestrian crossing points
  - (e) have level-surface passenger loading areas.
- 4 Car parking associated with supported accommodation should:
  - (a) be conveniently located on site within easy walking distance of resident units
  - (b) be adequate for residents, staff, service providers and visitors
  - (c) include private parking spaces for independent living units
  - (d) include separate and appropriately marked places for people with disabilities and spaces for small electrically powered vehicles
  - (e) include covered and secure parking for residents' vehicles
  - (f) have slip-resistant surfaces with gradients not steeper than 1 in 40
  - (g) allow ease of vehicle manoeuvrability
  - (h) be designed to allow the full opening of all vehicle doors
  - (i) minimise the impact of car parking on adjacent residences owing to visual intrusion and noise
  - (j) be appropriately lit to enable safe and easy movement to and from vehicles.

It is noted that the Residential Zone Desired Character statement specifically encourages the development of a variety of residential development and aged care facilities. Principle of Development Control 1 identifies 'supported accommodation' as an envisaged form of development in the Residential Zone.

On this basis, it is considered that current provisions in the Development Plan for residential and supported accommodation provide appropriate guidance for a range of housing forms within the area affected, including supported accommodation.

However, additional consideration has been given to site specific requirements that could further guide the form and siting of development in the affected area and which are not adequately addressed at the General and Residential Zone policy levels.

New policy introduced as a result of this DPA will adopt the BDP format.

## 3.0 INVESTIGATIONS PREVIOUSLY UNDERTAKEN

The area affected has been the subject of specific investigations previously undertaken, the details of which are contained within the studies below:

• Clare Residential and Centre Planning Study And Strategic Directions Report by Urban and Regional Planning Solutions (2006)

This Report investigates future residential and retail requirements for the town of Clare.

• Development Capacity Analysis by Connor Holmes (March 2005).

This Report reviews the capability of the area affected to support a mix of residential and an aged persons retirement village.

The investigations and findings of these previous investigations have been considered, reviewed and supplemented with additional investigations where necessary in the preparation of this DPA.

#### 4.0 INVESTIGATIONS

## 4.1 Supply and Demand for Land and Housing (including Aged Accommodation)

#### **Population Growth**

The findings of the *Clare Residential and Centre Planning Study and Strategic Directions Report (2006)* (the Report) consider population projection forecasts for Clare based on Australian Bureau of Statistics (ABS) projections, Department of Planning and Local Government (DPLG) projections and the historic population growth rate.

By further considering the 2006 Census figures (which were not available at the time the Report was undertaken), an historical average annual growth rate of 1.35% between 1991 and 2006 was evident. Average annual population growth between 2001 and 2006 (1.2%) also increased from the growth rate between the period of 1996 and 2001 (0.4%).

Historical Population Growth Table								
Year	1991	1996	Annual Growth	2001	Annual Growth	2006	Annual Growth	Ave Annual Growth
Population	2547	2825	55.6 (2.1%)	2884	11.8 (0.4%)	3063	35.8 (1.2%)	1.35%

### **Growth in Aging Population**

The Report identified that ABS (2005) predicted a significant growth in the over 60 age group for the township, increasing from 24% in 2006 to 36% of the population by the year 2020.

The Report indicated growth in the over 60 age group is expected to be further increased by regional migration. As the township of Clare is the major centre for the provision of services and accommodation for the aged for the broader Clare and Gilbert Valleys Council region, it is expected that the aging population will gravitate from the land towards the regional centre for the area. This reinforces the trend and expectation that the over 60 age group will be a significant determining influence in the provision of housing for Clare over the next 10 to 15 years, particularly with ABS (2005) projecting a 25 percent decline in school aged children over the same period to 2022.

#### **Dwelling Approvals**

Dwelling approvals have continued at the expected rate which was identified in the Report with the 2004, 2005 and 2006 figures reinforcing the continued strong demand for housing:

Year	1999	2000	2001	2002	2003	2004	2005	2006	Ave
Total	60	58	35	39	46	44	43	68	49

Source: ABS Statistics for the Clare and Gilbert Valleys Council Area

Using the assumption that 75% of approvals relate to the township of Clare<sup>1</sup> there has been an average annual approval rate of 37 new dwellings within the Clare township.

11

<sup>&</sup>lt;sup>1</sup> Assumption used in Clare Residential and Centre Planning Strategic Directions Report, 2006.

From another perspective, the Report notes that Council statistics during 2004-2005 and 2005-2006 (financial rather than calendar years), record that 47 and 59 (respectively) new dwellings were approved in Clare with a projected annual residential demand in Clare of 53<sup>2</sup>.

A review of the more recent dwelling approval figures for Clare identifies that:

- in the 2006-2007 financial year, 48 dwellings were approved; and
- in the 2007-2008 financial year, 30 dwellings were approved.

While there has been a reduction in the number of dwelling approvals in 2007-2008, this is not considered to represent a significant downturn in the demand for housing, but rather a reflection on potential availability of land.

Based on the historical trends and identified population projection, it is expected that there will be continued residential demand in Clare.

#### Vacant Allotments

At the time of the Report (2006), there were 188 vacant allotments identified within the Clare township with a further 213 approved land division allotments providing the total opportunity of some 400 allotments.

Recent investigations (June 2009) indicate that there are currently 170 vacant parcels of land with an area under 0.5 of a hectare and an additional 54 vacant allotments with an area greater than 0.5 hectares.

A comparison of the vacant land maps between December 2005 and June 2009 provides an indication that there has been a relatively large take-up of existing and new allotments of less than 0.5 hectares with limited redevelopment of the larger land parcels.

In particular, the newly developed land parcels have been developed more frequently than vacant allotments in established areas. This provides an indication that the vacant allotments in the established areas of the township may not currently be available for development.

#### Land Division Approvals

Statistics from the Clare and Gilbert Valleys Council identify that the number of residential allotments approved by land division in the financial years 2005-2006 (17), 2006-2007 (29) and 2007-2008 (17) are not keeping pace with the number of new dwellings approved.

While some of the new dwellings approved may involve the demolition and replacement of existing dwellings on a land parcel, this proportion is expected to be limited and there is therefore an apparent unsustainable discrepancy between the creation of new allotments and the number of new dwellings approved.

The Residential and Centre Planning Study and Strategic Directions Report (2006) identifies a relatively large number of residential allotments approved, however, the demand for new housing has outstripped the availability of land parcels.

<sup>&</sup>lt;sup>2</sup> Concluded by the Clare Residential and Centre Planning Strategic Directions Report, 2006.

Accordingly there is a need to provide for an increase in the supply of land available for residential development.

#### **Development Opportunities**

The Report (2006) identified that development opportunities within the existing township boundaries could be able to contribute up to an additional 170 residential allotments. Based on an assumption that 25 percent<sup>3</sup> of identified opportunities could be realised, the Report considered that 43 additional allotments could result in the short to medium term.

The Development Plan recognises that opportunities exist within the township to provide further infill development on vacant allotments and that this will continue in the short term as familiarity with the concept of closer development becomes more acceptable. It is expected that as pressure on urban services increases, the benefits of appropriate infill development will encourage further division and consolidation within residential areas. However, it is not expected that infill development can meet the broader residential demand for the locality and rezoning of greenacre / broadhectare areas is required to meet long term demand.

#### **Growth Projections**

The Report (2006) concluded that, based on historic growth trends, there is approximately 15 years supply of residentially zoned land; while based on the then current dwelling approval rates only 7 years supply of residentially zoned land was available. The study then concluded that based on a balanced consideration of both scenarios there was a realistic supply of residentially zoned land within the township to accommodate the next 10 years of growth.

#### **Conclusions**

Having regard to the population projections and the projected increase in the population within the 60 year plus age group it is evident that there is a continued demand for housing within Clare and an increasing pressure to plan for accommodation for the aged over the next 15 years.

The continued strength in the numbers of dwelling approvals combined with the reduction in land division approvals over the past five years indicates that dwelling supply is out- stripping allotment supply within the township boundaries.

This is also evident in the reduced number of vacant land parcels from December 2005 when there were effectively some 400 vacant residential land parcels available (existing vacant plus approved allotments) compared to an existing vacant land parcel count of 223 (June 2009) with a reducing number of new allotments approved (53 approved allotments over the past three years).

It is evident that a significant number of the existing smaller (less than 0.5 hectare) vacant allotments are not available for immediate development having been vacant for the last three and a half years.

Accordingly it is identified that:

- there is a decreasing supply of available zoned residential land for immediate development
- there is a sustained and continued population growth for the township of Clare
- the population projections for the township of Clare show a significant increase in the age cohort for persons aged 60 years and older

<sup>&</sup>lt;sup>3</sup> Assumption from the Clare Residential and Centre planning Strategic Directions Report, 2006.

 there are no readily identifiable opportunities within the township boundaries to accommodate supported accommodation in the form of a retirement village capable of being provided in an orderly and economic manner (eg providing for a sustainable 80 to 100 unit retirement village form of development requiring an area of between 5 and 6 hectares of relatively flat land).

