

# Statement of Intent

By the Council

**Mitcham (City) Development Plan**

**Special Residential Character Areas  
Statement of Intent**

**by the City of Mitcham**

**July 2019**

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.



**Matthew Pears  
CHIEF EXECUTIVE OFFICER**

**Date: 15/07/2019**

**Stephan Knoll  
MINISTER FOR PLANNING**

**Date:**



<b>Table of Contents</b>	
<b>1. Introduction</b>	<b>1</b>
<b>1.1 Statement of Intent</b> .....	<b>1</b>
<b>1.2 Chief Executive Statement</b> .....	<b>1</b>
1.2.1 Council Contact Person .....	1
<b>2. Scope of the Proposed DPA</b>	<b>2</b>
<b>2.1 Need for the Amendment</b> .....	<b>2</b>
2.1.1 Rationale.....	2
2.1.2 Affected Area .....	3
2.1.3 Potential Issues .....	4
<b>3. Strategic and Policy Considerations</b>	<b>5</b>
<b>3.1 The Planning Strategy</b> .....	<b>5</b>
3.1.1 Targets.....	5
3.3.2 Policies.....	5
<b>3.2 Council Policies</b> .....	<b>5</b>
3.2.1 Council’s Strategic Directions (Section 30) Report.....	5
3.2.2 Infrastructure Planning.....	6
3.2.3 Other Policies or Local Issues .....	6
<b>3.3 Minister’s Policies</b> .....	<b>7</b>
3.3.1 Planning Policy Library .....	7
3.3.2 Existing Ministerial Policies (Section 25(5), 26 and Section 29) .....	7
3.3.3 Ministerial DPAs .....	7
<b>4. Investigations and Consultation</b>	<b>8</b>
<b>4.1 Investigations</b> .....	<b>8</b>
4.1.1 Investigations Previously Undertaken .....	8
4.1.2 Investigations Initiated to Inform this DPA.....	8
<b>4.2 Consultation</b> .....	<b>8</b>
<b>5. Proposed DPA Process</b>	<b>11</b>
<b>5.1 DPA Process</b> .....	<b>11</b>
<b>6. Professional Advice and Document Production</b>	<b>12</b>
<b>6.1 Professional Advice</b> .....	<b>12</b>
<b>6.2 Document Production</b> .....	<b>12</b>

**6.3 Mapping .....12**

**7. Proposed DPA Timetable 13**

**Process B2 (consultation approval not required) Timetable.....13**

## 1. Introduction

### 1.1 Statement of Intent

Pursuant to section 25(1) of the Development Act 1993 (the Act) the City of Mitcham (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, 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:

Ben Hignett  
Business Partner, Strategic Planning & Projects  
T: 8372 8158  
E: bhignett@mitchamcouncil.sa.gov.au

## 2. Scope of the Proposed DPA

### 2.1 Need for the Amendment

#### 2.1.1 Rationale

Council submitted an ambitious Strategic Investigations and Development Plan Amendments (DPAs) programme in its 2013-2018 Section 30 Review / Strategic Directions Report (SDR) Agreement.

The SDR sought to promote the Planning Strategy for South Australia by:

- progressing Heritage (completed) and Watercourse (withdrawn) DPAs as priorities, and
- focussing further investigations on opportunities in key activity centres, corridors and regeneration areas, in tandem with a Council-wide Residential DPA.

Investigations commenced with a review of Council's Residential Strategy (2014); publication of a Retail Activity Centres Strategic Directions Review (2014); and a baseline study for the Residential Yield Analysis (2015).

The assent of the *Planning, Development and Infrastructure Act 2016* (The Act) and an update to the 30-Year Plan for Greater Adelaide (2017) has since prompted Council to review the spatial application of Council's Strategic Management Plan (SMP). This work will aid the effective and orderly switch from Council's Development Plan to the new Planning and Design Code by 1 July 2020.

Council's Spatial Vision identifies:

- areas where opportunities for significant change should be investigated (i.e. growth precincts);
- the strategic outcomes for these precincts;
- key strategic connections and movement corridors;
- areas where small-scale, incremental change is anticipated; and
- areas where no change is anticipated.

The Spatial Vision exercise identified that there are areas where a direct translation of Council's Development Plan to the Planning and Design Code will not meet community and stakeholder expectations. The Growth Areas SOI (authorised 14 May 2019) is the first step in addressing this issue. However, of equal importance to the future success of the City are matters including housing diversity and the conservation of key heritage and character areas.

