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**From:** Adam Williams [REDACTED]  
**Sent:** Friday, 29 November 2019 1:15 PM  
**To:** DPTI:Planning Reform Submissions  
**Cc:** [REDACTED]  
**Subject:** Submission for Phase 2 Planning and Design Code consultation  
**Attachments:** Submission for Rural Living Zone into Planning and Design code.pdf

Dear DPTI staff,

Please find attached a submission in respect to the draft Phase 2 Planning and Design Code consultation. The submission relates to land on the fringe of the Edithburgh township and being zoned to Rural Living.

Please contact me if you experience any problems opening the attached submissions.

Kind regards,

Adam

*Adam Williams*



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# **Edinburgh Rural Living – Proposed Rezoning and Policy for incorporation into the Planning and Design Code**

## **Explanatory Statement and Analysis**

# 1. EXPLANATORY STATEMENT

## 1.1 Introduction

The *Planning, Development and Infrastructure Act 2016* (the **Act**) will provide the legislative framework for undertaking amendments to the Planning and Design Code and will be gradually introduced across South Australia to replace Development Plans.

This submission seeks the Code include land and policies relating to the expansion of the Rural Living Zone at Edithburgh on the Yorke Peninsula. This document explains and justifies why the expansion is proposed for inclusion in the Code and includes:

- An Explanatory Statement (this section)
- Analysis, which includes:
  - Background information
  - Investigations
- Recommended policy

A Statement of Intent for the proposed amendments were endorsed by the Council in November 2018 and forwarded to the Minister. In January of this year the Minister for Planning advised the Council that due to the introduction of the Planning and Design Code the Minister was unable to support the Statement of Intent. However, the Minister added he had no in principle object to Council exploring opportunity for township expansion, subject to appropriate investigations being undertaken which identify the need for change.

## 1.2 Need for the amendment

The Council has given its support for land to the north-west and south-west of the existing Edithburgh township being rezoned from a Primary Production Zone to a Rural Living Zone.

Policies in the Yorke Peninsula Council Development Plan specific to Edithburgh were amended on 31 October 2017 when the Edithburgh Town and Surrounds Development Plan Amendment (the “DPA”) was consolidated with the Development Plan.

The initial version of the DPA prepared for consultation included existing rural living zoned land to the south-west of the township being rezoned to a Primary Production Zone as this land had a longstanding use for farming and was unlikely to be developed as envisaged by zone policy.

To compensate for the loss of rural living land it was proposed to rezone three areas to the north, north-west and west of the township from Primary Production Zone to a Rural Living Zone however, the rezoning of land to the north-west of Edithburgh was withdrawn from the eventual consultation version of the DPA due to a lack of support by the State Government of the day. The remaining two areas were subsequently rezoned from Primary Production Zone to a Residential Zone while the land to the north-west was retained within the Primary Production Zone.

The supply of rural living land in proximity to Edithburgh was critically diminished as a result of the changes introduced to the Development Plan by the DPA and Council seeks to partly return land back to a rural living purpose while seeking once more to have land to the north-west of the town changed to a Rural Living Zone. The purpose of this change is to increase opportunities for allotments on the fringe of the Edithburgh township to facilitate alternative lifestyle choices rather than being retained as primary production.

The affected land is mostly farming land (cropping) but for two dwellings with associated outbuildings. All the land is within the Primary Production Zone.

The Planning and Design Code provides the opportunity to rezone the land so the future expansion of the Edithburgh Township may incorporate greater residential allotment options without compromising the long-term continuation of economically productive, efficient and environmentally sustainable primary production.

### 1.3 Affected Area

The areas affected by the submission are depicted by the red outlines below in Figure 1.