## 4.2 Clare Growth Opportunities

The area affected is identified in the Clare Residential and Centre Planning Study, Strategic Direction Report (2006) as one of four greenfield opportunities for future residential growth (refer Figure 3). The Report noted that sites 1 and 3 identified below were the most appropriate sites for future residential growth.

A review of the assessment of the greenfield sites identified in the Clare Residential and Centre Planning Strategic Directions Report (2006) resulted in the following comments:

## • Site 1: Benbournie Road / Blythe Road

This 13 hectare site is part in private ownership for viticulture purposes and part in public ownership by the Department for Education and Children's Services for use by the adjacent school. The area of land available to be developed is therefore significantly reduced from the 13 hectare area identified.

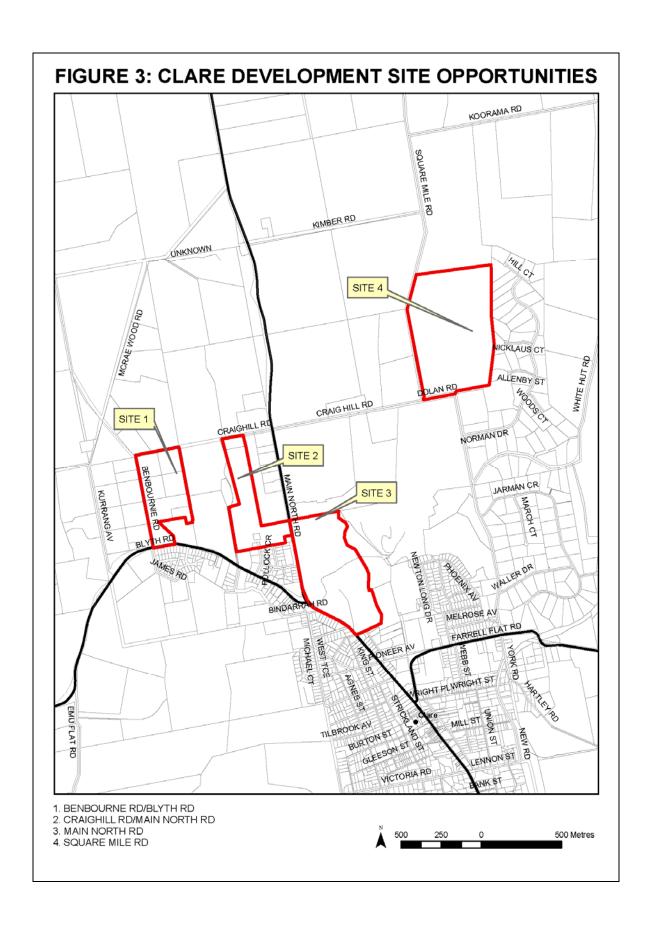
The land is at the periphery of the township's current urban area and exhibits similar physical features (watercourse and proximity to horticultural land) as the land at Square Mile Road. However, the land is unlikely to be available due to its current use at this time.

This site is currently zoned Deferred Urban.

## • Site 2: Craig Hill Road / Main North Road

This irregularly shaped site is located adjacent residential, industrial and primary production activities. Access to the site is poor and given its location adjacent potentially high impact land uses, the majority of the land is considered more suited to an expansion of the existing industrial zone rather than residential development.

This site is currently zoned Deferred Urban.



#### • Site 3: Main North Road

This site is bordered by the Hutt River, existing Council CWMS ponds, viticulture and residential development. The site contains the Inchiquin Homestead, a State Heritage Place, and part of the land is prone to flooding. As such, there are a number of constraints that impact upon the development potential of the land and it is considered that the site cannot be developed to its best potential until the Council has relocated the adjacent CWMS ponds, as proposed.

The site is currently zoned Primary Production.

## • Site 4: Square Mile Road

This 37 hectare site is located adjacent the golf course and is adjacent low density residential and agricultural activities. The site is currently used for limited agricultural purposes and contains a number of creeks, a residence and agricultural buildings. Whilst the 2006 Report indicates that "the land is relatively isolated from the Centre of Clare and its development would exacerbate an undesirable extension of the town to the north" and recommended it be retained as rural, the 2.4 kilometre distance from the town centre is not considered an unreasonable distance with an upgrade to the roadway.

The site is currently zoned Primary Production.

Of these greenfield sites, the Square Mile Road site is considered suitable for residential zoning as:

- it is not being used intensively for any other purpose
- · is not identified as being prone to flooding
- it is less prone to the potential for conflict with adjoining non-residential land uses.

The Clare Residential and Centre Planning Study, Strategic Direction Report (2006) identifies that the gentle slope and general lack of vegetation lends itself to *'traditional'* style residential development subject to appropriate service provision.

Furthermore, the size of the land parcel presents an opportunity to accommodate a retirement village, which cannot readily be accommodated within the existing township boundaries.

#### Conclusion

Although the site is on the periphery of the Clare township, the distance of 2.4 kilometres from the town centre is not considered inappropriate with an upgrade of the roadway to provide improved access to the townships services. The site is generally considered to be in accordance with the policies for residential and supported accommodation contained within the general section of the Clare and Gilbert Valleys Development Plan.

#### 4.3 Access to Services

A review of existing services within the township of Clare reinforces the existing planning strategies that encourage the provision of a range of services and determine the role of township of Clare as a major centre of the region. The following services were identified on 26 March 2009:

#### Health

- · Community Dentist Service
- · Disability SA

- Lower North Health Community Health
- Specsavers Optometrists
- Carpenter and Brown Optometrists
- · Mid-North Division of Rural Medicine
- Clare Medical Centre
- Victoria Road Medical Clinic
- Physio Clare
- Clare Valley Physiotherapy
- Clare Dental
- Podiatrists Halliday Kaye F
- Clare Chiropractic Clinic
- Chiropractor Dr Raggio

## **Transport**

- Clare and Gilbert Valley Council Community Services
- · Mid-North Community Passenger Network

## Personal and Family Support

- Lower North Community Aged Care Assessment Team
- Clare and Valley Council Community Services
- Clare Revive
- · Country North Community Services Inc.
- · Meals on Wheels (SA) Inc
- Clare Public Library

## **Community Organisations and Development**

- Clare Apex Club
- Clare Heartbeat Inc.
- Clare Positive Futures
- Clare Post Shop
- Lions Club of Clare District
- Lower North Volunteer Resource Centre
- Police Station
- Saddleworth Red Cross
- RSL Clare Sub-branch
- Rotary Club of Clare

#### Government

Clare and Gilbert Valleys Council

#### Finance, Income and Business

· Clare Centrelink Agent

## 4.4 Physical Attributes of Area Affected

The area affected lies in a valley between north-south ridgelines to the west and east. The land has formerly been used for primary production purposes and accommodates an existing rural dwelling, agricultural buildings and two dams. The land is traversed by watercourses / drainage lines in shallow natural depressions, allowing for surface water collection and flow from the subject land and the land to the east.

Existing remnant native vegetation exists along the western extent of the land in the form of mature Eucalyptus trees with no native understorey species present at the time of the site inspection.

The preservation of the remnant native trees on the subject land and protection and enhancement of the identified watercourses / drainage lines is considered to be warranted in any development of the subject land for residential purposes, in order to protect the natural resources as well as establish an appropriate and desired character for the development.

The provisions contained within the general section of the Clare and Gilbert Valleys Development Plan provide policy guidance to ensure the retention, protection and restoration of natural features on the subject land. Specifically:

General Section, Natural Resources

Objectives: 1, 2, 3, 47, and 8

Principles of Development Control: 8, 14 and 28

- 8 Development should ensure watercourses and their beds, banks, wetlands and floodplains are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.
- Development such as cropping, intensive animal keeping, residential, tourism, industry and horticulture, that increases the amount of surface run-off should include a strip of land at least 20 metres wide measured from the top of existing banks on each side of a watercourse that is:
  - (a) fenced to exclude livestock
  - (b) kept free of development, including structures, formal roadways or access ways for machinery or any other activity causing soil compaction or significant modification of the natural surface of the land
  - (c) revegetated with indigenous vegetation comprising trees, shrubs and other groundcover plants to filter run-off so as to reduce the impacts on native aquatic ecosystems and to minimise soil loss eroding into the watercourse.
- Development should retain existing areas of native vegetation and where possible contribute to revegetation using locally indigenous plant species.

### Policy Response

A concept plan has been prepared to guide future development of the site and identifies areas of existing vegetation and drainage lines. Additional policy is proposed to be inserted to ensure the preservation and enhancement of the environmental qualities of the site.