This SOI recognises that the City of Mitcham is rich with residential character that is highly valued by the community. Council is seeking to elevate areas deemed to have a character that is special when compared to wider Metropolitan Adelaide. The aim is that these areas would ultimately form the basis of a special character overlay in the translation of Council's Development Plan to the Planning and Design Code.

Council's Development Plan currently includes residential policy areas with desired character statements, parts of which were granted protection from the Residential Development Code on its introduction in 2009. To be considered for this protection, areas were assessed against criteria including landform; subdivision pattern; building stock; lot size; frontage and setbacks; site coverage and private open space.

Work to inform Council's Spatial Vision has built on the Residential Development Code character assessments and has been confined to areas not currently covered by the Code. The Special Residential Character Areas designation has been sparingly and mindfully applied, with a view to ensuring the conservation of valued attributes including public realm infrastructure, housing design and the general urban / peri-urban form.

A community engagement exercise for the Spatial Vision explored stakeholder appetite for the identification and protection of Special Character Areas. The findings of this exercise have supported the approach adopted by Council.

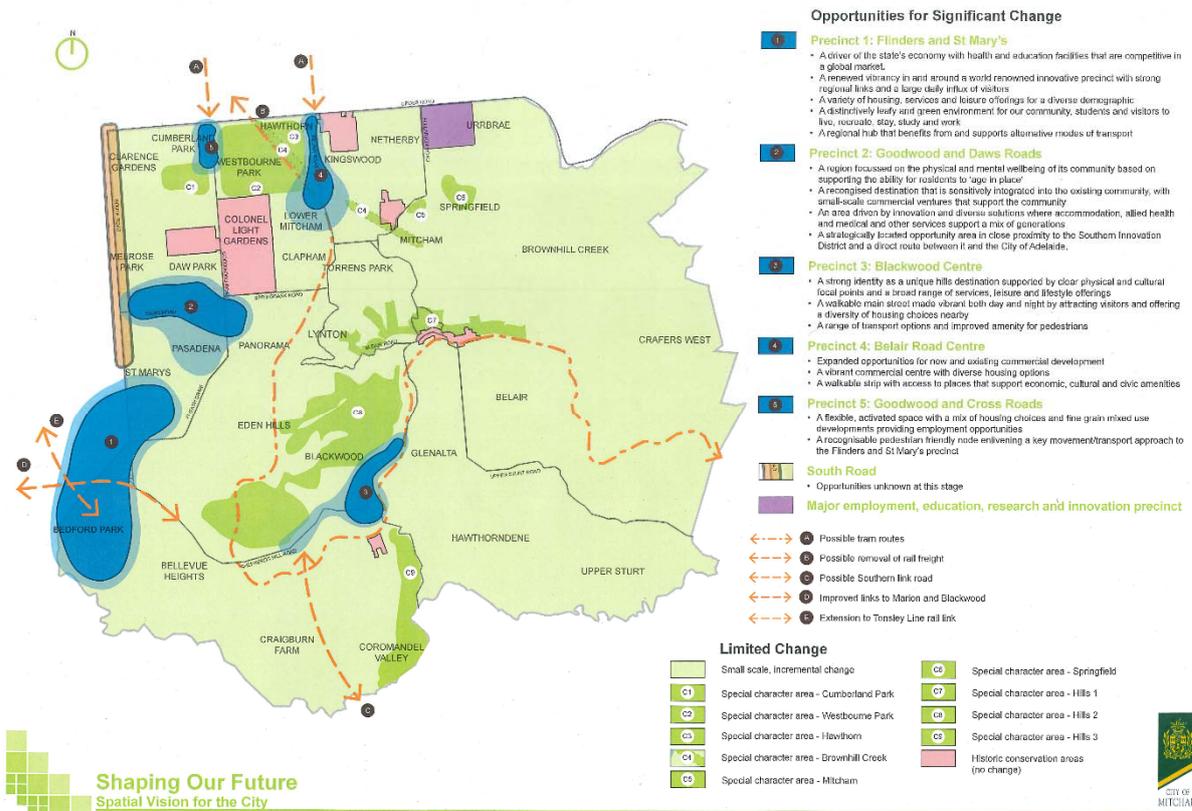
This DPA is split into nine (9) parts, some or all of which are to occur concurrently. The rationale for this approach is to seek to ensure that each proposed Special Residential Character Area can be individually progressed and/or prioritised as required. The nine parts are as follows:

- Part 1: Special Residential Character Area (Cumberland Park)
- Part 2: Special Residential Character Area (Westbourne Park)
- Part 3: Special Residential Character Area (Hawthorn)
- Part 4: Special Residential Character Area (Brownhill Creek)
- Part 5: Special Residential Character Area (Mitcham)
- Part 6: Special Residential Character Area (Springfield)
- Part 7: Special Residential Character Area (Hills 1 - Belair)
- Part 8: Special Residential Character Area (Hills 2 - Blackwood / Eden Hills)
- Part 9: Special Residential Character Area (Hills 3 - Coromandel Valley)

### 2.1.2 Affected Area

The area affected by the proposed DPA can be described as the whole of the City of Mitcham Local Government Area and in particular the areas illustrated in a darker green colour in Figure 1 below:

Figure 1: City of Mitcham Spatial Vision



### 2.1.3 Potential Issues

Potential issues associated with the identification of Special Residential Character Areas include:

- balancing the needs of current and future residents, businesses, public institutions and industry;
- ensuring that the distinction between heritage and character is clear;
- ensuring an orderly transition at the boundaries between key growth precincts and adjoining areas of special residential character;
- ensuring that Special Residential Character Area designations enable future development whilst minimising impacts on the identified character (i.e. not a 'no development' scenario); and
- preserving and/or enhancing the City of Mitcham's character and distinctiveness, including heritage and environmental considerations.

## 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 (or draft Strategy) by implementing the following targets:

Target	How the target will be implemented:
The 30-Year Plan for Greater Adelaide (2017 Update)	
<b>Goal 1</b>  Containing our urban footprint and protecting our resources  <i>1.1 – 85% of all new housing in metropolitan Adelaide will be built in established urban areas by 2045</i>	The DPA seeks to translate Council’s Spatial Vision into tangible planning policy and works hand-in-hand with a concurrent Growth Areas DPA to enable significant growth in residential and non-residential development in suitable urban areas. Of key importance to the success of the Spatial Vision is the conservation of key heritage and character areas in the City.

#### 3.3.2 Policies

The DPA will support the relevant volume of the Planning Strategy (or draft Strategy) by implementing the following policies:

Policy	How the policy will be implemented:
The 30-Year Plan for Greater Adelaide (2017 Update)	
<b>Design Quality</b>  <b>P31.</b> Recognise the unique character of areas by identifying their valued physical attributes	A local area planning project has been underway for the last 2 years, with the resultant Spatial Vision identifying areas displaying special residential character. These areas work hand-in-hand with growth opportunities to ensure that new development builds on and enhances local valued character; and conserves the character of areas that the community values.

## 3.2 Council Policies

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

Council’s 2013-2018 Section 30 Review / Strategic Directions Report (SDR) was approved by the delegate for the Minister for Planning in February 2014.

The SDR included the following work program:

Focus	DPA Status / Comment
Watercourse DPA	2015 - Lapsed whilst awaiting flood plain mapping data from Brownhill Keswick Creek Stormwater Management Plan. This project is scheduled for review in 2019/20.

## 3. Strategic and Policy Considerations

Focus	DPA Status / Comment
Heritage DPA	2015 - DPA Consolidated (19 February)
Activity Centres and Corridors – Mixed Use Development DPA	2014 - Review of Council's Residential Strategy 2014 - Retail Activity Centres Strategic Directions Review Now incorporated into the local area planning project.
Residential 1. Regeneration Areas 2. Council wide	2014 - Review of Council's Residential Strategy 2015 - Baseline Study for the Residential Yield Analysis Now incorporated into the local area planning project.
Open Space and Urban Design	This project is scheduled for review in 2019/20.
SA Planning Policy Library Conversion	Some SAPPL modules have been incorporated through Council and Ministerial DPA's. A full conversion will now not be undertaken until the transition to the Planning and Design Code in July 2020.
Waite Research / Education Precinct	This project is scheduled for review in 2019/20.

The assent of the *Planning, Development and Infrastructure Act 2016* (The Act) and an update to the 30-Year Plan for Greater Adelaide (2017) has since prompted Council to review the spatial application of Council's Strategic Management Plan (SMP) by way of a local area planning project.

The Growth Areas SOI (authorised 14 May 2019) was the first step in progressing this local area planning work, which is intended to aid the effective and orderly transition of Council's Development Plan to the new Planning and Design Code by 1 July 2020.

### 3.2.2 Infrastructure Planning

The proposed amendment will not be inconsistent with current infrastructure planning (both social and physical) identified in council's strategic directions report, by the Minister or by a relevant government agency.

