Mt Barker Council

Rural (Primary Production Protection) DPA

Explanatory Statement and Analysis

For Consultation
**Table of Contents**

- **HAVE YOUR SAY** .................................................................................................................. 1
- **EXPLANATORY STATEMENT** ................................................................................................. 3
  - Introduction .......................................................................................................................... 3
  - Need for the amendment ................................................................................................. 3
  - Statement of Intent .............................................................................................................. 4
  - Affected area ...................................................................................................................... 4
  - Summary of proposed policy changes .............................................................................. 4
  - Legal requirements ............................................................................................................ 5
  - Consultation ....................................................................................................................... 5
  - The final stage .................................................................................................................... 6

- **ANALYSIS** .......................................................................................................................... 7
  1. **Background** ..................................................................................................................... 7
  2. **The strategic context and policy directions** ..................................................................... 8
    - 2.1 Consistency with South Australia’s Strategic Plan ....................................................... 8
    - 2.2 Consistency with the Planning Strategy ....................................................................... 9
    - 2.3 Consistency with other key strategic policy documents ............................................... 10
      - 2.3.1 Council’s Strategic Directions Report ....................................................................... 10
      - 2.3.2 Infrastructure planning .......................................................................................... 10
      - 2.3.3 Current Ministerial and Council DPAs. .................................................................. 11
      - 2.3.4 Existing Ministerial Policy .................................................................................. 11
      - 2.3.5 Onkaparinga Landscape Evaluation 2002 ............................................................. 13
      - 2.3.6 Alexandrina Rural Areas Strategy and Action Plan 2008 ......................................... 13
      - 2.3.7 Greater Shepparton Regional Land Use Strategy 2009 ........................................ 14
      - 2.3.8 South Australian Murray-Darling Basin Natural Resources Management Board – Regional NRM Plan 2009-2019 ............................................. 14
      - 2.3.9 Rural Issues Discussion Paper, District Council of Mount Barker, 2009 .......... 14
      - 2.3.10 Rural Lands Investigation Report, Rural Solutions SA, 2009 ............................. 15
      - 2.3.11 Mid Murray Council – Minimum Development Unit Study, Final Report and Recommendations February 2010 .................................................. 16
      - 2.3.12 Shire of Moira, Shire of Campaspe – Regional Rural Land Use Strategy Implementation Final Report August 2010 ......................................................... 16
      - 2.3.13 Adelaide Hills Regional Strategic Tourism Plan 2011-2014 .................................... 17
      - 2.3.14 PIRSA – Primary Production Priority Areas, Mount Barker Council, June 2011 .......... 17
      - 2.3.15 PIRSA - Planning for the Future of Primary Industry in South Australia, September 2012 ... 20
      - 2.3.16 Adelaide and Mount Lofty Ranges Natural Resources Management Plan – Strategic Plan 2014-15 to 2023-24 ................................................................. 21
  3. **Investigations** .................................................................................................................. 21
    - 3.1 Investigations undertaken prior to the SOI ................................................................. 21
3.2 Investigations undertaken to inform this DPA ................................................................. 22

3.2.1 Incorporation of known conservation reserves into a Conservation Zone .................... 23
3.2.2 Incorporate Class I-III soils into the planning process to protect for compatible primary production land uses ................................................................. 23
3.2.3 Investigate the potential for expansion and development of horticultural land uses ........ 25
3.2.4 Provisions supporting continued and viable primary production through boundary realignments ................................................................. 25
3.2.5 Investigate mechanisms for improving farm viability ....................................................... 27
3.2.6 Review of format of non-complying tables in rural zones to facilitate appropriate forms of farm based development and increased flexibility and responsiveness ...... 28
3.2.7 Incorporation of buffers to protect primary production .................................................. 30
3.2.8 Incorporation of environmental policies and constraints to better protect biodiversity .... 30
3.2.9 Additional Investigations – Environmental Covers .......................................................... 31
3.2.10 Additional Investigations - Consideration of the incorporation of PIRSA’s Primary Production Priority Areas (PPPAs) ................................................................. 32
3.2.11 Additional Investigations – One Primary Production (MLR) Zone and the Watershed Zone reconfigured as the Mount Lofty Ranges Watershed Area .............................................. 36
3.2.12 Additional Investigations - Non-complying dwellings in rural zones/rural living factor ... 38
3.2.13 Additional Investigations - Contiguous land in common ownership .................................. 42
3.2.14 Review and ensure consistency between Development Plan changes and Development Regulations (2008) references ................................................................. 43