## 4.5 Value of Land for Agriculture / Viticulture

Investigations undertaken by Agrilink Agricultural Consultants Pty Ltd as part of a previous development application over the land identified that 61% (22.74 hectares) of the land was unsuitable for viticulture and that 45.6% (16.89 hectares) was unsuitable for any form of productive agriculture. The land was considered to be of moderate primary production value, which may be reflected in the fact that the opportunities to use the land for intensive primary production in accordance with the existing zoning have not been taken up.

Investigations were undertaken by Rural Solutions (April 2009) to determine the impact of rezoning the land on the agricultural and horticultural potential of the land and their findings were consistent with those of Agrilink whereby it was identified that:

- the primary production value of the land was defined as moderate;
- the land was not suited to 100% horticulture as contemplated by the current zoning;
- only 38.7% (14.35 hectares) is suitable for horticulture / viticulture purposes
- only 54.6% (20.2 hectares) is suitable for general agriculture (cropping)
  - only 45.4% (16.89 hectares) is suitable for grazing.

The Rural Solutions Report (April 2009) considers that overall the agricultural potential of the subject land is moderate, having considered soil type, soil depth and the presence of impeding layers. Furthermore, the productivity of the land is considered to be limited by factors including slope (erosion potential), drainage lines (existing watercourses), and areas of remnant vegetation.

The Department of Primary Industries and Resources SA (PIRSA) in their response to the previous development application for the area affected, recognised that the land is not 'prime' agricultural land, but were of the opinion that it should remain for primary production with residential development remaining focused within the township boundary or alternative sites with a lower quality agricultural profile. A subsequent assessment of the agricultural significance of rural land surrounding Clare undertaken by PIRSA in 2006 identified the land as having a land capability of Class 3 (land with moderate production potential and/or requiring specialised management practices).

In the balancing of land use demands, the value for primary production is one factor in the consideration of whether the land should be considered for an alternative purpose.

## Conclusion

Both investigations identify the land as being of moderate primary production value and low in the context of the primary purpose of the zone (horticultural / viticulture activities). Based on the limited primary production potential of the land, and its proximity to the Clare township, it is considered that it is appropriate to consider alternative competing land uses including residential providing that the interface with different land uses can be appropriately managed. The proposal to rezone for residential development is considered to result in a small loss of agricultural potential.

## 4.6 Interface Between Land Uses

The land immediately to the north of the area affected is currently used for primary production in the form of viticulture and poses potential interface issues between residential and primary production

uses. It is identified that the main potential for interface issues is likely to arise from spray drift and noise from machinery during harvesting and spraying.

The report by Rural Solutions recommends that a 50 metre wide landscaped buffer should be established along the northern boundary of the area affected should the land be rezoned for residential purposes. Such planting should comprise dense layers of vegetation utilising a variety of different sized plants to protect residential development from the affects of spray drift. A buffer of 50 metres is considered acceptable to minimise noise impact during the occasional (once a year) and short duration of harvest.

In addition, the golf course adjacent part of the southern boundary of the site is known to utilise recycled water from the Council waste management scheme. Although it is recognised that this water is suitable for irrigation purposes, land within 50 metres of the golf course is to be landscaped to provide a suitable buffer to protect residential development from potential spray drift.

The existing 'Interface between Land Uses' section of the Clare and Gilbert Valleys Development Plan is considered to provide sufficient general policy guidance in respect to the management of the interface between different land uses. In particular, Objectives 1 and 2 and the following Principles of Development Control:

#### **Objectives**

- 1 Development located and designed to prevent adverse impact and conflict between land uses.
- 2 Protect community health and amenity and support the operation of all desired land uses.

#### **Principles of Development Control**

- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses considered appropriate for the zone should not be developed or should be designed to minimise negative impacts.
- 8 The potential for adverse impacts resulting from rural development should be minimised by:
  - (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 10 Existing primary production uses and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.

## Policy Response

To provide certainty and clarity of policy within the Development Plan it is considered appropriate to adopt the recommendations of Rural Solutions Report and insert policy that outlines a requirement to adopt a 50 metre vegetated buffer to the northern boundary of the subject land as well as to the southern boundary, where adjacent the golf course. This will be provided by illustration on a Policy Area Concept Plan and reinforced through policy.

#### 4.7 Character Interface

The area affected is bound by a stand of native vegetation to the west, vineyards to the north, the golf course to the south and residential living to the east. The residential area to the east is identified as the Clare Low Density Policy Area and envisages mixed rural-residential activities in a rural setting. The Square Mile Road land that is the subject of the DPA is adjacent the Clare Residential Zone (Low Density Policy Area) and the Clare golf course and represents a logical northern extension of the urban area for the Clare township.

The subject land also accommodates remnant native vegetation in the form of mature trees along the eastern boundary of the land, as well as a linear formation approximately 50 metres wide and located 50 metres to 100 metres from the western boundary of the area affected.

Two prominent watercourses also traverse the land and feed two existing dams located within the area affected.

## Policy Response

Accordingly, rezoning of the area affected needs to address the interface of the rural character of the adjacent activities with the desired future use of the subject land. This balance will be achieved by:

- introducing policy to protect and preserve the area's existing native vegetation on the subject land
- introducing policy to protect the existing watercourses
- introducing a policy requirement for a 50 metre landscaped buffer area adjacent the northern property boundary and a land within 50 metres of the golf course to be landscaped as a buffer area.

These proposals will be delivered by illustration on a Policy Area Concept Plan and reinforced through policy in the Development Plan.

These design and siting elements would establish an appropriate natural and open character interface with the adjoining land uses. This approach also allows future development at greater densities to be established on the relatively level land in segments separated by the retained and enhanced natural features of the land which will also provide for the natural staging of development within the policy area. As the subject land is located in a valley between undulating hillsides, the residential development is not expected to have significant visual impact on the character of the surrounding locality or the township itself.

#### 4.8 Traffic and Transport Infrastructure Capacity

The capacity of the road network servicing the area affected has been assessed by Murray F Young (MFY) and Associates. Based upon their investigations it was identified that at July 2006:

- Square Mile Road (north of Norman Drive) had a daily traffic volume of 60 vehicles per day (vpd);
- Square Mile Road (between Norman Drive and White Hut Road) had a daily traffic volume of 200 vpd;
- White Hut Road had a daily traffic volume of 600 vpd;
- Farrell Flat Road, which is identified as an arterial road under the care and control of the Department of Transport, Energy and Infrastructure (DTEI), had a daily traffic volume of 700 vpd (DTEI traffic data [1999]).

The MFY Report notes that minor collector roads such as Square Mile Road and White Hut Road can generally accommodate a peak volume of 3000 vpd if sealed. By examining the maximum capacity of the road network, the Report has calculated the maximum number of allotments that may be supported. This is based on the following rates to calculate vehicular traffic for proposed uses:

- nine daily vehicle trips per dwelling for residential allotments; and
- two daily vehicle trips per dwelling for retirement dwellings.

Road	Threshold (vpd)	Existing volume (vpd)	Proposed 100 dwelling retirement village (vpd)	Maximum residential traffic volumes (vpd)	Maximum allotments (based on nine trips per day)
Square Mile Rd	3 000	200	200	2 600	280
White Hut Rd	3 000	600	200	2 200	240

An assessment of the spare capacity of the affected roads indicates that the area affected can accommodate supported accommodation in the form of a 100 unit retirement village together with up to 240 additional residential allotments. The Report notes that this potential is subject to the following infrastructure upgrades to the road network accessing the land, if residential development up to 240 dwellings in addition to a 100 unit retirement village is to occur:

- the section of Square Mile Road north of the intersection of Norman Drive being sealed with a 6.0 metre wide carriageway. The priority of the road approaches at the Square Mile Road / White Hut Road intersection will need to be changed in favour of the prolongation of White Hut Road and Square Mile Road for north / south bound traffic; and
- the installation of a round-a-bout at the Farrell Flat Road / White Hut Road and York Road intersection to cater for the primary movement of traffic to / from Farrell Flat Road to Square Mile Road.

If the density of development within the area affected exceeded the equivalent of a 100 unit retirement village and 240 residential allotments then more significant infrastructure upgrades would be required to the road network between Farrell Flat Road and the subject land.

Beyond the proposed primary access point, the road changes name to Dolan Road and then back to Square Mile Road. These roads are very narrow, unsealed and have a number of large trees adjacent the carriageway. The MFY Report recommends that traffic volumes should be kept to a minimum beyond the primary access point to the site, however for safety purposes, it will be necessary for at least one additional common access point be provided on the western side of the site to provide alternative access / egress in the event of an emergency. On this basis, it is considered that the length of Square Mile Road (including Dolan Road) to the northern boundary of the affected area should be sealed and upgraded appropriately. This will also minimise the impacts of additional traffic, such as dust, on adjacent agricultural activities as well as protecting the amenity of the residential development.

A review of the Clare and Gilbert Valleys Development Plan identifies that the following provisions provide appropriate policy guidance for the assessment of the future development of the subject land in terms of traffic impact.