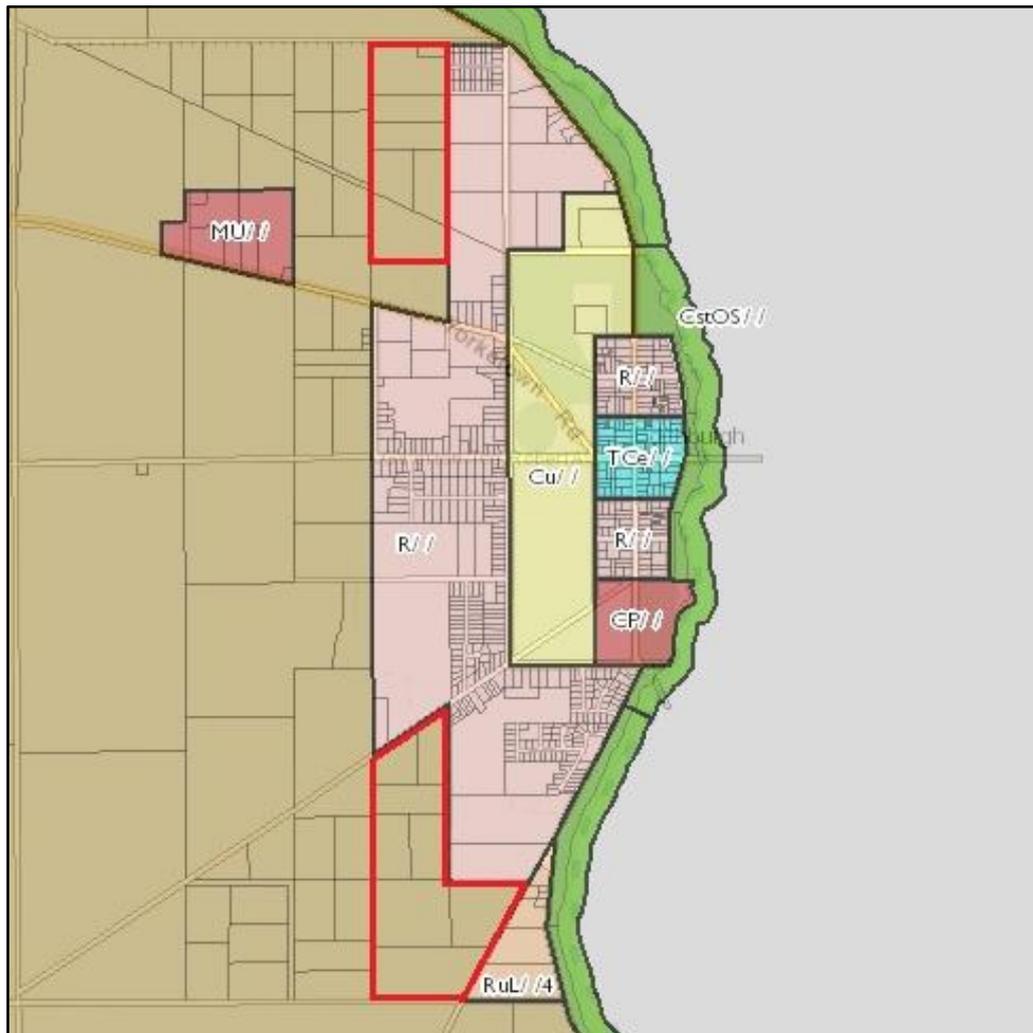


Figure 1: Affected Area

Source: Yorke Peninsula Development Plan

### 1.4 Summary of proposed changes

This document proposes the following policy approach be included within the Planning and Design Code:

- Rezone land bound by Old Honiton, Lehman, Hilsea, Wattle Bay Roads and the Primary Production Zone to Rural Living Zone;
- Rezone Primary Production land to the west of Park Terrace North, south of Fielding Street and north of St Vincent Highway to Rural Living; and

- The Technical and Numeric Variation for Minimum Lot Size of the land within the proposed areas identified for rezoning be 5000 square metres.

## **2. ANALYSIS**

### **2.1. Background**

Edithburgh is a coastal township located on the 'heel', or lower east coast of the Yorke Peninsula, some 233 kilometres from Adelaide, 74 kilometres from Ardrossan and 15 kilometres from Yorketown. The township exhibits significant levels of development, both within the township itself and in the surrounding areas. The town has become a popular seaside tourist destination, noted for its coastline and marine based activities.

Another notable feature of Edithburgh is the Wattle Point Wind Farm which consists of 55 wind turbines which is located approximately 2.5 kilometres south west of the town.

Demand for residential land at Edithburgh has been high, and the availability of zoned residential land was recently increased with the consolidation of the Edithburgh Town and Surrounds DPA in October 2017.

Like most coastal settlements on the peninsula, the township is a popular holiday and retirement destination which has placed demand on a greater variety of land within the township. The recent removal of existing Rural Living land has considerably reduced lifestyle options and choice for different allotments with Edithburgh.

With this in mind, a review of the Rural Living zoning at Edithburgh was deemed necessary to enable the continual and orderly growth of the township while still providing suitable buffers between urban areas and primary production land.

### **2.2. Consistency with the Planning Strategy**

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

The following volumes of the Planning Strategy are relevant to the Planning and Design Code:

- Yorke Peninsula Regional Land Use Framework

The rezoning opportunity made possibly by the Planning and Design Code is supported by the following Objectives of the Regional Land Use Framework:

Policy and Relevant Strategies	Response
<b>Yorke Peninsula Regional Land Use Framework</b>	
<p><b>Objective 1:</b> Recognise and protect the region's environmental assets</p> <p>1.2 Retain natural drainage patterns and design housing, roads and open space around watercourses and natural contours, and make provision for buffers</p> <p>1.6 Locate and design development to prevent further loss, degradation and fragmentation of native vegetation, on public and private land, including within townships</p> <p>1.8 Undertake ecological investigations and impact assessment specific to areas proposed to be rezoned or developed, taking into account cumulative impacts</p> <p>1.9 Preserve areas of high landscape and amenity value and areas forming an attractive background or entrance to towns or tourist developments, and along the coast</p>	<p>The areas proposed for re-zoning are appropriate for the intended use and includes a review of current and past uses on such land.</p> <p>The land under review has previously been cleared and used for farming purposes and contain little environmental value, including native vegetation.</p> <p>The land is capable of providing buffers between sensitive residential development, but existing and future, and primary production activities.</p> <p>Given the coastal locality of Edithburgh, the importance of protecting landscape amenity from inappropriate development is high. As such, re-zoning will have regard to forming attractive background to entrances to the township especially from tourist routes such as the St Vincent Highway.</p>
<p><b>Objective 2:</b> Ensure efficient use of water and energy</p> <p>2.1 Incorporate efficient use of water into the design and planning of residential and industrial developments and clusters/subdivisions, including innovative water capture, treatment, storage and re-use practices</p> <p>2.3 Reduce energy requirements of industrial and residential buildings and estates by:</p> <ul style="list-style-type: none"> <li>• Requiring energy efficient design to ensure buildings are cooler in summer and warmer in winter</li> <li>• Actively supporting the use of renewable energy options</li> </ul>	<p>The areas are not serviced by mains water supply therefore efficient water capture, harvesting and use of water will be addressed by either existing or proposed policies for inclusion in the Code.</p> <p>Connection to existing electricity services are available to the affected areas.</p> <p>The proposed rezoning will provide a greater choice of residential allotment types within an existing township and consolidating the role and function of the township as a population centre.</p>

