



Development Act 1993

**Clare and Gilbert Valleys Council Development
Plan**

**Square Mile Road Clare Development Plan
Amendment**

**Summary of Consultation and Proposed
Amendments Report for the Minister for Urban
Development and Planning**

by the Development Policy Advisory Committee

1. INTRODUCTION

This report provides an account of the consultation process and the matters raised during the Public Consultation period, in respect to the draft Square Mile Road Clare Development Plan Amendment, together with the recommendations regarding the draft Development Plan Amendment.

2. CONSULTATION

Consultation process

Statutory consultation with State Government Agencies, Councils and the community, has been undertaken in accordance with the Development Plan Amendment process B and in accordance with Section 26 of the *Development Act 1993*.

The consultation period commenced on 25 February 2010 and concluded on 21 April 2010.

A list of the State Government Agencies, organisations and persons who were advised of the draft Development Plan Amendment is contained in **Attachment A**.

Public notification

Notices were published in The Advertiser and the Northern Argus on 25 February 2010.

Copies of statutory and other public notification documents are contained in **Attachment B**.

The draft Development Plan Amendment was placed on display at the offices of the Department of Planning and Local Government (North Terrace, Adelaide) and was made available at the Offices of the Clare and Gilbert Valleys Council. The draft Development Plan Amendment was also available for viewing on the Department's website.

3. SUBMISSIONS

Public submissions

Twenty one (21) public submissions have been received. The main issues/comments which have been raised in the submissions are set out below:

- Fifteen (15) submissions expressed support of the draft Development Plan Amendment.
- Five (5) submissions expressed opposition to the draft Development Plan Amendment for the following reasons:
 - inappropriate location for aged care due to the distance from the town centre;
 - inadequate consideration given to other sites within Clare;
 - promotes an undesirable extension of the town to the north;
 - inadequate consideration given to other forms of aged housing, such as smaller clusters of housing within the existing township;
 - undesirable impact on character and amenity of surrounding areas, including the adjoining low density residential policy area;
 - potential interface issues with nearby primary production activities; and
 - infrastructure burden placed on the rezoning of the Square Mile Road land is inconsistent with the recommendations of previous reports.

A summary of each submission is contained in **Attachment C**.

Council submissions

One (1) submission has been received from the Clare & Gilbert Valleys Council. The main issues/comments which have been raised in the submission are set out below:

- a need to ensure that adequate infrastructure is provided to support the proposed level of residential development that could be developed at the site, needs to be supported by the inclusion of policy within the Development Plan;
- the Council has commenced consultation with the landowner of the affected site in order to prepare a binding deed of agreement to support the external infrastructure required to service the development; and
- request for approval of the draft Development Plan Amendment to be delayed by the Minister until such time that the Council has a deed of agreement in place.

A summary of each submission is contained in **Attachment C**.

State Government Agency submissions

Fourteen (14) responses have been received from State Government Agencies. A summary of issues which have been raised in the submissions are set out below:

- The Department of Transport, Energy & Infrastructure are opposed to the draft Development Plan Amendment (recommends that the draft Development Plan Amendment be refused). The proposed rezoning is considered by the Department to be at odds with good planning practice, South Australia's Strategic Plan and planning policies for the area. The rezoning would promote an illogical expansion of the township and is an inappropriate location for aged care accommodation due to the distance from the town centre.
- The Department of Transport, Energy & Infrastructure advised that no traffic analysis has been undertaken to investigate the impact of the rezoning upon the intersection of Main North Road/Dolan Road/Craig Hill Road. The Department considered that this may be significant, given that this section of Main North Road is a high speed arterial road (80 km/hour) and as such, may provide a shorter travel time from the town centre when compared to alternative routes.
- The Department of Transport, Energy & Infrastructure has identified a need to ensure that any future upgrades to the Farrell Flat Road/York Road/White Hut Road or the Main North Road/Dolan Road intersections, are funded by the developer, with a deed of agreement to be in place prior to the draft Development Plan Amendment being approved.
- The Department for Families and Communities has advised that the draft Development Plan Amendment should include specific reference to the need for the Policy Area to provide 15 percent affordable housing.
- The Department for Families and Communities has advised that the minimum allotment size for the Policy Area should be reduced from 600 square metres to around 200 square metres to allow for greater housing diversity, including affordable housing.
- The Environment Protection Authority has advised that a vegetated buffer should be established along the western boundary of the Policy Area to protect residents from any potential interface issues associated with the Primary Production Zone.
- The Department of Environment & Heritage considers that the proposed 20 metre buffer from vegetated landscape buffers to protect from bushfire is inadequate.