The sealing of Square Mile Road (north of Norman Drive) and Dolan Road will be appropriately guided by Transportation and Access Principle of Development Control 21:

21 Development should have direct access from an all weather public road.

The intersection upgrades to provide for the priority of traffic flow at Square Mile Road, / White Hut Road, Farrell Flat Road / White Hut Road and York Road will be appropriately guided by the existing Transport and Access Principle of Development Control 22 in the Development Plan:

- 22 Development should be provided with safe and convenient access which:
  - (a) avoids unreasonable interference with the flow of traffic on adjoining roads
  - (b) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
  - (c) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.

In addition to the upgrade of Square Mile Road and Dolan Road to all-weather roadways, it is considered that a 1.5 metre wide footpath should be constructed between the primary access point of the subject land to join with the existing footpath at Farrell Flat Road. This would provide appropriate pedestrian and small motorised vehicles safe and convenient access between the area affected and the township services.

The construction of appropriate pedestrian and mobility impaired access to the area affected will be appropriately guided by the following existing Transport and Access provisions in the Development Plan:

- Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public transport stops and activity centres.
- Development should provide access, and accommodate multiple route options, for cyclists by enhancing and integrating with open space networks, recreational trails, parks, reserves and recreation areas.
- 16 Cycling and pedestrian networks should be designed to be permeable and facilitate direct and efficient passage to neighbouring networks and facilities.

The provision of an exclusive bicycle path is not warranted due to the low traffic volumes on the minor collector roads servicing the land. Should it be determined in the future that a bicycle lane is warranted, Council may seek to review this.

#### Conclusion

There is sufficient existing policy in the Development Plan to guide the road, footpath and intersection upgrades that will be required as a result of future development at the subject site.

### 4.9 Bushfire Hazard

The Clare and Gilbert Valleys Development Plan identifies the area affected as being within a medium bushfire risk area (Maps BPA Map CGV /6 and BPA Map CGV/19). The General Section (Hazards) of the Development Plan is considered to appropriately address bushfire risk, with existing policy seeking to ensure development is:

- located to minimise the threat and impact of bushfires on life and property
- provided with an adequate supply of water for fire fighting purposes
- provided with adequate vehicle access

### Policy Response

As the proposed landscape buffers to the northern and southern boundaries will be new, but still able to pose a bushfire threat, a provision has been proposed for the Policy Area that requires a 20m setback from these buffers, which is consistent with existing policy for areas of established vegetation.

### 4.10 Utility Infrastructure

Although there are no prohibitive limitations in the supply of electricity, water, sewerage or telecommunications services, significant infrastructure work will be required to be undertaken prior to the development of the Square Mile Road site.

Requirements relating to the augmentation of such services, including the need for reserves and easements, are already stipulated in the Clare and Gilbert Valleys Development Plan under Council-wide sections Land Division, Infrastructure, and Transportation and Access.

### 4.10.1 Common Waste Management Scheme

The Council Common Waste Management Scheme (CWMS) is currently located south-east of the golf course. The Clare and Gilbert Valleys Council have identified that the existing lagoons are near capacity and plans to upgrade the existing treatment facility. It is understood that Maunsell AECOM have been engaged by Council to design the new facility which is expected to provide for an increase in the capacity of the system from the equivalent of 3,200 persons to 4,000 persons in line with planned growth within the CWMS boundary.

The area affected is outside of the area currently serviced by the CWMS and accordingly, the development of the land will require the establishment of appropriate infrastructure. The preferred option for any rezoning of the land to residential is for the land to be connected to the existing CWMS with connection infrastructure established and the planned capacity of the new treatment system be upsized prior to the development of the land.

Existing Development Plan policy in the General Section (Infrastructure) seeks for the efficient and cost effective use of existing infrastructure. Further, an existing principle of development control advises that development should not occur without the provision of adequate utilities and services, including waste disposal and effluent disposal systems.

Existing policies in the General Section (Land Division) also provide that land should not be divided if the area is unsewered and cannot accommodate an appropriate waste disposal system within the allotment to suit the intended development.

### Policy Response

There is sufficient existing policy in the Development Plan to ensure the development of the site does not occur without the provision of appropriate infrastructure, including the provision of an adequate effluent disposal system.

#### 4.10.2 Stormwater

An assessment of the stormwater flows from the site has been undertaken by Tonkin Engineering (2009), which identifies that the land contains a couple of shallow watercourses / drainage lines that collect existing surface water from the land and discharge it via existing dams through land to the west. Land to the east of the area affected also contributes to the additional surface flows across the land.

While existing surface flows provide for a current level of surface water discharge from the site, the development of the land for residential purposes will result in a likely increase in the rate, volume and frequency of discharge from the area affected. This has the potential to result in an unacceptable level of nuisance imposed on downstream land owners if an appropriate stormwater management system is not provided at the time of development.

Due to the size of the area, there is sufficient opportunity to ensure that the rate, volume and frequency of stormwater discharge is managed on-site via the existing dams to ensure that the post development down stream flows are not overloaded.

It is noted that the current Development Plan contains the following existing policy in the General Section (Hazards):

- Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following:
  - (a) it is developed with a public stormwater system capable of catering for a 1 in 100 year average return interval flood event
  - (b) buildings are designed and constructed to prevent the entry of floodwaters in a 1 in 100 year average return interval flood event.

Existing Development Plan policy within the General Section (Natural Resources – Stormwater) contains provisions seeking to ensure development is designed to:

- Be protected during a minimum of a 1 in 100 year flood event
- Capture and re-use stormwater where practical
- Control any stormwater over-flow run-off from the site, and improve the quality of stormwater and minimise pollutant transfer to receiving waters
- Include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure downstream systems are not overloaded
- include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system
- include stormwater management systems that preserve natural drainage systems, including the associated environmental flows
- maximise the potential for stormwater harvesting and reuse; and
- Where not detained or disposed on site, drain stormwater to a public stormwater disposal system

### Policy Response

As outlined above, there is sufficient existing policy within the Development Plan to ensure that stormwater management systems are designed to manage the volume and frequency of flows discharged from the site so as to not overload downstream systems. There is also adequate existing policy to guide the design of any future stormwater management system to promote the capture and reuse of stormwater, and to ensure that the discharge of sediment and other contaminants is minimised.

### 4.10.3 Water Supply

Correspondence provided to Connor Holmes by SA Water, during investigations undertaken in 2005 on development capacity, identified that the area affected could be supplied from the existing mains. However augmentation of the existing supply system may be required to ensure satisfactory flow and head to avoid affecting existing customers.

In particular, SA Water indicated a need for:

- an extension to the existing 150 millimetre PVC pipe in Square Mile Road to service the land;
   and
- a duplication of approximately 2,000 metres for the existing 250 millimetre main from the Clare tanks with a 200 millimetre pipe to service both the development of this land and other developments in the north-east of Clare.

These SA Water investigations indicate that the site may be serviced and that the augmentation works would normally be expected as part of any development where SA Water connections would be required.

### Conclusion

Although the 2005 comments by SA Water are based on a lower density, rural living development format, it is expected that the site will still be able to be serviced to requirements, although infrastructure requirements may vary.

### 4.10.4 Power Supply

Previous correspondence received by Connor Holmes from ETSA Utilities (December 2004) identified that the capacity of the existing ETSA Utilities distribution network is sufficient to accommodate the forecast load growth and the new customer connection out of the Clare Substation. This advice was based on a proposed development involving 50 allotments.

Further investigations and advice received by ETSA Utilities identify that peak forecast load for the Clare substation is under the existing capacity. The substation has a capacity of 11MVA. The current forecast summer load for 2009 and 2010 has been predicted at 9.9 MVA. A more detailed assessment of forecast load would be undertaken at the time of a more defined development of the land. At that time, if the forecast load was to exceed the capacity of the Clare substation, then there would be a requirement for the developer of the land to pay augmentation charges.

### Conclusion

Accordingly, it is considered that the land is capable of being developed for residential purposes and able to be provided with electricity supply subject to the normally expected augmentation charges for development at the periphery of an urban area.

### 5.0 CONCLUSION AND RECOMMENDED POLICY CHANGES

Having regard to the investigations identified in the proceeding sections, it is necessary to rezone land to ensure a rolling supply of 15 years of residentially zoned land and that there is a need for sufficient land to accommodate a development in the form of a retirement village.

The land at Square Mile Road identified as the area affected is considered a suitable greenfield site to provide for future growth of the township in an orderly and economic manner, while maintaining the integrity and character of the township.