Policy and Relevant Strategies	Response
<p>in building designs and subdivisions</p> <ul style="list-style-type: none"> <li>Consolidating townships and strengthening the role and function of centres to reduce the need to travel, support regional passenger transport networks, and enable people to undertake a number of activities in one location</li> </ul>	
<p><b>Objective 3:</b> Protect people, property and environment from exposure to hazards</p> <p>3.1 Design and plan for development in accordance with the risk management hierarchy of:</p> <ul style="list-style-type: none"> <li>Avoidance: avoiding permanent development within and adjacent to areas at risk from hazards</li> <li>Adaptation: designing buildings and infrastructure to minimise risk in the long term</li> <li>Protection: the establishment of protection works to protect existing development or facilitate major development</li> </ul> <p>3.2 Plan development to prevent the creation of hazards - including through erosion, site contamination, air and noise pollution, disturbing or mobilising acid sulphate soils, diversion of water courses or impeding the flow of flood waters</p>	<p>The areas proposed for re-zoning are not recognised as being exposed to significant hazard. The areas are entrenched within general bushfire risk areas and adjacent to areas excluded from bushfire provisions.</p> <p>Site contamination is unlikely to present as a potential hazard given the areas are used mostly for cropping activities.</p> <p>The management of stormwater risk was previously investigated in the DPA. Policy was subsequently inserted into the development plan to minimise risk on land identified as being flood prone. The use of land for rural living purposes carries considerably less risk than more dense residential areas of the township.</p>
<p><b>Objective 9:</b> Retain and strengthen the economic potential of high-quality agricultural land</p> <p>9.1 Prevent loss of productive agricultural land to other uses and through potential conflict with incompatible uses by:</p> <ul style="list-style-type: none"> <li>focusing housing (including rural living) and industrial</li> </ul>	<p>The proposed changes will result in the loss of existing farm land to accommodate rural living activities.</p> <p>The introduction of additional rural living land between existing primary production uses and residential properties will be investigated to mitigate potential conflicts between land uses.</p> <p>The proposed zone can establish a buffer which should strengthen the level of protection</p>

Policy and Relevant Strategies	Response
<p>development within townships and industrial estates, unless directly related to primary industry</p> <ul style="list-style-type: none"> <li>• preventing fragmentation of agricultural land</li> <li>• managing interfaces with residential areas</li> </ul>	<p>of agricultural land at minimal cost to the agricultural productivity of the region</p>
<p><b>Objective 18:</b> Strategically plan and manage township growth, with coastal areas a priority</p> <p>18.1 Focus development in existing towns and settlements based on role and function</p> <p>18.2 Base expansions of towns on clear and structured master planning that:</p> <ul style="list-style-type: none"> <li>• supports the role, function and desired character of the town</li> <li>• ensures new areas are continuous with and form compact extensions of existing built up areas</li> <li>• prevents linear development along the coast and arterial roads</li> <li>• locates land for rural living (large residential allotments) within townships in such a way that it retains opportunities for future town expansion</li> </ul> <p>18.8 Provide for limited compact expansion of Ardrossan, Port Wakefield, Port Vincent and Stansbury. For all other townships along the eastern coast of the Peninsula focus future development within existing townships</p>	<p>The proposed rezoning investigates the management of township growth by providing residential land which provides greater lifestyle options while strengthening the townships role and function as a compact urban centre.</p> <p>The further expansion of Edithburgh will provide clear links with established development and emphasise the role of the town centre. Expansion of Edithburgh will occur in a coordinated and compact manner</p>
<p><b>Objective 19:</b> Design towns to provide safe, healthy, accessible and appealing environments</p> <p>19.8 Manage interfaces between residential, town centres and</p>	<p>The location of land for rural living will ensure suitable interface management practices are utilised to minimise conflict between land uses. It is expected that rural living development associated with the Town will be small in scale</p>

Policy and Relevant Strategies	Response
industrial areas to avoid potential conflicts	which will also assist to minimise interface issues
<p><b>Objective 20:</b> Provide residential land to enable a supply of diverse, affordable and sustainable housing to meet the needs of current and future residents and visitors.</p> <p>20.1 Focus housing within townships, including ‘rural living’ (large residential allotments), to prevent encroachment on sensitive environments, agriculture, mining and industrial land, exposure to risks (e.g. flooding, bushfire, pollution) and to best utilise strategic infrastructure</p> <p>20.2 Locate land for rural living within townships in such a way that it retains opportunities for future township expansion</p> <p>20.4 Ensure zoning promotes a range of housing types and densities to enable people to stay within their community as their housing needs change – young people, couples, families, older people</p>	<p>The proposed amendments will allow for additional residential development in the form of Rural Living allotments to complement existing land uses within the Edithburgh Township while providing a transition space with primary production land.</p> <p>The rezoning will investigate opportunities to facilitate future township expansion to assist the retention of existing residents and attract new people, boosting the regional population and economy.</p>

## 2.3 Council’s Strategic Directions Report

This proposed rezoning is not included within the recommendations contained within Council’s most recent Strategic Direction Report. However, the re-distribution of the Rural Living Zone was previously investigated in the Edithburgh Town and Surrounds DPA before being removed due to a lack of support by the State Government of the day. The initial DPA was found to be consistent with Council’s most recent Strategic Directions Report

## 3. INVESTIGATIONS

### 3.1 Investigations undertaken

The following investigations have been undertaken to inform this proposed rezoning proposal

- Demographic analysis of the region to identify trends, including population growth;
- Existing land uses within Edithburgh;

- Policy change and analysis of the relative impact this would have on the functionality of existing and proposed zones under the Planning and Design Code;
- Desk top site history analysis to identify possible potentially contaminating activities on the land proposed for rezoning;
- Potential interface issues between future rural living development on the land proposed to be rezoned and the Primary Production Zone to the west;
- Potential interface issues (including the type and size of buffer areas) with any existing or future residential development;
- Proximity and availability and capacity of existing physical infrastructure, such as water supply, electricity supply and common wastewater management;
- Capacity of the existing road network to support projected demand from the future development of the land;
- Analysis of the primary production activities which are proposed to be superseded by the rezoning of the land to Rural Living.
- Consistency with the Draft Code for consultation.

