

# Statement of Intent

By the Council

**Gawler (CT)**

**Statement of Intent for the**

**Rural DPA**

**by the Town of Gawler**

**18 May 2018**

**Pursuant to section 25 (1) of the *Development Act 1993* this Statement of Intent forms the agreed basis for the preparation of the proposed Development Plan Amendment.**

**Henry Inat  
CHIEF EXECUTIVE OFFICER**

**Date:**

**Stephan Knoll  
MINISTER FOR PLANNING**

**Date:**



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## 1. Introduction

### 1.1 Statement of Intent

Pursuant to section 25(1) of the Development Act 1993 (the Act) the Town of Gawler (the Council) has reached agreement with the Minister on this Statement of Intent (SOI) prepared by the Council in accordance with the Development Regulations 2008 (the Regulations).

The SOI details the scope, relevant strategic / policy considerations and nature of investigations to be carried out, the consultation process and timeframes to be followed in preparing the DPA.

### 1.2 Chief Executive Statement

The Chief Executive Officer of the Council confirms the following:

- The proposed DPA will assist in implementing the Planning Strategy.
- The proposed DPA has been endorsed by Council.
- All procedures, documentation and mapping will accord with relevant statutory requirements of the Act and Regulations.
- Sufficient Council resources will be devoted to completing the DPA within the agreed timeframe. Council acknowledges that the Minister can lapse the DPA if key timeframes are not met by Council pursuant to section 25(19) of the Act.
- Council may use the outcome of investigations and other information produced by external sources which will be reviewed by a qualified, independent professional advisor (pursuant to section 25(4) of the Act).

#### 1.2.1 Council Contact Person

The key Council contact person who will be responsible for managing the DPA process and who will receive all official documents relating to the DPA is:

Ryan Viney, Manager Development, Environment and Regulatory Services

#### 1.2.2 Developer Supported DPA

Council will contain full control over the DPA process and decision making responsibilities in accordance with the *Development Act 1993*.

The DPA process will be funded by:

- Town of Gawler

The DPA will be prepared by Ryan Viney MPIA. Mr Viney holds the prescribed qualifications for the purposes of Section 101 of the *Development Act 1993* and *Regulation 86*. The Town of Gawler may also seek the services of a suitably qualified consultant at some point throughout the project.

## 2. Scope of the Proposed DPA

### 2.1 Need for the Amendment

#### 2.1.1 Rationale

Gawler's Rural Zone contains approximately 1700 hectares of land and plays a significant role in the town's identity, as it acts as a buffer between the City of Playford and the more urbanised areas of Gawler.

The notion of the Gawler buffer, or point of visual/physical separation from the City of Playford, stems from Gawler's inception. As it was the only other residential settlement outside of the City of Adelaide surveyed by Colonel William Light, and it was South Australia's first regional town.

The purpose of this proposed Rural Areas DPA is to:

- Further encourage, protect and support sustainable primary production activities and practices, where commercially viable, in order to safeguard against the loss of local food production security;
- Formalise existing clusters of pre-existing commercial and industrial activities within the Rural Zone to support local businesses and job creation, and
- Formalise and further expand on existing rural living opportunities across the balance of the Rural Zone, at a density that is both financially and environmentally sustainable, to not only preserve the legacy of the existing buffer between the City of Playford and the historic township of Gawler, but to ultimately improve the amenity of this transitional area for its residents.

This DPA is ultimately designed to ensure the Rural Zone continues to act as a buffer (point of visual and physical separation) between the City of Playford and the more urbanised areas of the Town of Gawler, by encouraging primary production where viable, consolidating rural living housing choices and formalising economic and employment opportunities in appropriate localities.

The following matters are to be addressed as part of this DPA:

- Role and function of the Rural Zone;
- Maintaining and promoting Gawler as 'a uniquely identifiable township';
- Agricultural potential within the Rural Zone (including the potential for intensification);
- Opportunities for further rural living and rural lifestyle housing choices;
- Social, economic and environmental benefits of various land uses within the Zone; and
- The provision of critical infrastructure to support all of the above.
- Formalisation of existing industrial, commercial and other appropriate land uses within the Rural Zone.