Of the 37 hectares of land, approximately 18 hectares of land will be available for future 'traditional' residential development, taking into account the following requirements:

- land within 50 metres of the golf course to be landscaped as a buffer to prevent spray drift to the residential development (approximately 1.05 hectares);
- provide a 50 metre buffer along the northern boundary at the interface of the horticultural land use (approximately 2.3 hectares);
- preserve and enhance the existing areas of remnant mature trees and the need to site residential development a minimum of 20 metres from areas of native vegetation and planted landscape buffers (approximately 5 hectares);
- preserve and enhance the riparian environment of the existing identified watercourses / drainage lines on the subject land (2.1 hectares); and
- provision for a 100 unit supported accommodation (6.0 hectares).

### Having regard to:

- the capacity of the road network servicing the area affected;
- the available area of developable land considering the existing physical
- the need to accommodate future stormwater detention measures; and
- a desire to establish an appropriate urban character cognisant of adjacent land uses at the periphery of the township;

it is considered that policies for the new policy area remain consistent with the broader Residential Zone for the Clare township. That is, a minimum lot size of 600 square metres per detached dwelling, together with allowance for supported accommodation of a medium density format.

At a minimum lot size of 600 square metres per detached dwelling it is calculated that the proposed 240 dwellings in addition to a retirement village comprising of 100 units can be accommodated on the land, and that a desirable character can be established for the edge of the townships urban area. The configuration of any residential development would be determined at the development assessment stage.

Accordingly the DPA proposes the following changes to the Clare and Gilbert Valleys Council Development Plan:

- changing the existing zoning of the area affected from Primary Production Zone (Horticulture Policy Area 2) to Residential Zone
- establishing a new Residential Policy Area over the affected area to:
  - allow for supported accommodation (approximately 100 unit retirement village)
  - allow for residential development at a density consistent with the capacity of the road network servicing the land (approximately 240 dwellings on allotments of a minimum of 600 square metres, in addition to the proposed retirement village)
  - establish appropriate setbacks from adjacent land uses to manage potential operational and character interface issues
  - protect and preserve existing native vegetation and watercourses on the subject land
  - ensure future residential development is sited a minimum of 20 metres from areas of native vegetation and planted landscape buffers
- providing a Concept Plan Map for the area affected as a guide for future development.

### 6.0 STATEMENT OF STATUTORY COMPLIANCE

Section 26 of the *Development Act 1993* prescribes that the DPA must assess the extent to which the proposed amendment:

- (a) accords with the Planning Strategy;
- (b) accords with other parts of the Development Plan;
- (c) complements the policies in the Development Plans for adjoining areas; and
- (d) satisfies the requirements prescribed by the Regulations.

### 6.1 Accords with the Planning Strategy

Relevant strategies from the Planning Strategy are summarised in Section 1.2.2 of this document. It is the intent of the DPA to support the achievement of the Planning Strategy policies.

### 6.2 Accords with Other Parts of the Development Plan

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

### 6.3 Complements the policies in the Development Plans for adjoining areas

The policies proposed in this DPA will not affect the Development Plans for adjoining areas (as described in Section 1.2.3 of this document).

### 6.4 Satisfies the Requirements Prescribed by the Regulations

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

### **REFERENCES / BIBLIOGRAPHY**

- Clare Residential and Centre Planning Study Strategic Directions Report Prepared for the Clare and Gilbert Valleys Council by Urban and Regional Planning Solutions and
- Development Capacity Analysis, Hollitt Property Square Mile Road, Clare Prepared for Square Mile Road Development Pty Ltd by Connor Holmes (March 2005)
- Alistair Tutte Urban and Regional Planner (7 August 2006)
- Agricultural Significance Assessment of Rural Land Surrounding Clare (June 2006) Prepared for Planning SA by Primary Industries and Resources South Australia
- Report on the Suitability of the Square Mile Road Property, Clare, for Agricultural Purposes and Potential Interface Issues (April 2009) - Prepared for Clare and Gilbert Valleys Council by Rural Solutions SA April 2009
- Development Plan Amendment Square Mile Road, Clare Traffic Assessment (June 2009) Prepared for Clare and Gilbert Valleys Council by Murray F Young and Associates
- Clare DPA Storm Water Issues (May 2009) Prepared for Clare and Gilbert Valleys Council by Tonkin Engineering Science
- Clare DPA Management of Waste Water Issues (May 2009) Prepared for Clare and Gilbert Valleys
  Council by Tonkin Engineering Science
- Suitability of Land for Agricultural Pursuits: Report prepared for Square Mile Road Developments by Agrilink Agricultural Consultants Pty Ltd
- Report to the Minister for Urban Development and Planning from the Planning and Development Review Steering Committee 2008
- Correspondence Department of Primary Industries and Resources SA (PIRSA) (dated 4 April 2006) to the Development Assessment Commission in relation to Development Application for Lot 1 Square Mile Road, Clare
- Correspondence SA Water (dated 25 February 2005) to Connor Holmes regarding Lot 1 Square Mile Road, Clare
- Correspondence ETSA Utilities (dated 22 December 2004) to Connor Holmes regarding Lot 1, Square Mile Road Clare
- Mid North Regional Land Use Framework Draft for Consultation (October 2008) http://www.planning.sa.gov.au
- Strategic Plan 2008-2012 Clare and Gilbert Valleys Council
- Final Report Housing Study Prepared for Mid North Regional Development Board Inc. by: Applied Management and Training Services Ptv Ltd (September 2003)
- Planning Strategy for Regional South Australia (December 2007, Government of South Australia)
   http://www.planning.sa.gov.au
- Strategic Infrastructure Plan for South Australia (2005/6 2014/15), Government of South Australia <a href="http://www.infrastructure.sa.gov.au/">http://www.infrastructure.sa.gov.au/</a> data/assets/pdf\_file/0015/5181/5\_MID\_NORTH\_and\_YORKE\_PE NINSULA\_38-47.pdf
- South Australia's Strategic Plan (2007), Government of South Australia www.saplan.org.au



**Clare and Gilbert Valleys Development Plan** 

**Square Mile Road Clare Development Plan Amendment** 

**Approval Development Plan Amendment** 

THE AMENDMENT

By the Minister

# **Development Act 1993**

Amendment Instructions Table – Development Plan Amendment

Name of Local Government Area: Clare and Gilbert Valleys Council

Name	Name of Development Plan: Clare and Gilbert Valleys Council Development Plan					
Name	e of DPA: Squ	are Mile Road Clare				
Devel autho	opment Plan corised after the a	onsolidated on 10 June 2010. V	f drafting) relate to the Clare and where amendments to this Develo ate, consequential changes to the to this amendment.	pment Plan	have been	
Amendment Instruction Number	Method of Change • Replace • Delete • Insert	Detail what is to be replaced or deleted or detail where new policy is to be inserted.  • Objective (Obj) • Principle of Development Control (PDC) • Desired Character Statement (DCS) • Map/Table No. • Other (Specify)	Detail what material is to be inserted (if applicable, i.e., use for <u>Insert</u> or <u>Replace</u> methods of change only).	Is Renumbering required (Y/N)	Subsequent Policy cross- references requiring update (Y/N) if yes please specify.	
		•	ling figures and illustrations co	ntained in	the text)	
Amend	lments required	, ,				
1	Insert	After PDC 5 in the Natural Resources module	Water Sensitive Urban Design policies being the contents of <b>Attachment A</b> (including title)	Yes	No	
2	Replace	PDC 2(e) in the Land Division module	With:  "the area is unsewered and cannot accommodate an appropriate onsite wastewater disposal system within the allotment that complies with (or can comply with) the relevant public and environmental health legislation applying to the intended use(s)."	No	No	
	AND/OR POL		T PROVISIONS (including figur	es and illu	strations	
Amend	dments required	(Yes):				
-	dential Zone					
3	Replace	Objective 1	With:	No	No	
			"A residential zone comprising a range of dwelling types, including a			

			minimum of 15 per cent affordable housing, and community facilities in suitable areas."		
4	Insert	PDC 1	The words "affordable housing" into the list of land uses in PDC 1 in alphabetical order.	No	No
5	Insert	After PDC 12(c)	New PDC 13 (including title) as follows:	Yes	No
			Affordable Housing		
			"Development should include a minimum of 15 per cent of residential dwellings for affordable housing."		
6	Insert	After new PDC 13	New PDC 14 as follows:	Yes	No
			"Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area."		
7	Insert	After Riverton Low Density Housing Policy Area 4	Square Mile Road Policy Area 10 being the contents of <b>Attachment B</b>	No	No
TABI	LES				
Amen	ndments required	(No):	1	1	
MAP	PING (Structu	 re Plans. Overlavs. Enlargeme	ents, Zone Maps & Policy Area I	Maps)	
	ndments required		, ,	. ,	
8	Replace	Zone Map CGV/5	Contents of Attachment C	No	No
9	Replace	Policy Area Map CGV/5	Contents of Attachment C	No	No
10	Replace	Zone Map CGV/20	Contents of Attachment C	No	No
11	Replace	Policy Area Map CGV/20	Contents of Attachment C	No	No
12	Replace	Location Map CGV/21	Contents of Attachment C	No	No
13	Replace	Overlay Map CGV/21	Contents of Attachment C	No	No
14	Replace	Zone Map CGV/21	Contents of Attachment C	No	No
15	Replace	Policy Area Map CGV/21	Contents of Attachment C	No	No
16	Replace	Bushfire Protection Area – BPA Map CGV/19 – Bushfire Risk	Contents of Attachment C	No	No
17	Insert	Concept Plan Map CGV/3	Contents of Attachment D	No	No
				No	No