4. Recommended Policy Changes .................................................................................................. 43
4.1 State Planning Policy Library update .................................................................................... 44

5. Consistency with the Residential Code .................................................................................... 44
6. Statement of statutory compliance ............................................................................................ 44
6.1 Accords with the Planning Strategy ......................................................................................... 45
6.2 Accords with the Statement of Intent ..................................................................................... 45
6.3 Accords with other parts of the Development Plan ................................................................. 45
6.4 Complements the policies in the Development Plans for adjoining areas .............................. 45
6.5 Accords with relevant infrastructure planning ......................................................................... 46
6.6 Satisfies the requirements prescribed by the Regulations ..................................................... 46

REFERENCES/BIBLIOGRAPHY ................................................................................................. 47

SCHEDULE 4A CERTIFICATE ...................................................................................................... 49

APPENDICES ................................................................................................................................. 50

Appendix A - Assessment of the Planning Strategy ................................................................. 51
Appendix B - Assessment of Council’s Strategic Directions Report .......................................... 55
Appendix C - Summary of Recommended Policy Changes ...................................................... 57
Appendix D – State Planning Policy Library Update ................................................................. 59

THE AMENDMENT
HAVE YOUR SAY

This Development Plan Amendment (DPA) will be available for inspection by the public at Council Offices, Dutton Road, Mount Barker or Library, Dumas Street, Mount Barker or at your local general store and/or post office or online at www.dcmtbarker.sa.gov.au from 22 January 2016 until 21 March 2016.

During this time anyone may make a written submission about any of the changes the DPA is proposing.

Submissions should be sent to:

Rural DPA Submissions
C/- Judith Urquhart, Senior Planner,
District Council of Mount Barker,
P.O Box 54 Mount Barker
Or ruraldpa@dcmtbarker.sa.gov.au

Submissions should indicate whether the author wishes to speak at a public meeting about the DPA. If no-one requests to be heard, no public meeting will be held.

If requested, a meeting will be held on Monday 11 April 2016 at District Council of Mount Barker, Council Chambers, 6 Dutton Road Mount Barker.
EXPLANATORY STATEMENT

Introduction

The Development Act 1993 provides the legislative framework for undertaking amendments to a Development Plan. The Development Act 1993 allows either the relevant council or, under prescribed circumstances, the Minister responsible for the administration of the Development Act 1993 (the Minister), to amend a Development Plan.

Before amending a Development Plan, a council must first reach agreement with the Minister regarding the range of issues the amendment will address. This is called a Statement of Intent. Once the Statement of Intent is agreed to, a Development Plan Amendment (DPA) (this document) is written, which explains what policy changes are being proposed and why, and how the amendment process will be conducted.

A DPA may include:
- An Explanatory Statement (this section)
- Analysis, which may include:
  - Background information
  - Investigations
  - Recommended policy changes
  - Statement of statutory compliance
- References/Bibliography
- Certification by Council’s Chief Executive Officer
- Appendices
- The Amendment.

Need for the amendment

The rural lands of the Mount Barker district comprise some of the most fertile and productive land in South Australia, primarily due to good soils and high rainfall. The rural areas are quite diverse and vary significantly in nature across the district, from the heavily vegetated and picturesque watershed areas in the west, to the dry-land farming areas in the east.

Rapid urban expansion and the occupation of rural land for “rural residential” and lifestyle purposes have placed pressure on primary production land, taken up productive agricultural land and affected land values.

In light of the above, Council’s Development Assessment Panel meeting on 13 February 2008, raised concern about the effectiveness of the Development Plan policy with regard rural areas, in particular whether the current policy encourages or inhibits viable primary production. Council’s Development Assessment Panel recommended that Council proceed with a Rural (Primary Production Protection) DPA. In addition development assessment staff have expressed concern over recent years that a number of appropriate and innovative rural ventures have not proceeded due to the inflexibility of the rural zones.