#### 2.1.2 Affected Area

The area affected by the proposed DPA can be described as follows:

- All of the land within the Rural Zone

The area affected by the proposed DPA is shown on the attached map:



Figure 1: Study Area

### 2.1.3 Potential Issues

Potential issues associated with the subject land include:

- Role and function of the Rural Zone, including opportunities it provides for agriculture, amenity and visual aesthetics and its contribution for environmental purposes, social purposes and economic purposes;
- Agricultural potential within the Rural Zone (including the potential for intensification);
- Opportunities for further rural living housing choices, without impact on viable primary production or the function of the buffer (open rural character);
- Social, economic and environmental benefits of various land uses within the locality including employment opportunities (Commercial and Light Industry Land Uses);
- Intensive animal keeping;
- Truck parking;
- Interfaces between land uses within the Rural Zone;
- Potential flooding hazards and storm water management; and
- Infrastructure provision and options for funding.

## 3. Strategic and Policy Considerations

### 3.1 The Planning Strategy

#### 3.1.1 Targets

The DPA will support the relevant volume of the Planning Strategy (30 year Plan for Greater Adelaide – 2017 Update) by implementing the following targets:

Targets	How the target will be implemented:
<b>1</b>	
Containing our urban footprint and protecting our resources	By formalising a policy framework around Gawler's Rural Zone, the aim will be to assist in protecting our resources by containing the outward growth of the metropolitan area and avoid the ongoing loss of valuable and highly productive agricultural and horticultural land on the urban fringe.
<b>5</b>	
A green liveable city	The 30 Year Plan for Greater Adelaide seeks to increase urban green cover by 20% by 2045. This DPA will seek to contribute to this target by strengthening the subject areas role as a buffer/green belt through the introduction of appropriate policy.
<b>6</b>	
Greater housing choice	By creating and potentially expanding upon Council's informal rural residential area, it will provide additional housing choice and could potentially assist in meeting market demand whilst protecting the greater region for primary production purposes.

#### 3.1.2 Policies

The DPA will support the relevant volume of the Planning Strategy (30 year Plan for Greater Adelaide – 2017 Update) by implementing the following policies:

Policy	How the policy will be implemented
<b>Economy and Jobs</b>	
Policy 56 – Ensure there are suitable land supplies for the retail, commercial and industrial sectors.	This DPA will seek to investigate approaches to existing commercial/light industrial activity within appropriate locations in Gawler's Rural Zone. This will aim to promote continuation of commercial/light industrial areas in the Rural Zone.
Policy 59 – Enable major new primary production and agri business development across the Northern Adelaide and Barossa regions and in the Mount Barker-Murray Bridge corridor and prevent ad hoc land use changes that may compromise those investment.	This DPA seeks to protect, promote and facilitate expansion of valuable areas of land which are currently utilised or have potential for primary production. This is particularly pertinent as primary and food production is further established as a key employer for the state, moving into the future.



Policy	How the policy will be implemented
Policy 62 Manage the interface between townships and adjacent primary production activities and areas of nature protection.	This DPA will seek to formalise existing rural living land uses and provide additional policies to protect both urban and primary production activities in the locality.
Policy 90 Delineate and maintain areas with significant environmental values to protect landscape health; conserve biodiversity; and improve development certainty and transparency.	By undertaking the subject DPA, Council will seek to update and strengthen its vision for the zone whilst providing development certainty for residents who live in the existing Rural Zone. The DPA will seek to improve transparency and settle uncertainty concerning the region's future.

## 3.2 Council Policies

### 3.2.1 Council's Strategic Directions (Section 30) Report

Recommendations from Council's Strategic Directions (Section 30) Report supporting the proposed DPA are as follows:

Project 1 in Council's Strategic Directions Report is:

#### Rural Land Use and Infrastructure Investigation - Rural Areas

- This project has been undertaken and is represented as two draft reports: Background Paper Jensen Planning and Design, March 2015; and Policy Directions Report Jensen Planning and Design, May 2015.

The Background Paper reviewed and summarized all of the background information relevant to the future policy of the land relating to the "Buffer Area" located within the Rural Zone in the Town of Gawler. The Background Report covers issues such as:

- The history and concept of the buffer area;
- The physical characteristics of the area;
- The policy regime applicable;
- The issues associated with the continuation and support of rural productivity in the area;
- The issues associated with rural living; and
- Community feedback.

The Policy Directions report distils these findings into recommended policy directions. It should be noted that both Report 1 and Report 2 of the Rural Land Use and Infrastructure Report prepared by Jensen Planning and Design have not been formally endorsed by Council. However, these reports will be used assist in the formation of policy within the Rural DPA.

This project was a logical pre-cursor to this DPA.

Following on from the Rural Land Use and Infrastructure Investigation - Rural Areas, Council has turned its mind specifically to the study area of this DPA and has developed the following Vision and Guiding Principles to direct the scope of the DPA.