### **3.1.1 Demographic Analysis**

It is noted the population of Edithburgh has grown approximately 3.6% over the period of 2001 – 2016 with population levels appearing relatively stable in the past ten (10) years. In 2001, the population for Edithburgh was 436, while the Census of 2016 recorded the population being 452. The population level of Edithburgh was 466 in 2011, indicating a small decrease (approximately 3%) occurring between 2011 and 2016.

In 2006, the Census recorded the population being 395 people, the lowest of the Census recordings investigated during this analysis and a decrease of approximately 9.4% from 2001. This figure was comparable to the 400 people recorded in 1996 but data generally implies an increase of approximately 15.24% between 2006 and 2011.

It is understood the data collection boundaries for the Edithburgh (Urban Centres and Localities) were changed twice between 2001 and 2011 which may partially explain the variation in population numbers between 2001 and 2011. The changes to the statistical boundaries make it difficult to gauge any accurate comparisons between the Census data.

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

Of the total population for Edithburgh, 200 (33.8%) were persons aged 65 years and over which, while up from 158 in 2011, is still 33.8% of the town's population. This is comparatively higher than the proportion of persons aged 65 and over within South Australian (18.2%), however the difference is less than what it was in 2011 when approximately 16.2% of the South Australian population was persons aged 65 and over, and is generally consistent with the Yorke Peninsula Local Government Area (32.5%).

The Department for Planning, Transport and Infrastructure's Ageing Atlas predicts by 2021 the percentage of people aged over 65 in Yorke Peninsula (south) will rise to approximately 49.2%.

In addition, it is noted the medium age within the township in the 2016 census was 63, the medium age for persons within South Australia is 40.

### 3.1.2 Land Uses within and surrounding the township

As shown in Figure 1, the existing zoning within and surrounding the Edithburgh township consists of Residential, Community, Town Centre and Caravan and Tourist Park Zones flanked by the Primary Production Zone to the west and south and the Coastal Conservation Zone, and therefore the coast, to the east and north. A small wedge-shaped area comprising five detached dwellings is situated to the south of the town and zoned as Rural Living.

The original township comprising the town centre and adjacent residential areas appears to have been previously contained by public parklands and the coast however, over time the township has grown beyond the parklands and additional residential areas have developed to the north, west and south of the original township.

The recent consolidation of the Edithburgh Town and Surrounds Development Plan Amendment recognised this trend by implementing an expansion of the Residential Zone, mostly at the expense of the Primary Production Zone, to cater for the future growth of the town. The amendment maintained the original town centre as the focal point for retail, commercial and service activities within the town as depicted in the land use map provided in Figure 2.