As a first step, on the 15 September 2008 the District Council of Mount Barker endorsed a project brief to investigate the environmental, economic and social issues affecting the rural sector and identify possible strategies to address them. The outcome of this project was a Rural Issues Discussion Paper, 2009 and Rural Lands Investigation – Land Use and Economics July 2009
prepared by Rural Solutions, a division of Primary Industries and Resources SA. These studies identified a number of issues potentially jeopardising the ongoing viability of agriculture in the district, and the need to amend the Development Plan accordingly.

Council via the South Australian Murray Darling Basin Natural Resources Management (SAMDBNRM) Board has obtained funding for the Rural (Primary Production Protection) DPA through the Commonwealth Government’s Strengthening Basins Communities Programme. It is imperative that this DPA meets the milestones agreed to with the Commonwealth Government to obtain the agreed funding.

Statement of Intent

The Statement of Intent relating to this DPA was agreed to by the Minister for Urban Development and Planning on the 26th August 2011. Following staffing pressures and delays as a result of the gazettal of the Mount Barker Urban Growth DPA, an amended timetable was agreed. In addition, given the current Integrated Water Management Regional DPA, and the conversion of the Mount Barker Development Plan to Better Development Plan (BDP) structure, the Statement of Intent has been amended to acknowledge the extent of these DPAs and to better focus on specific rural issues, particularly the retention of primary production priority lands.

The issues and investigations agreed to in the Statement of Intent have been undertaken or addressed.

Affected area

The area affected by the proposed DPA is described as follows:

Council has recently completed the Better Development Plan (BDP) conversion of its Development Plan. On the basis of the BDP conversion, the area affected is all Council’s rural lands, namely the Primary Production (Mount Lofty Ranges) zone and the Watershed Protection (Mount Lofty Ranges) zone

Summary of proposed policy changes

The DPA proposes the following changes:

- Incorporation of eight additional areas of environmental significance in Conservation zones
- Recognition of biodiversity corridors in a Rural Landscape Protection policy area
- Inclusion of additional envisaged uses in the Primary Production zone
- Inclusion of policies to support diversified on-farm land-uses including processing of produce, small-scale tourism development and farm-gate sales of produce
- Amendments to the form of the Primary Production Zone and Mount Lofty Ranges Watershed Protection Area non-complying lists to allow for a more dynamic response to market-driven changes in the rural and tourism economies
- Introduction of additional policy to better guide the outcomes of boundary realignments for on-going primary production
- Introduction of additional policies for the establishment of vegetated buffers, in response to local characteristics
- Introduction of policies to guide the establishment of environmental covers
- Limited additional policy to support the use of treated wastewater for irrigated horticulture
- Addition of certain uses to the category one and category two list relating to public notification to provide greater certainty
- The addition of seasonal workers’ accommodation in association with a second dwelling on rural land
Creation of one Primary Production Zone across the district and incorporation of the Mount Lofty Ranges Watershed Protection Area in a new general module, mapped as an overlay
Addition of four policy areas in response to differing geographic characteristics, conservation value and potential for primary production

Legal requirements
Prior to the preparation of this DPA, council received advice from a person or persons holding prescribed qualifications pursuant to section 25(4) of the Development Act 1993.
The DPA has assessed the extent to which the proposed amendment:
▪ accords with the Planning Strategy
▪ accords with the Statement of Intent
▪ accords with other parts of council’s Development Plan
▪ complements the policies in Development Plans for adjoining areas
▪ accords with relevant infrastructure planning
▪ satisfies the requirements prescribed by the Development Regulations 2008.