#### Vision:

The study area functions as a buffer between the urban areas of the Town of Gawler and the area of metropolitan Adelaide to the south and southeast. The predominantly open rural character buffer will be primarily achieved by maintaining open vistas and key views from the main transport corridors linking the Town of Gawler and the area of metropolitan Adelaide to the south and south-

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### 3. Strategic and Policy Considerations

east. These views separate and distinguish the urban areas of Gawler from the character of the remainder of metropolitan Adelaide.

The area should maintain opportunities for a range of existing and future primary production activities, including further intensive productive land uses as well as compatible rural living land use in designated areas.

#### Guiding Principles:

- a) Land uses will maintain and improve views of an open rural character from key transport corridors (components of a rural character relating to land use, style, setbacks, design features etc. will be required to facilitate and achieve open rural character and views).
- b) Land uses will reinforce the transition between Gawler (a regional township in a rural setting) and the remainder of metropolitan Adelaide.
- c) Land uses managed to address interface issues between potentially incompatible land uses.
- d) Land uses will contribute to the economic health of the local and broader community.
- e) Land uses will contribute to the social health of the local and broader community.
- f) Land uses will contribute to the environmental health of the study area and region.

#### Gawler Community Plan 2017-2027

The Gawler Community Plan 2017-2027 is the overarching strategic plan for the Town of Gawler as it moves forward. This Plan establishes the Council's vision as being:

*"A liveable, cohesive, active, innovative and sustainable community".*

To attain this vision the plan sets out five goal areas, each one supported by a number of objectives and strategies. The five goal areas, and the objectives and strategies most directly related to this DPA are listed below:

#### 1. Our Identity – A Uniquely Identifiable Township

- Maintain a clearly defined township, one which is distinct from neighbouring areas
  - Continue to develop regional and local town planning policies that ensure Gawler maintains a real sense of distinction from its surrounding areas and continues to function as a regional centre for the provision of services to communities in surrounding areas.
  - Safeguard views and vistas to retain Gawler's township identity, open landscape character and sense of arrival into Gawler from all directions through the provision of open space.

#### 2. Our Growth – Manage and Sustainable Growth

- Physical and social infrastructure to service our growing population and economy
  - Develop land use policies to build attractive, accessible, integrated and resident-friendly areas, supporting a range of housing, lifestyles, recreation and rural opportunities.
- Growth to be sustainable and respectful of cultural and built heritage
  - Implement findings and guiding principles from rural land use and infrastructure investigation to guide development of land use policies for the rural area.
- The local environment to be respected
- Local economic activity to create local job opportunities and generate increased local wealth

#### 3. Our Community – A Healthy, Active, Safe, Engaged Community

- Provide facilities for a range of different recreational activities
  - Ensure a range of usable open space and passion recreation facilities are provided for local and regional community needs.

#### 4. Our Environment – To Respect and Nurture the Environment

- Support development that respects the environment and considers, the impacts of climate change
  - Plan for a sustainable urban form to reduce the community's ecological footprint.
- Support sustainable use of natural resources and minimise further waste to landfill
  - Develop and implement policies targeted at reducing unsightly properties. Encourage residents to revitalise and maintain their properties.

**5. Our Leadership – A Strong Vibrant Community.**

- Create a safe community environment
  - Provide a healthy and safe community through collaborative planning, advocacy and compliance.

This DPA will propose planning policy that supports the attainment of the Council's goals and objectives and through this the Council's vision for the area.

### **3.2.2 Infrastructure Planning**

The proposed amendment will be consistent with current infrastructure planning (both social and physical) identified in council's Strategic Directions Report, by the Minister or by a relevant government agency.

The provision of a comprehensive infrastructure analysis that identifies all potential infrastructure issues will need to be finalised prior to rezoning, this analysis will then provide the basis for a funding strategy to ensure that delivery of required infrastructure is both equitable and timely.

The categories of infrastructure which would be reviewed as a part of the subject analysis include:

- Traffic
- Stormwater
- Social / Community
- Pedestrian
- Water
- Sewer (waste water)
- Open Space
- Utilities (electricity, gas etc.)