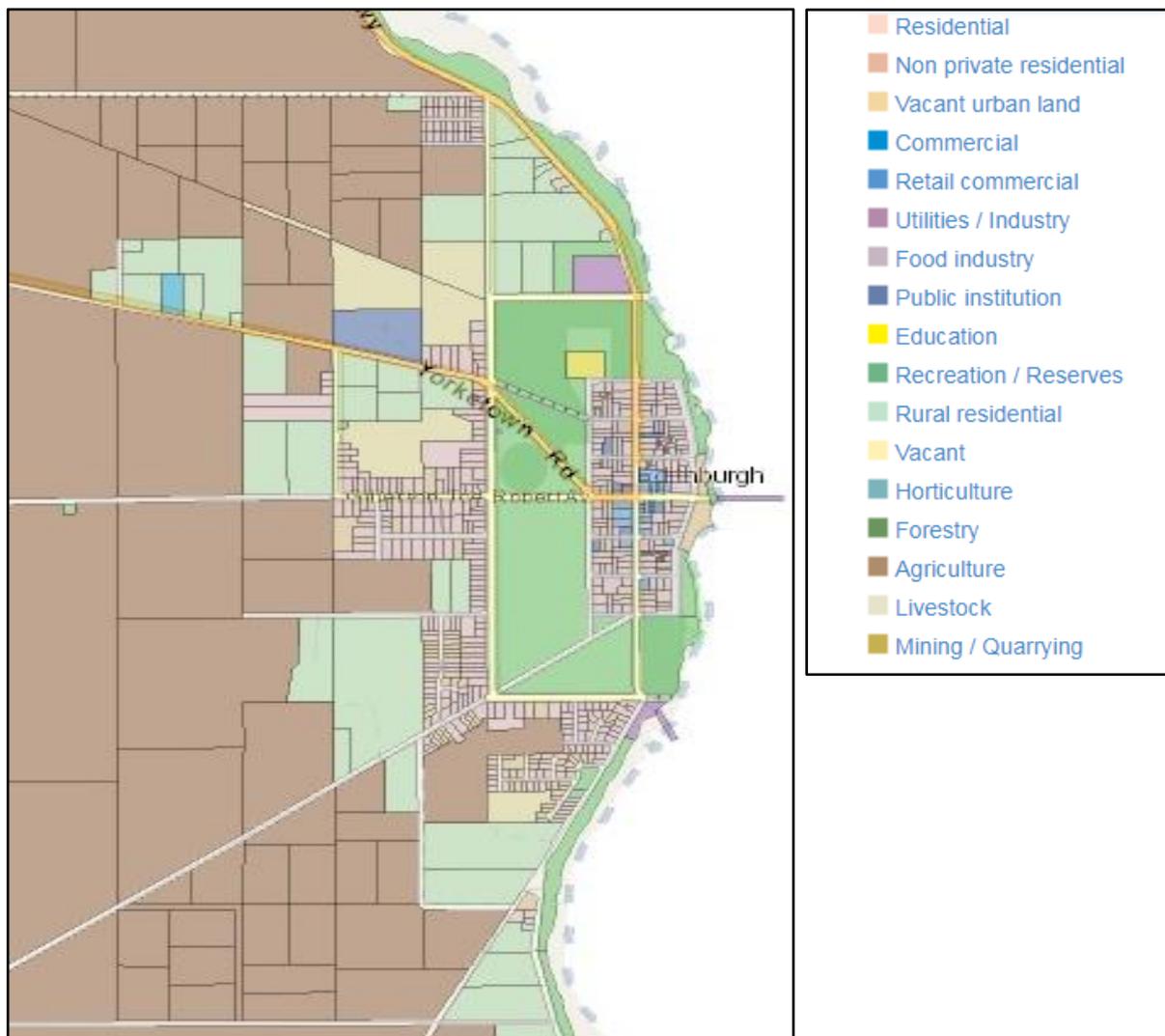


Figure 2: Land Uses

Source: Property Location Browser (Government of SA)

Edithburgh is provided with a variety of commercial, retail, community, recreation, tourist and education facilities which would expect to be found within a coastal town with the associated population. These facilities include:

- Pre-school centre and primary school
- Churches
- Tourist accommodation including the caravan park & tourist village and a number of hotels and motels
- Various shops including, a former supermarket, post office, newsagent, cafe, take away restaurants, petrol station and surf and tackle shop
- Community sporting facilities including football/cricket oval, tennis/netball courts, lawn bowling greens, and Golf course

Given the existing services provided within the town, together with proximity of Yorketown only 15 km to the north west which is the key service centre within the southern portion of the Council area, it is not expected that any notable increase of facilities and services will be required within Edithburgh in the foreseeable future.

### **3.1.3 Housing Structure, Occupation and Pricing**

Separate houses (detached dwelling) form the main housing type within the township which is consistent with the primary form of housing found throughout the Council area. An increase of semi-detached dwellings in the area continued, increasing from 5 in 2011 to 13 in 2016 while 'other dwellings' also grew from 11 in 2011 to 15 in 2016. However, Edithburgh has experienced a relatively significant decrease in flats and units.

A key statistic from both the 2011 and 2016 census is the number and increase of unoccupied private dwellings within the town. In 2001 there were 117 unoccupied dwellings; this statistic rose to 196 in 2011 and continued to rise to 216 in 2016. Therefore, there has been an overall increase of 45.9% from 2001 to 2016.

The above statistic indicates a strong preference for holiday homes within the township.

In addition, demand for residential property has been high given median prices for housing in the township rose approximately 41.5% in the five year period from \$175,500 in 2006 to \$300,000 in 2011 (RP Data). The median price currently sits at \$301,000 but recent median pricing data indicates a potential decline in the next 12 months which is consistent with national property market predictions.

### **3.1.4 Infrastructure assessment**

#### **Water**

The majority of the township has access to mains water, however, areas north of Beach Road including the residential area of North Edithburgh are not currently supplied with mains water.

Water supply is a critical issue throughout the Yorke Peninsula region. Currently water is supplied to Edithburgh from the Yorketown Tank via a series of 250mm and 200mm pipes to an elevated tank of 1.136ML capacity located adjacent Honiton Road. Future demand is

estimated at 8.9 ML/week in year 2020, which is anticipated can be supplied by the existing system. It is noted that existing Edithburgh tank is suitable for peak week balancing.

The proposed areas to be rezoned will not require augmentation of the existing mains system in order to service new development. Development will be required to provide onsite water storage in accordance with existing General Infrastructure Principles 6 and 9 included below:

*6 In areas where no reticulated water supply is available, development should provide for an adequate and reliable on-site water storage system having a capacity of at least 45 000 litres which is connected to the development.*

*9 The on-site storage of stormwater and water run-off for water supply purposes to development should be adopted in preference to the extension and/or augmentation of an existing reticulated water supply system where:*

- (a) sufficient land is available to accommodate on-site water storage at the volumes required, namely 45 000 litres of storage where there is no reticulated water supply and 10 000 litres of storage where there is a reticulated water supply*
- (b) roof areas of the development are sufficient to provide a water supply of a volume necessary to supply the development.*

It is noted that SA Water's Long-Term Plan for Yorke Peninsula identifies Edithburgh North as a priority area for possible connection to a reticulated water supply system.

## **Waste Water**

The majority of land within Edithburgh is not connected to a common effluent scheme except for development in the most recent residential subdivision in the southern portion of Residential zone, which is connected to a community wastewater system at Sultana Point. It is expected that newly zoned Rural Living areas will require onsite effluent disposal as further expansion of the CWMS is not proposed in the foreseeable future.

With respect to potential environmental issues associated with additional onsite systems being established within the proposed Rural Living Zone, it is noted that all systems will be required to be designed and sited in accordance with the Development Plan and the Department of Health standards which ensures any environmental impacts will be minimised.

The design and siting of all onsite waste management systems will be assessed as part of the Development Assessment process associated with the development of each individual site.

## **Stormwater**

One major constraint to the development of the Town is stormwater disposal as a number of low lying areas occur within the Township boundary that are subject to inundation in major storm events. Issues arise largely as a result of a low ridge which runs through the parklands parallel to Park Terrace which acts as a barrier to the disposal of stormwater to the sea from the western portion of the township.