# **ATTACHMENT A**

### **Water Sensitive Design**

- 6 Development should be designed to maximise conservation, minimise consumption and encourage reuse of water resources.
- 7 Development should not take place if it results in unsustainable use of surface or underground water resources.
- 8 Development should be sited and designed to:
  - (a) capture and re-use stormwater, where practical
  - (b) minimise surface water runoff
  - (c) prevent soil erosion and water pollution
  - (d) protect and enhance natural water flows
  - (e) protect water quality by providing adequate separation distances from watercourses and other water bodies
  - (f) not contribute to an increase in salinity levels
  - (g) avoid the water logging of soil or the release of toxic elements
  - (h) maintain natural hydrological systems and not adversely affect:
    - (i) the quantity and quality of groundwater
    - (ii) the depth and directional flow of groundwater
    - (iii) the quality and function of natural springs.
- 9 Water discharged from a development site should:
  - (a) be of a physical, chemical and biological condition equivalent to or better than its predeveloped state
  - (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.
- 10 Development should include stormwater management systems to protect it from damage during a minimum of a 1 in 100 year average return interval flood.
- 11 Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- 12 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.
- 13 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.
- 14 Stormwater management systems should preserve natural drainage systems, including the associated environmental flows.
- 15 Stormwater management systems should:
  - (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source
  - (b) utilise, but not be limited to, one or more of the following harvesting methods:

- (i) the collection of roof water in tanks
- (ii) the discharge to open space, landscaping or garden areas, including strips adjacent to car parks
- (iii) the incorporation of detention and retention facilities
- (iv) aquifer recharge.
- 16 Where it is not practicable to detain or dispose of stormwater on site, only clean stormwater runoff should enter the public stormwater drainage system.
- 17 Artificial wetland systems, including detention and retention basins, should be sited and designed to:
  - (a) ensure public health and safety is protected
  - (b) minimise potential public health risks arising from the breeding of mosquitoes.

# **ATTACHMENT B**

### Clare Square Mile Road Policy Area 10

Refer to the Map Reference Tables for a list of the maps that relate to this policy area.

### **OBJECTIVES**

- 1 Provision for low density residential development and supported accommodation while protecting the character and operation of the adjoining land uses.
- 2 Development that contributes to the desired character of the policy area.

#### **DESIRED CHARACTER**

The policy area will provide for a low density residential development with opportunity for a medium density development in the form of supported accommodation.

Development of the land within the policy area will trigger the upgrade of a range of infrastructure, including the road network linking to the Clare township, prior to the development of the land for residential purposes.

The natural features, landscape and character of the area will be preserved where possible to retain the rural amenity of the policy area and support local biodiversity. Landscape buffers will be established to the northern and southern boundaries of the Policy Area prior to residential development to protect dwellings from potential conflicts with adjacent activities, including horticulture and the irrigation activities of the golf course. Plantings within the buffers will reach to a height of 15 metres and incorporate dense layers of vegetation of a variety of different sizes and species.

A minimum of two stormwater catchment areas will be provided incorporating the existing drainage lines and dams to capture and manage stormwater from development for the purposes of creating amenable public spaces and irrigating vegetated areas. The stormwater management system will be enhanced through extensive landscaping that will support biodiversity, provide a water filter and mitigate water flows across and off the site.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### **Land Use**

- 1 The following forms of development are envisaged in the policy area:
  - detached dwellings
  - domestic outbuildings in association with a dwelling
  - domestic structure
  - dwelling addition
  - supported accommodation
  - •

#### Form and Character

- 2 Development should not be undertaken unless it is consistent with the desired character for the policy area.
- 3 Development should be in accordance with <u>Concept Plan Map CGV/3 Square Mile Road</u> to achieve the following:
  - (a) development should be for residential purposes and should provide for the continued use of the golf course and not prejudice the continued operation of the adjoining primary production land uses

- (b) the establishment of a landscaped buffer:
  - (i) to a minimum width of 50 metres along the length of the northern boundary of the Policy Area
  - (ii) on land within 50 metres of the Clare Golf Course
- (c) public open space should be provided along the identified watercourses to facilitate pedestrian access and recreation, stormwater management, and the preservation and enhancement of the environmental qualities of the riparian environment
- (d) residential development should be setback a minimum of 25 metres from watercourses (measured from the top of existing banks on each side)
- (e) maximum retention of native vegetation in its natural state to preserve the character of the area and provide an appropriate transition from the adjacent Clare Low Density Policy Area
- (f) primary vehicle access from Square Mile Road (as an extension of White Hut Road, north of the intersection with Norman Drive) through the southern boundary of the policy area and designed to provide priority for the primary traffic movement with at least one secondary access to the western boundary of the policy area.
- 4 Land division will ensure residential development is able to be setback a minimum of 20 metres from areas of native vegetation and planted landscape buffers.

#### Interface with Horticultural Land

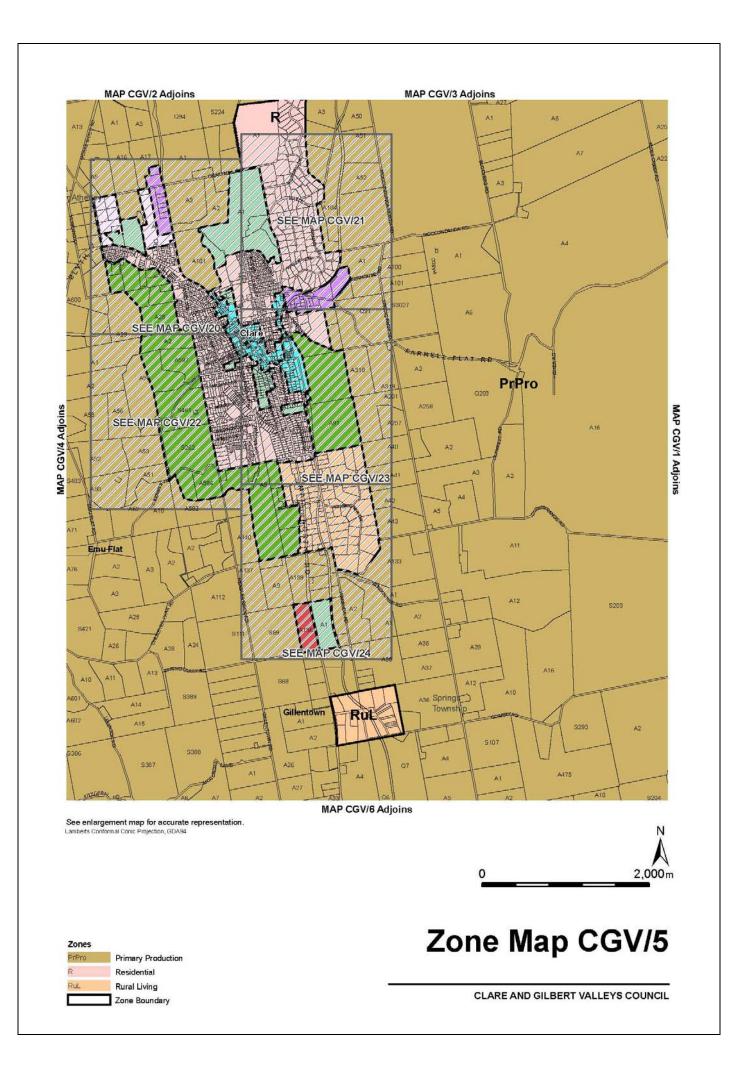
5 Residential development that is adjacent to the Primary Production Zone should include appropriate setbacks and vegetative plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production.