### **3.2.3 Other Policies or Local Issues**

The policies of this DPA will be consistent with the policies in:

- The Council-wide section of the Development Plan and specifically:
  1. Appearance of Land and Buildings and the Public Environment;
  2. Building Setbacks from Arterial Roads;
  3. Bushfire Protection;
  4. Commercial Light Industrial Development;
  5. Conservation;
  6. Contaminated Land;
  7. Form of Development;
  8. Hazards;
  9. Infrastructure;
  10. Interface Between Land Uses;
  11. Land Division;
  12. Metropolitan Open Space System;
  13. Natural Resources;
  14. Open Space and Recreation;
  15. Regulated Trees/Significant Trees;

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### 3. Strategic and Policy Considerations

16. Rural Development;
17. Rural Living; and
18. Waste.

- Council's Current DPA

#### Gawler East Structure Plan DPA

The purpose of the Gawler East Structure Plan DPA, which was released for consultation in September 2017, is to update the Gawler East Structure Plan following recent investigations pertaining to the Gawler East Link Road alignment. It also seeking to insert additional policies to establish a nexus between development and the provision of critical infrastructure.

- The Development Plans of adjoining areas
  - Light Regional Council;
  - Playford Council; and
  - The Barossa Council.

## 3.3 Minister's Policies

### 3.3.1 Planning Policy Library

The key land uses that need to be considered as part of this DPA are commercial/light industrial, rural living, and primary production.

The Gawler (CT) Development Plan is not a converted Development Plan and thus retains some zones not contained in the Planning Policy Library. For example the Planning Policy Library does not contain a generic Rural Zone.

On the basis that this Development Plan is currently not converted, and very soon will need to transition to the Planning and Design Code, it would appear to be prudent to seek to adopt a best fit policy for this DPA, converting the Zones where possible, but seeking to maintain some consistency across the existing Development Plan such that the transition to the Code is less complicated than may otherwise be the case.

It is therefore proposed to convert the Rural Zone to the Primary Production Zone in order to assist the transition to the Planning and Design Code.

Further to this through the DPA staff will investigate other zones from the SAPPL which may be appropriate such as rural living, community and light industry, which may also assist with the impending transition to the Planning and Design Code.

### 3.3.2 Existing Ministerial Policies (Section 25(5), 26 and Section 29)

The following Ministerial policies introduced through section 25(5), 26 or 29 of the Act may be amended by this DPA:

- Bushfire Protection policies (to the extent of potentially excluding some land from the 'General' and 'High' Bushfire Risk' category).

Any amendment to these policies will be justified in the DPA and Council confirms that the policies will only be changed in a way that ensures consistency with the Planning Strategy.

### **3.3.3 Ministerial DPAs**

The policies of this DPA will be consistent with and not contradict the policies proposed in the following relevant Ministerial DPAs:

- There are no publicly available Ministerial DPAs that will be impacted by or impact upon this DPA.

## 4. Investigations and Consultation

### 4.1 Investigations

#### 4.1.1 Investigations Previously Undertaken

Investigations previously undertaken (prior to the preparation of this SOI) that will inform this DPA include the following:

Investigations associated with the following projects will be considered as part of this DPA:

- Rural Land Use and Infrastructure and Investigation;
- Gawler and Surrounds Stormwater Management Plan;
- Smith Creek Stormwater Management Plan;
- Gawler Transport and Traffic Management Plan;
- Gawler Open Space, Sport and Recreation Plan; and
- Barossa, Light and Lower North Region Open Space, Recreation, Sport and Public Realm Strategy.

#### 4.1.2 Investigations Initiated to Inform this DPA

Additional investigations (including those arising from issues not addressed in the Planning Policy Modules) to inform this DPA will include the following:

- The provision of a comprehensive infrastructure analysis that identifies all potential infrastructure issues will have to be addressed prior to rezoning, and provide a strategy which offers a funding solution;
- An assessment of the current and potential for agricultural and horticultural land uses within the Rural Zone;
- A visual impact assessment;
- Land use interface assessment; and
- Analysis of the social, economic, and environmental benefits of various land uses within the locality.

### 4.2 Consultation

The following key stakeholders will be consulted during the investigations stage for input into the proposed DPA:

- Council;
- DPTI;
- SA Water;
- Department of Primary Industries;
- City of Playford;
- Light Regional Council;
- Service providers;
- RDA Barossa;

The following agencies, State Members of Parliament, interested parties, individuals and Councils will be consulted during the consultation stage of the DPA:

- Country Fire Service;
- Department of Environment, Water and Natural Resources;
- Department of Planning, Transport and Infrastructure;
- Department of the Premier and Cabinet;
- Department of Primary Industries and Regions;
- Department of the Treasury and Finance;
- Department of State Development;
- State Emergency Service;
- Environment Protection Authority;
- ElectraNet Pty Ltd;
- Epic Energy;
- SA Power Networks;
- APA Group;
- South East Australia Gas Pty Ltd;
- SA Water;
- Adelaide and Mount Lofty Ranges NRM Board;
- RDA Barossa;
- Member for Light;
- Member for Napier;
- Barossa Council;
- Light Regional Council; and
- Playford Council.