Another contributing factor is the scattered nature of land holdings which makes the co-ordinated provision of drainage infrastructure difficult.

As mentioned previously in the Edithburgh Town and Surrounds DPA, the former District Council of Yorketown in 1996 engaged Tonkin & Associates to prepare a stormwater study of Edithburgh. As part of the study the township and surrounds were divided into six catchment areas, namely Lehman Road, Thomas Street, Park Terrace, Henry Street, West Street and Halloran Parade.

The report provided various recommendations relating to drainage works and minimum floor levels for each catchment area in order to resolve issues at the time. The report also identified areas affected by 1-in-100 year average return interval flood events.

To expand on the existing policy and to address the specific issues relating to Edithburgh, a development constraints map was added to the Development Plan to identify four of the abovementioned catchments area (excluding O'Halloran and Henry Street catchments) and locations of areas affected by flooding. Furthermore, associated policy was introduced into the Development Plan which nominates minimum floor levels for development within the relevant affected areas and identifies the need for stormwater ponding within the low lying areas. The following policy was introduced under the flooding heading within the General Hazards module;

*6 Provision for stormwater ponding shall be made within areas subject to a 1-in-100 year average return interval flood event at Edithburgh as shown on Overlay Map YoP/53 – Development Constraints.*

*7 Development at Edithburgh on land shown on Overlay Maps - Development Constraints YoP/53 should have a minimum floor level of:*

*(a) 2.80 metres Australian Height Datum on land subject to a 1-in-100 year average return interval flood event within the West Street Catchment*

*(b) 6.20 metres Australian Height Datum on land subject to a 1-in-100 year average return interval flood event within the Park Terrace South Catchment*

*(c) 7.1 metres Australian Height Datum or 200 millimetres above top of kerb at the adjacent road, whichever is higher, within the Thomas Street Catchment*

*(d) 7.30 metres Australian Height Datum on land subject to a 1-in-100 year average return interval flood event within the Lehman Road Catchment*

Further, the Development Plan contains policy relating to stormwater and water sensitive urban design within the general sections. Generally, policy seeks to maximise the capture and reuse of stormwater onsite, prevent discharge at a rate/quality that would impact downstream systems and protect development from 1 in 100 year average return interval flood events.

## **Electricity**

Edithburgh is provided with reticulated electricity by SA Power Networks, from the Edithburgh substation via an existing 11kV network which is distributed throughout the township. The areas identified in the proposed rezoning can be connected to the electricity grid.

SA Power Networks Distribution Annual Planning Report Version 1.1 (1 November 2013), forecast some system limitations at the Edithburgh substation, however, these are considered to be within the planning criteria risk margin.

It is anticipated existing supply is capable of accommodating future demand, as the system is currently extended and upgraded as required. It is noted that any augmentation and connection costs as consequence of future development within rezoned areas will be at the expense of the developer and not the wider community.

In addition, the Development Plan also contains policy relating to energy efficiency and on-site power generation within the general sections. Generally, policy seeks development that provides for on-site power generation including photovoltaic cells and wind power

## **Roads**

Roads within the town are generally in good condition and sealed with 8 to 12.5 metre wide road pavements.

Transport overlay map YoP/53 within Council's Development Plan identifies two secondary arterial roads that provide access to and from the town which includes Yorketown Road (including portion of Edith Street in the town centre) and Coobowie Road. The affected areas of the proposed rezoning are not located adjacent to the arterial roads therefore access to the majority of rezoned areas, will be achieved mostly via the local road network.

Nevertheless, some movement, especially from the north-west area of the town is likely to will use the arterial roads during trips to either the Edithburgh town centre or other population centres.

DPTI figures show that Yorketown Road (between Edithburgh and Yorketown) and Coobowie Road (between Edithburgh and Coobowie) respectively accommodate 460 and 650 vehicles movements within a 24 hour period.

DPTI traffic volume maps also identify traffic movements on the main streets within the town centre namely Edith Street and portion of Coobowie Road. Edith Street between Blanche Street and Anstey Terrace produces 920 traffic movements in a 24 hour period while Coobowie Road between Edith and Giles Streets accommodates 800 daily traffic movements.

The above represents relatively low figures to what would be commonly expected on arterial roads.

It is likely the proposed rezoned areas to will take a considerable time to develop and it is unlikely the future development of this land would have any significant impacts on either the arterial or local roads.

With regard to the above it is considered that the proposed zone amendments will not adversely impact the function of the existing road network and will require relatively minor modifications to existing local roads.

## **3.1.5 Hazard Review**

### **Site Contamination**

The Primary Production land to be rezoned to rural living is used for residential or low intensity farming purposes.

Contamination of agricultural land can occur due to the use of agricultural chemicals but is more likely to occur as result of concentrated activity such chemical storage, sheep dips and

the like. Council records and historic aerial photos indicate that the land has only ever been used for cropping and grazing and has not included any intensive primary production activity that might have given rise to contamination.

Nonetheless and in accordance with the requirements of the General 'Site Contamination' Principle 23 within Council's Development Plan, development can only occur where the site is demonstrated to be a suitable and safe site for the proposed use.

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

### **Bushfire Risk**

The existing township is located in an area excluded from bushfire protection planning provisions whilst the land surrounding the township is located within a General Bushfire Risk area as depicted on BPA Maps YoP/28 and YoP/57. The affected areas are located within the General Bushfire Risk area.

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

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

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

Notwithstanding the above, as per current Development Plan provisions, residential development, tourist accommodation and habitable buildings within the General Bushfire Risk areas will require a dedicated water supply available at all times for fire fighting.