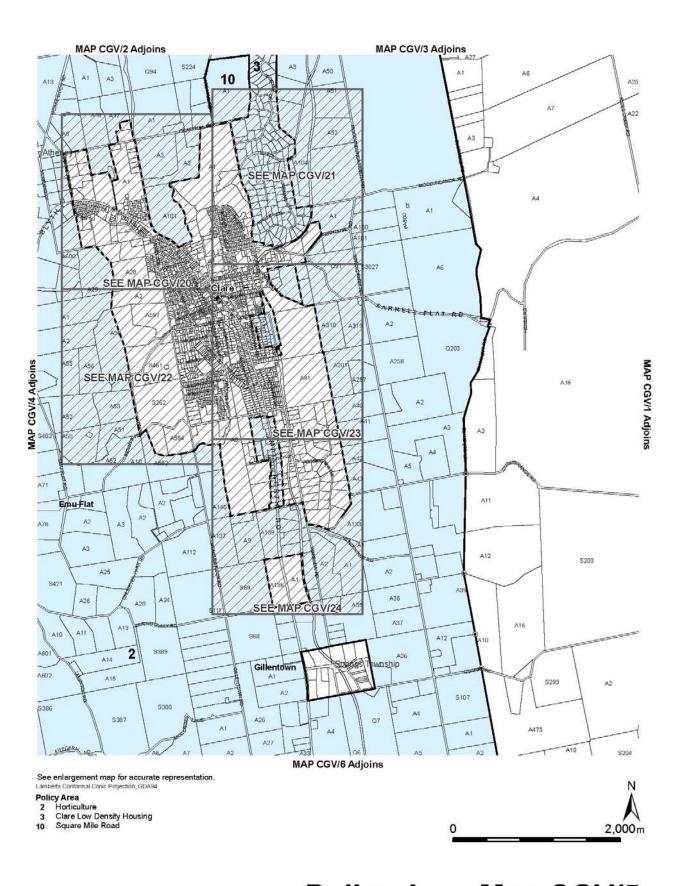
### **ATTACHMENT C**

Zone Map CGV/5
Policy Area Map CGV/20
Policy Area Map CGV/20
Location Map CGV/21
Overlay Map CGV/21
Zone Map CGV/21

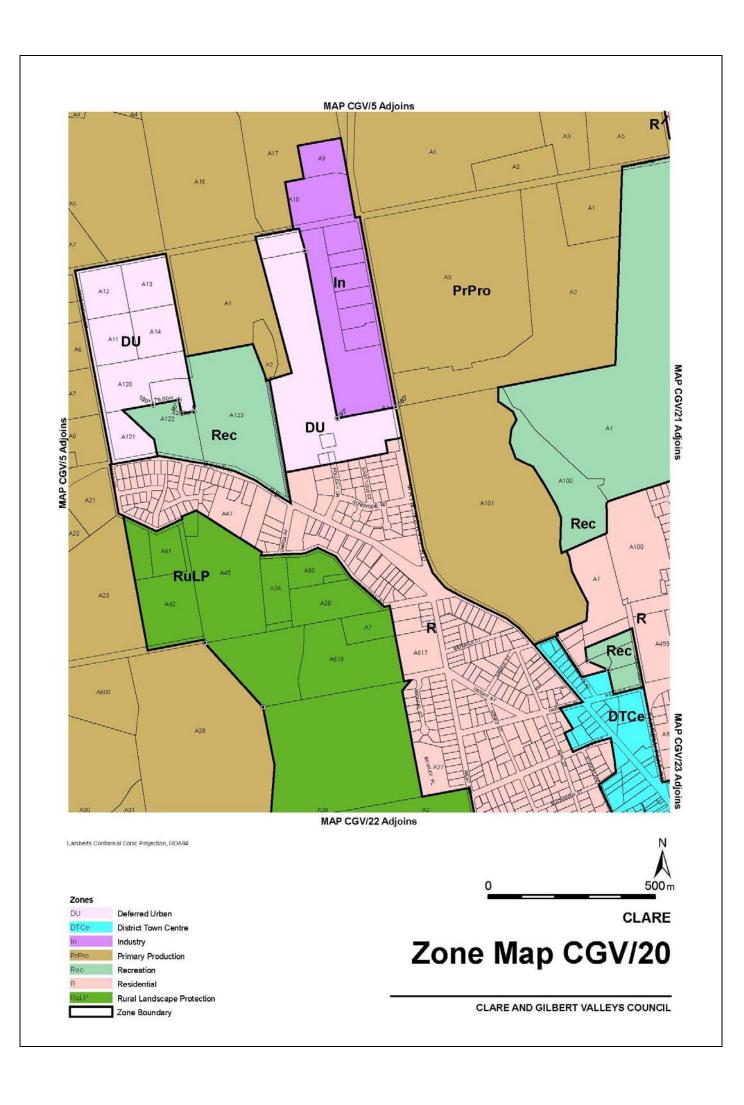
Policy Area Map CGV/21

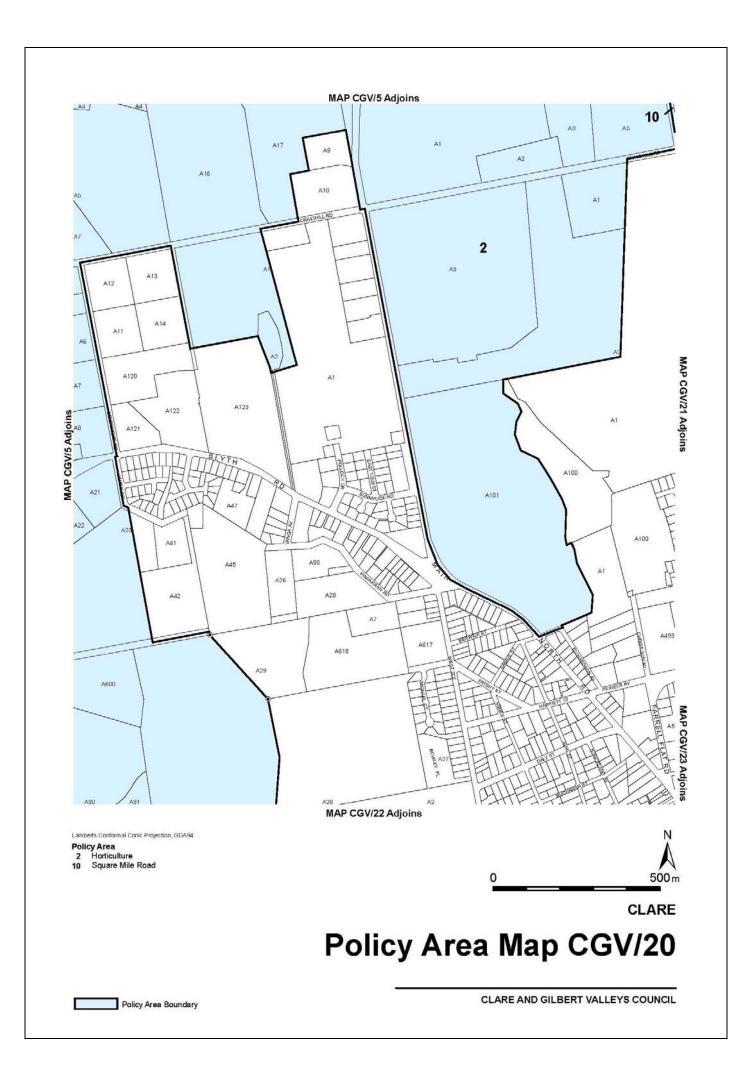
Bushfire Protection Area – BPA Map CGV/19 – Bushfire Risk