Consultation
This DPA is now released for formal agency and public consultation. The following government agencies and organisations are to be formally consulted:
▪ Department for Manufacturing, Trade, Resources and Energy
▪ Department for Primary Industries and Regions
▪ Department for Communities and Social Inclusion
▪ Department of Premier and Cabinet - Division of Aboriginal Affairs and Reconciliation
▪ Department for Planning Transport and Infrastructure
▪ Country Fire Service – Development Assessment Unit
▪ SA Tourism Commission
▪ Department for Environment Water and Natural Resources
▪ Environment Protection Authority
▪ Primary Industries and Resources SA
▪ Department for Health and Ageing
▪ Electranet Pty Ltd
▪ SA Power Networks
▪ SA Water
▪ Adelaide and Mount Lofty Ranges Natural Resources Management Board
▪ SA Murray Darling Basin Natural Resources Management Board

Other agencies/organisations will include:-
▪ Regional Development Australia Adelaide Hills, Fleurieu and Kangaroo Island Inc.
▪ Relevant primary production industry groups
▪ Alexandrina Council
▪ Rural City of Murray Bridge
▪ Adelaide Hills Council
▪ City of Onkaparinga
▪ Mid Murray Council
▪ Peramangk Heritage and Land Consultative Council

Consultation will also be undertaken with the following Members of Parliament:-
▪ Mark Goldsworthy MP - Member for Kavel
▪ Hon Isobel Redmond- Member for Heysen
▪ Jamie Briggs – Member for Mayo

Details of the public consultation process are outlined in the Statement of Intent.
All written and verbal, agency and public submissions made during the consultation phase will be recorded, considered, summarised and responses provided. Subsequent changes to the DPA may occur as a result of this consultation process.

**Important Note for Agencies:** This DPA includes modules from the State Planning Policy Library. As the policy library was subject to agency consultation during its development, agencies are requested to comment only on the range and application of the modules selected and not on the actual policy content, except where that policy has been included as a local addition. Agencies are invited to comment on any additional issues (if relevant).

**The final stage**

When the council has considered the comments received and made any appropriate changes, a report on this (the *Summary of consultations and proposed amendments* report) will be sent to the Minister.

The Minister will then either approve (with or without changes) or refuse the DPA.
ANALYSIS

1. Background

Council’s *Rural Issues Discussion Paper 2009* resulted from concerns by Council’s Development Assessment Panel over the number of land divisions being lodged in rural areas, with the potential for further fragmentation of prime agricultural land, and concerns of planning staff that the inflexibility of the Development Plan was stifling innovation and progress in the rural economy. Whilst this study was undertaken by Council staff, a lack of specific economic and land-use expertise resulted in the engagement of Rural Solutions, a division of PIRSA, to provide a separate paper, *Rural Lands Investigation – Land Use and Economics July 2009* focusing on land use and economics in the district. A subsequent publication by PIRSA entitled *Primary Production Priority Areas – Mt Barker Council 2011* has identified and mapped five priority agricultural areas worthy of protection, and incorporation into Council’s Development Plan. In addition, PIRSA’s *Planning for the Future of Primary Industry in South Australia, September 2012* has identified key objectives in the rural economy and these have also informed the DPA.

The District Council of Mount Barker covers a total land area of 59,463 hectares and is predominantly a rural area with a number of country townships and rapidly growing urban areas, particularly Mount Barker township.

The western part of the region receives the highest average annual rainfall with Hahndorf receiving close to 880mm. The average annual rainfall reduces towards the east with Kanmantoo receiving approximately 460mm and Callington receiving less than 400mm.

In the east of the Council area the soils are characterised by a mix of shallow loamy sand to loam on rock and texture contrast soils with highly calcareous lower subsoils, and displays rocky outcrops. The west of the Council area is characterised by shallow to moderately deep acidic soils on rock, with deep texture contrast soils with brown or dark sub-soils around the creek beds. There are also areas of ironstone soils.

The council area is geographically divided between four catchments namely the Onkaparinga River which flows into the Mount Bold reservoir, the Angas River, the Finniss River and the Bremer River which ultimately flow into Lake Alexandrina. The Onkaparinga River catchment lies within the Adelaide and Mount Lofty Ranges Natural Resources Management Board region and the other three catchments lie within the SA Murray Darling Basin Natural Resources Management Board region and the other three catchments lie within the SA Murray Darling Basin Natural Resources Management Board region.