### 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 where appropriate, however it is noted that Council's Development Plan is dated and the change that is proposed by way of this DPA may not have been anticipated.

The policies of this DPA will also be consistent with the following:

#### Council's Current DPAs

- Growth Areas DPA

#### The Development Plans of adjoining areas

- City of Marion
- City of Onkaparinga
- City of Unley
- Adelaide Hills Council

#### Schedule 4 of the Regulations

- N/A

## 3.3 Minister's Policies

### 3.3.1 Planning Policy Library

The DPA is most likely to draw on the following SA Planning Policy Library Zone Modules:

- Residential Character Zone

It is likely that the DPA will include specific local variations to this zone, however it is proposed to use standardised policy content as much as possible. Local variations are considered important to reflect local circumstances or address local issues within the various special residential character areas that may not be envisaged by the standardised policy within the Planning Policy Library Module.

### 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:

- N/A

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:

- N/A

## 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:

- Local Area Planning Project, including
  - Spatial Vision
  - Special Residential Character Area Assessments
  - Community & Stakeholder Engagement Findings
- Neighbourhood Character Area assessments associated with the introduction of the Residential Development Code (2009)
- Residential Strategy (2014)

and any other previous relevant investigations that have been undertaken by or behalf of Council over the last 30 years, including heritage surveys.

#### 4.1.2 Investigations Initiated to Inform this DPA

It is intended that this work will build on:

- Neighbourhood character area investigations from 2009, which informed the application of the Residential Development Code; and
- Investigations into special residential character area typologies that informed Council's local area planning project and resultant Spatial Vision.

Where the current investigation differs from work carried out in 2009 is the need for a value judgement of the character of an area relative to other areas in Metropolitan Adelaide.

Investigations are to be limited to areas where the Residential Development Code does not currently apply.

### 4.2 Consultation

The following list provides an overview of stakeholders to be consulted during the consultation stage of the DPA:

#### **Adjoining Councils**

- Adelaide Hills Council
- City of Burnside
- City of Marion
- City of Onkaparinga
- City of Unley

### **Members of Parliament**

- Carolyn Power – State Member for Elder
- Jayne Stinson – State Member for Badcoe
- Nicolle Flint – Federal Member for Boothby
- Sam Duluk – State Member for Waite
- Steve Murray – State Member for Davenport
- Vickie Chapman, Hon – State Member for Bragg

### **Government Agencies / Departments**

- Department of the Premier and Cabinet
- Department for Communities & Social Inclusion
- Department for Education
- Department for Planning Transport & Infrastructure
- Department for Environment and Water
- Department for Health and Wellbeing
- Department for Trade, Tourism and Investment
- Office for Design & Architecture
- Renewal SA
- State Heritage Unit (DEW)

### **Community / Business Groups**

- Apex Blackwood
- Bedford Park Residents Association
- Birksgate Residents Association Inc
- Blackwood & Belair District Community Association
- Blackwood Action Group
- Blackwood Business Network
- Blackwood Community Buzz
- Brownhill Creek Association
- Coromandel Valley Community Association
- Friends of Brownhill Creek
- Friends of Carrick Hill Inc
- Kurna Aboriginal Community & Heritage Association Inc
- Kiwanis Club of Mitcham
- Lions Club of Blackwood
- Lions Club of Mitcham
- Mitcham Historical Society
- Rotary Club - Blackwood
- Rotary Club - Brownhill Creek
- Rotary Club - Coromandel Valley
- Rotary Club - Mitcham
- Springfield Estate Residents Association
- Totally Locally Blackwood

The above list is not exhaustive, does not identify individuals, and will be reviewed prior to the commencement of consultation.

**4. Investigations and Consultation**

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.
- The scheduling of a Public Meeting at which any interest person may appear to make representations on the proposed amendment.

In addition, notice will be sent to the owners of any land that is within the affected area(s) of 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 B2 has been selected because the DPA is to be progressed alongside and in line with a Growth Areas DPA (SOI authorised 14 May 2019). These DPA's seek to implement Council's Spatial Vision and aid the effective and orderly transition of Council's Development Plan to the new Planning and Design Code by 1 July 2020.

## 6. Professional Advice and Document Production

### 6.1 Professional Advice

The professional advice required will be provided by:

- Craig Harrison  
General Manager – Development Services and Community Safety  
City of Mitcham

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 on interest in the DPA.

### 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:

- TBA

## 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	8 weeks Public consultation closes – SCPA lodged with the Department
SCPA assessed and report on DPA prepared for Minister	Department	7 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.