To Department of Planning transport and Infrastructure

Submission re: New Planning and design Code

I write as an owner of industrial land and on behalf of several others property owners who for many years now have tried to function under the restrictive policies of the Gawler council development plans. The subject area, which is my concern, is located in the area known as Evanston South. It is bound to the west by Main North road, to the south by Gale road, to the north by Hayles road, and to the East by Nathan road and is known as the ‘Northern Trade Centre’. I own land within this subject area. We operate under the confines of a rural zone despite previously been zoned General Industrial. Please find attached photos.

Some background:

- Purchased land in the late seventies was zoned General Industrial under the then Munno Para Council.
- In the early 1980’s I received approval for an industrial workshop and attached brick veneer officers [structural requirement] for the purpose of a mechanical repair station.
- Around March 1985 a boundary change occurred between Gawler and Munno Para Council.
- The Government gazette of 1985 has amendments to development plans showing the area still General Industrial but now within the council area of Gawler.
- Due to a Supplementary development plan on the 14th July 1988 all industrial land was ‘down zoned’ to a Rural A zone. No personal notice given to land owners, land devalued, no compensation.
- Industrial rights were immediately removed and all activities now are regarded as ‘Non-complying’ developments
- Affected land owners at the time group to engaged planning consultants to fight for some recognition of industrial rights
- Resulting in Gawler’s Development plan of 1991, with this area now under Rural A zone, it makes special mention that ‘existing industrial properties established before 14th July 1988 may be developed,’ yet under ‘Procedural Matters’ where item 16 states a list of developments that are non-complying within a rural zone, and one of these is Industry. This is a contradiction, yet regardless all further development and progress is now subjected to costly and time consuming non-complying applications, involving the Development Assessment Commission with no guarantee of approval. Thus normal complying uses and expansion within an industrial zone, in our case are subjected to this non-complying process.
- This established industrial development is required to conform to the principles and objectives of a Rural zone resulting in a deterrent to business and employment. Consequently the area has been constrained for over 30 years from full development, and only serves to exist as an example of poor planning.
- We pay commercial rates and are required to contribute to the Gawler Business development levy, but are handicapped by the restrictive non-complying process and therefore not realising any benefit.
- Local government planning policy and regulations that guide and direct the community where appropriate development is required, ultimately fails land owners.
We ask the commission to take a closer study of this area and its potential for growth and development, its access to main arterial roads, the Northern Expressway and rail, and to seriously consider recommending this area and all industry operating within Rural zoning be returned to industrial, thereby removing the restriction imposed, giving clarity and direction while promoting the local economy and jobs, so often mentioned by local council but never put into action. We believe that this area should be appropriately rezoned so that industry may be developed and expand as was the original intention without been faced with a ‘non-complying’ process of assessment.

In addition, it is our view that land parcel holdings for commercial industrial development should be reduced in size to 2000sq m. This block size is more attractive to small business which does not require large areas and again provides more opportunity for employment growth, contributing to the economic outcomes the state desperately need.

Further to our concerns we wish to know if this anomaly will be carried over into the new ‘planning and Design Code’ or is it the intention in consolidating 72 development plans into one clear rulebook, to do away with the impediment of the non-complying process, and rectify such examples of poor planning and contradiction, which only serve to inhibit rather than progress development. This area is well established as pictures show and common sense suggests it can only function under an industrial zone, and as such will never conform to a rural zone.

I wish this submission to be acknowledged and considered and if appropriate a response would be appreciated. Thank you.

Yours Sincerely

Anthony Fahey

Kapunda 5373