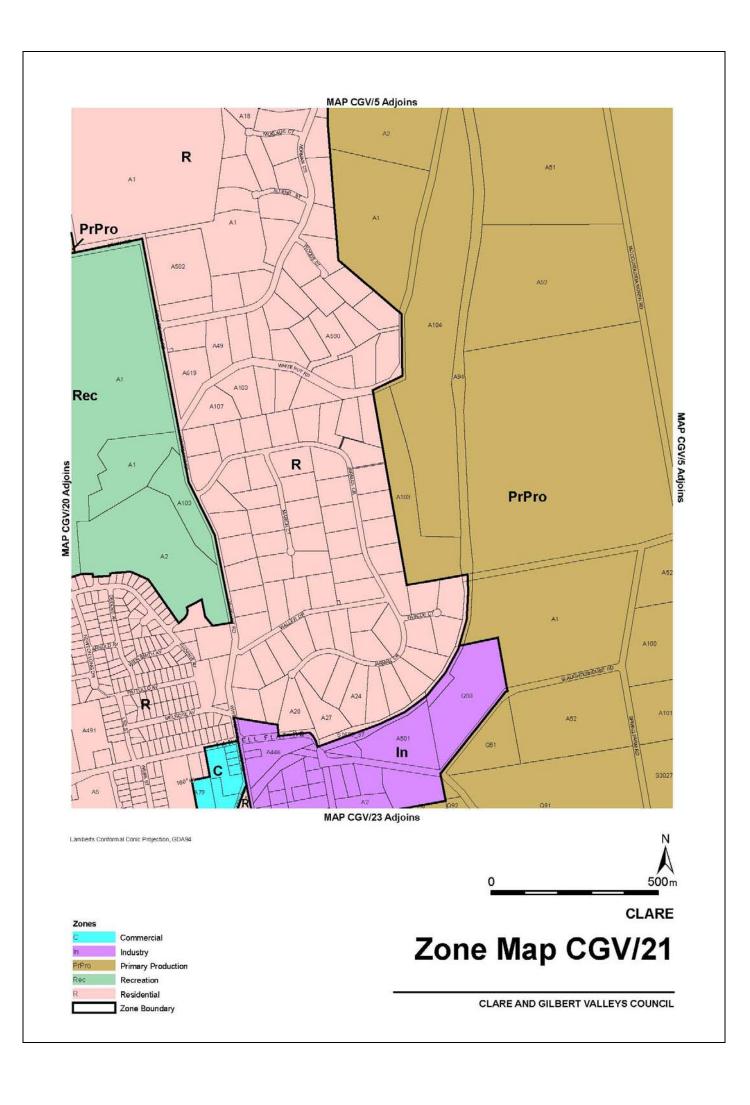
# Policy Area Map CGV/5

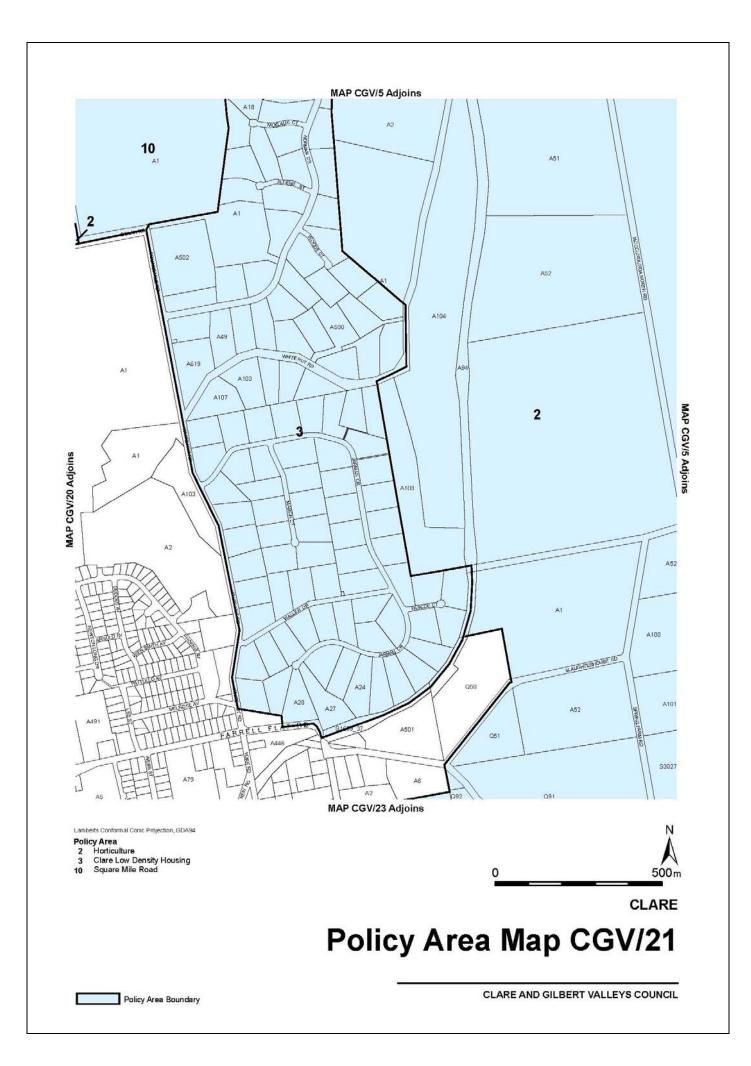


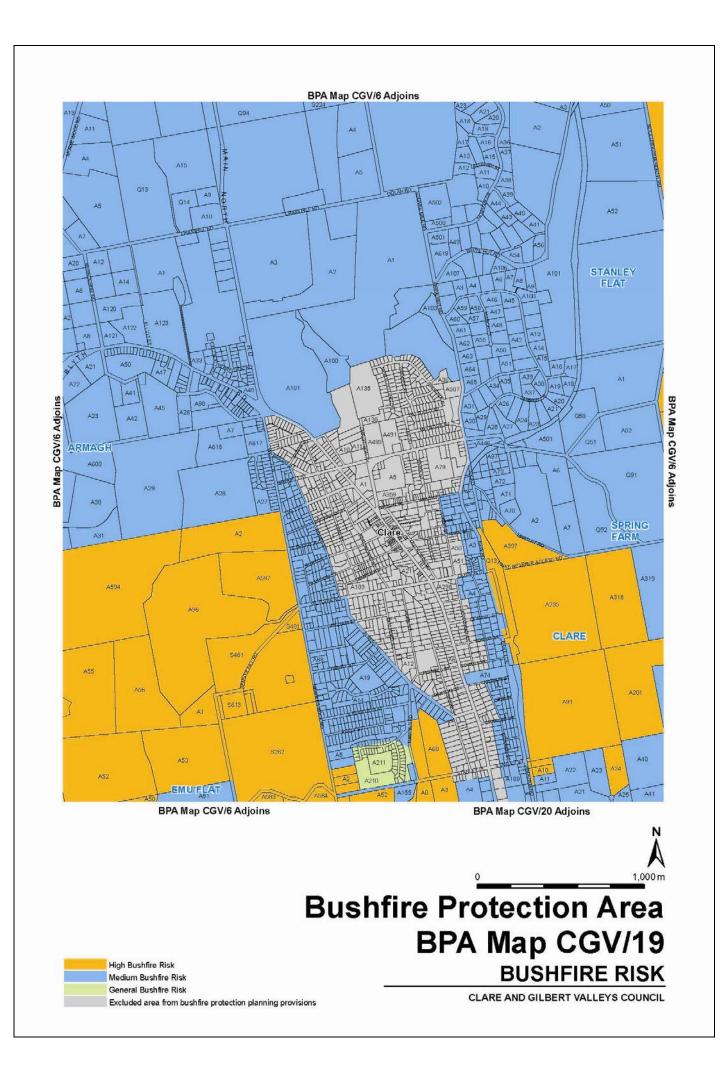






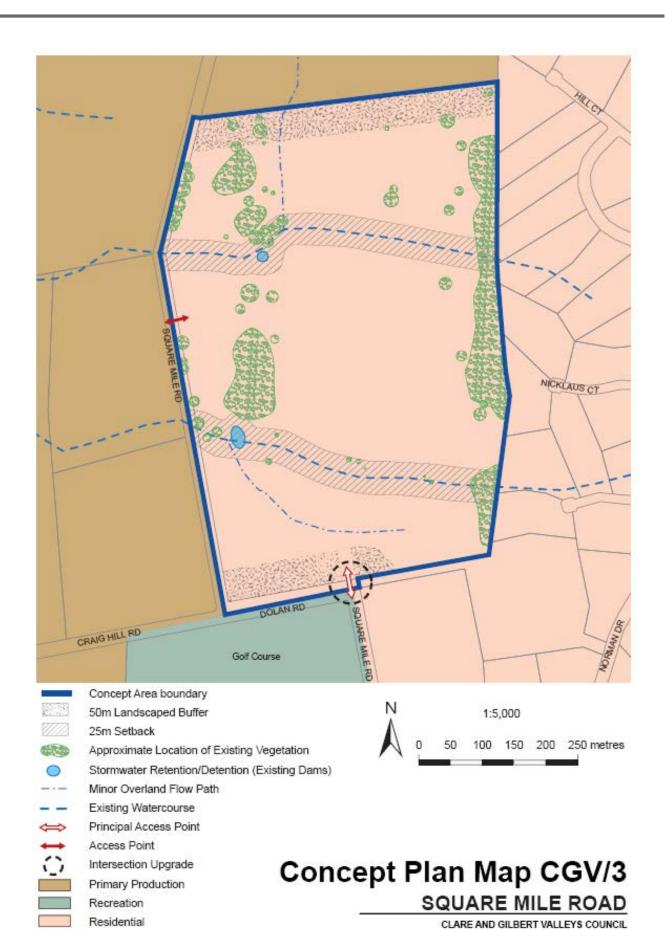






# **ATTACHMENT D**

Concept Plan Map CGV/3 - Square Mile Road



# **ATTACHMENT E**

Map Reference Tables Page 207 Replacement

### **Bushfire Protection Overlay Maps**

Bushfire Map Type	BPA Map Numbers
Bushfire Protection - Bushfire Risk	CGV/1, CGV/2, CGV/3, CGV/4, CGV/5, CGV/6, CGV/7, CGV/8, CGV/9, CGV/10, CGV/11, CGV/12, CGV/13, CGV/14, CGV/15, CGV/16, CGV/17, CGV/18, CGV/19, CGV/20, CGV/21, CGV/22, CGV/23, CGV/24, CGV/25, CGV/26, CGV/27, CGV/28, CGV/29, CGV/30, CGV/31, CGV/32, CGV/33, CGV/34, CGV/35, CGV/36

### **Concept Plan Maps**

Concept Plan Title	Concept Plan Map Numbers
Western Residential	CGV/1
Township (Flood Plain)	CGV/2
Square Mile Road	CGV/3