A summary of each submission is contained in **Attachment D**.

Public access to submissions about the draft Development Plan Amendment

Copies of all submissions were made available for public review from the end of consultation to the day of the Public Meeting on the Department of Planning and Local Government's website and the Department's offices.

Public Meeting

Seven (7) submitters requested to be heard in support of their submission, and a Public Meeting was held on Wednesday, 12 May 2010.

Issues raised at the Public Meeting reinforced those issues which are contained in the written submissions.

ADDITIONAL INVESTIGATIONS AND ISSUES

No further investigations were required subsequent to the consultation process.

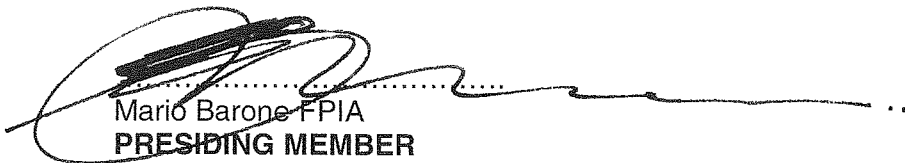
ADDITIONAL CONSULTATIONS

Additional consultation was undertaken with The Department of Transport, Energy and Infrastructure, to clarify the concerns regarding further traffic impact analysis for the intersection of Dolan and Main North Road. DPAC has been advised that the Department of Transport Energy and Infrastructure have confirmed that further investigations are no longer required. However, the Clare and Gilbert Valleys Council should be made aware that, while the Department of Transport, Energy and Infrastructure still opposes the draft plan on general planning grounds, should the rezoning proceed, future traffic demand generated by development of the site may require the opening/sealing of Dolan Road. Should this be necessary, traffic investigations for the intersection of Main North Road/Dolan Road will be required in the future.

RECOMMENDED AMENDMENTS FOLLOWING CONSULTATION

1. Based on a review of all the submissions and the draft Development Plan Amendment, the Development Policy Advisory Committee recommends the following amendments to the draft Development Plan Amendment:
 - a. Insert Affordable Housing policy 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:
 - Amend Objective 1 in the Residential Zone to read:
 - 1 *A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing, and community facilities in suitable areas.*
 - Insert 'affordable housing' into the list of envisaged development in Principle of Development Control 1 in the Residential Zone.
 - Insert the following Principles of Development Control directly after Principle of Development Control 12(c) in the Residential Zone:
 - 13 *Development should include a minimum of 15 per cent of residential dwellings for affordable housing.*
 - 14 *Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.*
 - b. Insert Water Sensitive Urban Design policy into the Natural Resources module in the General section to bring the Development Plan in line with the latest Water Sensitive Urban Design policy from Version 5 of the Better Development Plan Policy Library:

- Insert the content of **Attachment E** directly following Principle of Development Control 5 in the Natural Resources module in the General section of the Development Plan.
- c. Insert Interface policy into the Square Mile Road Policy Area, to address potential for future interface issues.
- Insert the following Principle of Development Control directly following Principle of Development Control 4 in the Square Mile Road Policy Area:
- 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.*
- d. Amend Principle of Development Control 2(e) 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:
- (e) *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).*
2. That in the approval letter from the Minister, the Clare & Gilbert Valley's Council be advised that in the event that the development results in the need to open and seal Dolan Road, that the Council should undertake analysis to consider the potential impacts upon the intersection of Main North Road/Dolan Road as recommended by the Department of Transport, Energy and Infrastructure.



Mario Barone FPIA
PRESIDING MEMBER
DEVELOPMENT POLICY ADVISORY COMMITTEE

Date: 5 AUGUST 2010

LIST OF ATTACHMENTS

- Attachment A:** List of State Government Agencies and persons who were advised of the Development Plan Amendment
- Attachment B:** Copies of statutory and other public notification documents
- Attachment C:** Summary of public and council submissions
- Attachment D:** Summary of State Government Agencies submissions
- Attachment E:** Additional Water Sensitive Urban Design policy