## **3.1.6 General Review of Current Zoning and Potential Zone Amendments**

### **Rural Living Zone – Current arrangements**

The Rural Living Zone is located to the south west of the township. Land is also contained within the Edithburgh / Marion Bay Rural Living Precinct 4 which restricts the size of an allotment to a minimum of 0.5 hectares.

This area is largely developed with five (5) of the eight (8) allotments containing dwellings and associated outbuildings or building associated with low scale rural activities. Of the two allotments which are vacant, one is crown land situated to the south of the intersection of

Wattle Point Road and Sultana Point Road while the other is part of two allotments which form one property.

The allotments within the zone range from approximately 780 square metres to approximately 3.8 hectares with the smaller allotments located at the northern end of the zone and the larger allotments at the southern end.

As per current policy land division creating allotments less than 0.5 hectares within the Rural Living Zone at Edithburgh is a non-complying form of development.

Due to current allotment sizes only three of the existing allotments may be further divided, those being 104, 106 and 128 Sultana Point Road with up to eleven (11) additional allotments being potentially created subject to the siting of existing dwellings.

A land division of 106 Sultana Point Road (DA 544/D020/18) was approved on 15 March 2019 which sought to create four additional allotments (five in total). These allotments are awaiting a Section 51 clearance at the time of this report.

### **Primary Production Zone – Current Arrangements**

The land surrounding the Edithburgh Township is mostly zoned Primary Production and all but two of the allotments identified within the affected area are currently used for farming purposes and located within the Primary Production Zone. The two non-farming allotments are already used for rural living purposes.

The affected areas contain land which is used for cropping purposes and the allotments supporting that activity range from approximately 2.9 hectares to 7.1 hectares. The allotments are well below the minimum 40 hectares which is recognised within the Development Plan as being necessary to support productive, efficient and sustainable primary production.

The majority of the land within the south-west area of the Edithburgh township is understood as being semi-arable to arable while the area to the north west is understood to be largely non-arable land with some saline seepage due to stony and very shallow soils with poor nutrient and nutrient retention qualities.

The area to the south-west of the town was previously part of a larger Rural Living Zone and within a Precinct (Ardrossan/Edithburgh Rural Living) which formerly permitted allotments of no less than 2 hectares. A land division (DA 544/D006/12) was approved on the 4 May 2012 within the zone which sought to realign seven allotments within the central portion of the zone and appeared to provide road frontage to Old Honiton & Lehman Roads for three existing land locked parcels. The application eventually lapsed.

The fragmented nature of the land holdings and proximity to residential land, both currently developed and reserved for future residential development, and with its attendant impacts from dogs and sensitive interface issues, renders the land immediately adjoining the township of limited agricultural value. As such, most of the affected areas are not considered as being overly productive farming land. Further, the future growth of the township may potentially affect productivity levels of farming activities further from the town if suitable buffers are not implemented.

As a result of the above, two areas adjacent the township boundary within the zone have been identified as being suitable for accommodating rural living expansion which will provide

an interface between both the urban areas of the Edithburgh township and the surrounding primary production activities.

## **Interface Issues - Rural Living and Primary Production**

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

Existing policy also encourage the establishment of a 40 metre buffer between new urban development and rural activities.

The Residential Zones fronting Lehmann Road and Park Terrace are to be separated by Primary Production land by land proposed to be zoned Rural Living. This zoning arrangement will assist in providing a greater buffer between the Residential zone in accordance with the above policy which is a situation that does not currently exist at Edithburgh. It is also proposed to retain existing policy which encourages dwellings within the Rural Living zone being sited 40 metres from land held within the Primary Production zone.

## **Rural Living Zone – Potential Amendments**

It is proposed to rezone two areas of the Primary Production Zone to Rural Living; one area is located to the south-west of the township, the other is located to the north-west, as earlier depicted in figure 1.

The area to be rezoned to the south-west of the township is an area of largely agricultural activities with only 1 of the 8 allotments containing a dwelling. The remaining allotments are used for agricultural purposes; namely broad acre cropping, and the properties owned by two different owners.

The allotments within the proposed affected area range from approximately 2.36 to 7.12 hectares with all but one allotment containing frontages to public roads. The total area is approximately 33 hectares.

As per current Rural Living policy within the Edithburgh area, land division creating allotments of not less than 0.5 hectares would potentially create up to 60 allotment (52 additional allotments) with the provisions of potentially two, possibly three, new roads for access to land deep within the allotments. New rural living allotments could incorporate dimensions capable of providing dwelling sites which also satisfy setbacks from road frontages (20 metres), side and rear boundaries (10 metres) and a Primary Production Zone boundary (40 metres).

The release of land for rural living purposes can be conducted in an efficient and orderly manner with staged releases along existing roads occurring in the first instance. This will enable the economic provision of infrastructure to land-locked and less accessible areas of land while also facilitating a buffer between the primary production land and residential land.

The second area proposed to be rezoned affects land west of Park Terrace and south of Fielding Street. This area consists of seven allotments comprising an area of approximately 23.3 hectares. The allotments range from 6000 square metres to 5.7 hectares and are principally used for generally farming activities except for lot 334 fronting Fielding Street

which contains a dwelling. Like the south-west area of the town, this area is also proposed for inclusion in Edithburgh / Marion Bay Precinct 4 of the Rural Living Zone and therefore future allotments being restricted to a minimum area of 0.5 hectares.

The rezoning of the above land will likely accommodate a maximum of approximately 33 additional allotments however, five of the existing allotments are land locked. Accordingly, future land division across much of the area will be largely dependent upon the development of adjoining properties and particularly in respect to the establishment of links to the existing local roads. A coordinated approach will be required to the future development of the area.

This proposed Rural Living area will provide a buffer between the residential area of North Edithburgh, the Residential zone fronting Park Terrace and the Primary Production to the west.