Rural lands cover approximately 90% of the area and are used mainly for grazing, with some cropping, viticulture, horticulture and forestry. There are also some intensive animal industries such as poultry farms. The largest percentage of land is used for grazing with cattle (beef/dairy), sheep (wool/meat) and horse-keeping being the major enterprises. Cereal cropping is mainly carried out in the eastern portion of the district with some smaller areas throughout the western portion. Forestry occupies approximately 3% of the rural area and is located mostly in the western part of the district within the Finniss and Onkaparinga River catchments. Perennial horticulture includes grapevines and fruit crops and occupies 2% of the rural area and occurs mainly in the higher rainfall areas of the central and western portion of the district. Seasonal horticulture, that is, vegetables occupies 0.5% of the rural area.

The district is one of the fastest growing non-coastal regions in Australia. Between the 2001 and 2011 Census, the district population grew from 23,106 to 30,353. This represents an annual increase of 725 residents, and an average growth rate of 3.1%. This is more than double the State growth rate of recent times of 1.1 percent. The central ‘growth towns’ of Mount Barker, Littlehampton and Nairne are the focus for most, but not all of residential development activity and associated population change. Average growth rates in these towns were 4.2% between 2001 – 2011. The ABS 2013 Estimated Resident Population of the district is 31,325.
There are significant differences between the population characteristics of the growth towns of the district, and the rural areas and small country townships. The central towns have a relatively young population, with only 16.7% over 60 years, whereas the rural areas and towns have 20.4% of residents aged over 60. However, this is still a younger age structure than the State, which had 22.3% of people aged over 60 years at the 2011 Census.

The district is expected to continue to be an area of rapid population growth for the next 30 years. Following the 30 Year Plan for Greater Adelaide, 1300 ha of rural land adjacent to Mount Barker and Nairne townships was zoned for residential and industrial development. The 2010 Mount Barker Urban Growth DPA residential areas, plus other undeveloped residential land in the district, are together anticipated to add approximately 30,000 additional residents to the district’s population. Over 85% of these new residents will be located in Mount Barker township. This growth, plus the trend to “rural residential” and lifestyle choices in rural areas close to Adelaide, will place a number of pressures on existing and future rural activities including:

- loss of productive primary production land
- fragmentation of agricultural land through boundary realignments
- loss of higher return enterprises such as vegetables and poultry
- land use conflict between primary production and urban/rural living areas
- pressure on the retention and quality of natural resources such as native vegetation and watercourses
- need to recognise high quality produce and introduce greater flexibility and responsiveness to market changes to ensure on-going viability

The current Development Plan (BDP version) has two rural zones, the Primary Production (Mount Lofty Ranges) zone and the Watershed Protection (Mount Lofty Ranges) zone but no policy areas addressing the particular qualities and potential of agricultural land in different locations, with different geographic characteristics. In addition there is little policy encouraging innovation, flexibility and responsiveness, and the existing non-complying tables unnecessarily restrict the nature of tourist accommodation, and the variety of produce which can be displayed and sold.

2. The strategic context and policy directions

2.1 Consistency with South Australia’s Strategic Plan

South Australia’s Strategic Plan outlines a medium to long-term vision for the whole of South Australia. It has two important, complementary roles. Firstly, it provides a framework for the activities of the South Australian Government, business and the entire South Australian community. Secondly, it is a means for tracking progress state-wide, with the targets acting as points of reference that can be assessed periodically.

The DPA supports the following targets of South Australia’s Strategic Plan:

<table>
<thead>
<tr>
<th>South Australia’s Strategic Plan 2011</th>
<th>Comment/Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goal: South Australia has a resilient, innovative economy.</strong></td>
<td>The policies proposed in this DPA will assist in the retention and protection of agricultural land for genuine primary production purposes as well as protecting existing farming activities. This will provide more certainty for primary producers and an environment for increasing agricultural productivity.</td>
</tr>
<tr>
<td><strong>Target 35: Economic growth</strong></td>
<td></td>
</tr>
</tbody>
</table>
Exceed the national economic growth rate over the period to 2020  
(*baseline: 2002-03*) |
| **Target 37: Total exports** | Increase the value of South Australia’s |
South Australia’s Strategic Plan 2011

export income to $25 billion by 2020
(baseline: 2002-03)

**Target 38: Business investment**
Exceed Australia’s ratio of business
investment as a percentage of the
economy by 2014 and maintain
thereafter (baseline: 2002-03)