Consultation with the public will be undertaken in accordance with the requirements of the Act and Regulations. This will include:

- A notice in the Government Gazette;
- A notice in the Advertiser Newspaper;
- A notice in “The Bunyip”; and
- The scheduling of a Public Meeting at which any interested person may appear to make representations on the proposed amendment.

## 5. Proposed DPA Process

### 5.1 DPA Process

Council intends to **undertake the following DPA process** (check box):

**Process A**

Agencies will be consulted on a draft version of the DPA for a period of 6 weeks. A copy of the DPA, and copies and a summary of agency submissions, will then be sent to the Minister for approval to release the DPA for public consultation.

**Process B1 (with consultation approval)**

A copy of the DPA will be sent to the Minister for approval to release it for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

**Process B2 (consultation approval not required)**

A copy of the DPA will be released for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

**Process C**

A copy of the DPA will be released for concurrent agency and public consultation (not more than 4 weeks for agency comment and not less than 4 weeks for public comment). Landowners and occupiers identified in the SOI will receive direct notification of the DPA.

#### 5.1.1 Rationale

Process B1 has been selected due to the proposed use of Interim Operation, however this DPA will support a number of key targets and policies as are contained within the 30 Year Plan for Greater Adelaide. There has been much work undertaken in this area previously and there is a good level of knowledge and awareness generally. Work to date has not identified any issues that are considered to be “out of the ordinary” and it is anticipated that all issues can be appropriately resolved and managed.

### 5.2 Interim Operation

Interim Operation is being considered for this DPA due to the possible undermining of the intent of the DPA should this become public knowledge.



## 6. Professional Advice and Document Production

### 6.1 Professional Advice

The professional advice required will be provided by:

Mr. Ryan Viney MPIA

This person satisfies the professional advice requirements of the Act and Regulations and will provide advice to the council prior to the preparation of the DPA. This person is not considered to have a conflict of interest or perceived conflict of interest in the DPA.

The Town of Gawler may also seek the services of a suitably qualified consultant at some point throughout the project.

### 6.2 Document Production

The DPA (including the structure, amendment instructions and mapping) will be prepared in accordance with the Technical Guide to Development Plan Amendments issued by the Department for Planning, Transport and Infrastructure (the Department) and any templates, except as mutually agreed.

To ensure certainty as to the correct version of the DPA, the DPA will contain a date in the footer (e.g. version 5 July 2007). The footer will be located on every page of the DPA, including the proposed amendments (including mapping).

The Chief Executive Officer of the council will ensure that the policies implement the Planning Strategy, all procedures have been completed within the statutory requirements and that mapping is correct prior to issuing a certificate in accordance with the Act. If this is not the case, the council will take responsibility for the DPA until the matter has been resolved.

### 6.3 Mapping

Council will obtain electronic copies of all the affected maps and/or figures from the Department prior to the commencement of mapping amendments to ensure all mapping is amended based on current map bases.

Amendments to maps will be provided in the required format to the Planning Division of the Department. Mapping amendments for this DPA will be undertaken by:

- TBC

## 7. Proposed DPA Timetable

### Process B2 (consultation approval not required) Timetable

The following timetable is proposed for this DPA based on the selected process. Council will take steps to update this timetable if it appears at any stage that Council will require an extension to complete a task.

Steps	Responsibility	Agreed Timeframe from Minister's Approval
<b>Development Plan Amendment (DPA)</b>		
Investigations conducted; DPA prepared	Council	12 Weeks SOI agreement – DPA commences consultation
Agency and public consultation concludes	Council	8 weeks
<b>Summary of Consultation and Proposed Amendment (SCPA)</b>		
Public Meeting held; submissions summarised; DPA amended in accordance with Council's assessment of submissions; SCPA prepared and lodged with the Department	Council	4 weeks Public consultation closes – SCPA lodged with the Department
SCPA assessed and report on DPA prepared for Minister	Department	8 weeks
Minister considers report on DPA and makes decision	Minister	4 weeks
Approved amendment gazetted	Department	2 weeks

Following Ministerial approval of the proposed amendment, it is forwarded to the Environment, Resources and Development Committee of Parliament for review.