Limited opportunities current exists due to rural living land being restricted to only a small area to the south of the township. The proposed expansion of the Rural Living Zone and the prescription of minimum allotment areas will provide the opportunity for further Rural Living allotments being established around Edithburgh.

Further the size of the proposed rural living allotments will not inhibit the future growth of the town. The recent introduction of new residential areas within the Development Plan should ensure an abundant supply of land for denser residential is available in the future. Given the western boundaries of these areas abut the Primary Production Zone it will be essential to establish rural living allotments which can provide a buffer between these two contrasting zones.

In summary, the proposed amendments outlined above will potentially create approximately 100 Rural Living allotments which is a net gain of some 85 allotments. Considering the ability to provide approximately 17 allotments within the existing zone to the south of the township, the above amendment will ensure a long term land supply for Rural Living development is available for the township to complement denser residential growth.

### **3.1.7 General Review of Draft Planning and Design Code**

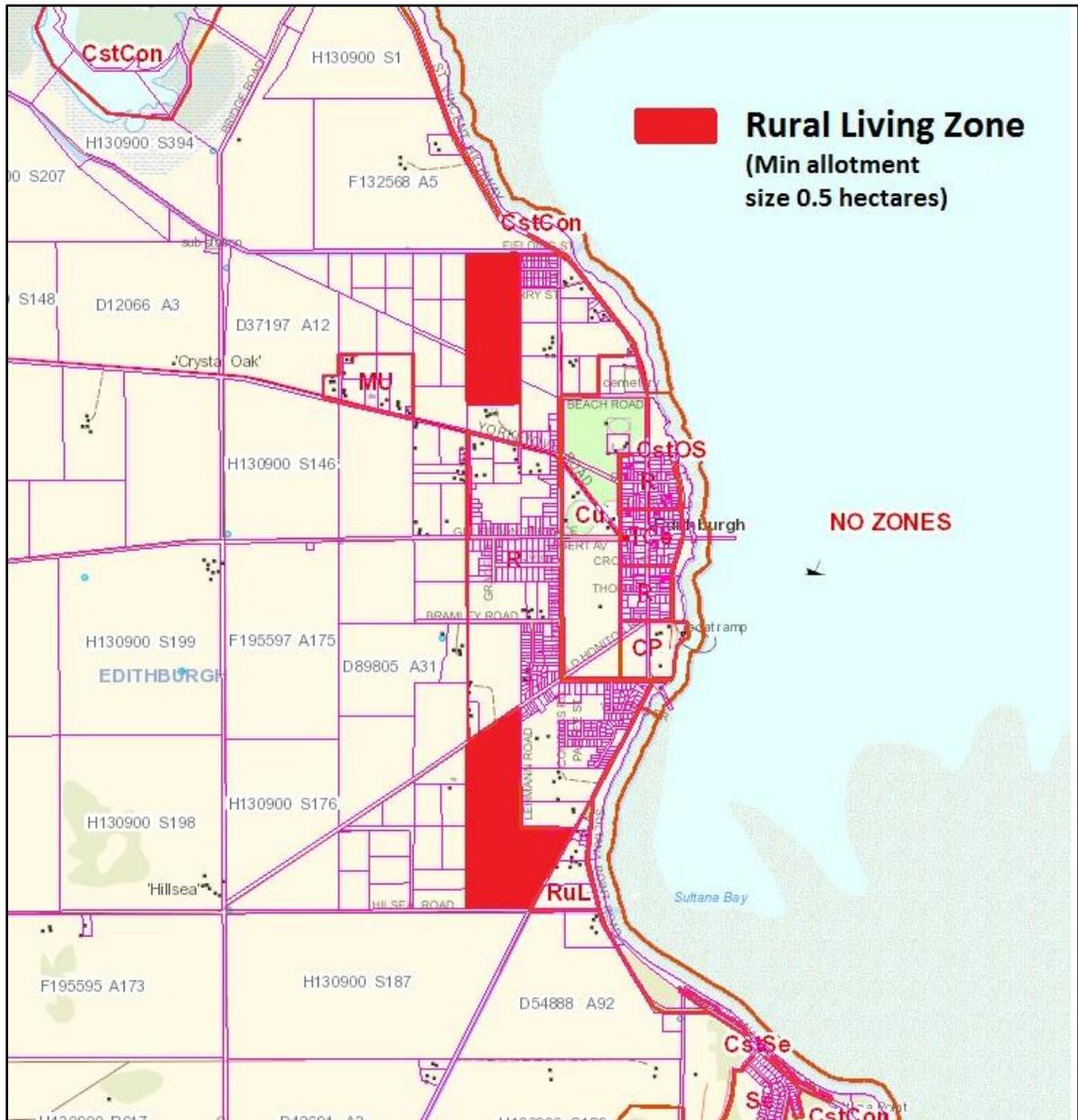
The draft policies for phase two (Rural Areas) were reviewed, particularly the policies relevant to the Rural Living and Primary Production Zones. The recommended policy changes does not conflict with the draft policies.

## **4. Recommended Policy Changes**

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

- Rezone the Primary Production land bound by Old Honiton, Lehman, Hilsea and Wattle Bay Roads to Rural Living;
- Rezone Primary Production land to the west of Park Terrace and south of Fielding Street to Rural Living.
- The Technical and Numeric Variation for Minimum Lot Size of the land within the proposed areas identified for rezoning be 5000 square metres

The proposed zoning amendments are further illustrated on Figure 3 below



**Figure 3: Proposed Zoning Amendments** Source: Nature Maps ([www.naturemaps.sa.gov.au](http://www.naturemaps.sa.gov.au))