<table>
<thead>
<tr>
<th>Goal: We develop and maintain a sustainable mix of industries across the state.</th>
<th>The DPA includes land identified by PIRSA as Primary Production Priority Areas, and specific policies to preserve this land for agricultural purposes. This will assist in the growth of horticulture and similar intensive uses and associated value-adding.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Target 40: Food industry</strong></td>
<td>Grow the contribution made by the South Australian food industry to $20 billion by 2020 (baseline: 2001-02)</td>
</tr>
<tr>
<td>Goal: All South Australians have job opportunities.</td>
<td>The retention and protection of viable agricultural lands and the potential expansion of horticultural activities should assist in increasing employment opportunities in agricultural activities and associated industries.</td>
</tr>
<tr>
<td><strong>Target 47: Jobs</strong></td>
<td>Increase employment by 2% each year from 2010 to 2016 (baseline: 2010)</td>
</tr>
</tbody>
</table>

2.2 Consistency with the Planning Strategy

The Planning Strategy presents current State Government planning policy for development in South Australia. In particular, 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 this DPA:

*The 30 Year Plan for Greater Adelaide*

The DPA supports the policies of the Planning Strategy by:

- Ensuring that productive rural land is available for primary production and allied activities
- Ensuring that adequate buffers are established between farming activity and sensitive landuses
- Introducing more flexibility in land-use terms so as to facilitate greater income diversity for farmers to ensure they stay on the land
- Protecting and enhancing primary production ensuring the creation of additional green-collar jobs
- Preventing further fragmentation of viable agricultural land
- The inclusion of additional reserves displaying high conservation value in Conservation zones
- The inclusion of biodiversity corridors in a Rural Landscape Protection Policy Area

The DPA introduces Policy Library modules which have been developed with reference to, and have strong links to the Planning Strategy.
A detailed assessment of the DPA against the Planning Strategy is contained in Appendix A.

### 2.3 Consistency with other key strategic policy documents

This DPA accords with other key policy documents in the following manner:

#### 2.3.1 Council’s Strategic Directions Report

This DPA is consistent with Council’s Strategic Directions Report (as agreed by the Minister on 1/4/2014) and helps deliver on the following recommendations/targets of this plan:

The DPA addresses the protection of viable agricultural land and quality rural landscapes, and focuses on incorporating primary production priority land, as identified by PIRSA in a policy area, and in particular supports the following:

- Inclusion of areas of High Environmental Significance in Conservation zones
- Prevent the fragmentation of viable agricultural land by adopting policies which encourage the consolidation of rural land in larger parcels and more prudent siting of dwellings
- Reduce the impact of incompatible uses by the more rigorous establishment of buffers, and siting of dwellings
- Improving the long-term viability of farming enterprises by allowing greater flexibility in land-use terms, encouraging diversity and value-adding

#### 2.3.2 Infrastructure planning

Where relevant, a DPA must take into account relevant infrastructure planning (both physical and social infrastructure) as identified by Council (usually through the Strategic Directions Report), the Minister and/or other government agencies.

The following infrastructure planning is of relevance to this DPA:

<table>
<thead>
<tr>
<th>Council Infrastructure Planning</th>
<th>Response/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Availability of re-cycled wastewater for irrigation purposes - pipeline construction</td>
<td>Support for the availability of recycled wastewater for irrigation of horticultural crops in proximity to Council’s wastewater treatment plants at Nairne/Mount Barker, Echunga, Macclesfield and Meadows, and the pipeline from Mount Barker to the Hillgrove Mine at Kanmantoo.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Government Agency Infrastructure Planning</th>
<th>Response/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
2.3.3 Current Ministerial and Council DPAs

This DPA has taken into account the following Ministerial and Council DPAs which are currently being processed:

<table>
<thead>
<tr>
<th>Mount Barker Regional Town Centre DPA</th>
<th>This DPA is confined to the Mount Barker town centre and so is geographically removed from the land affected by the Rural (Primary Production Protection) DPA.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Integrated Water Management Regional DPA</td>
<td>This DPA proposes the preparation of integrated water resources management policies across a number of Councils to ensure that future growth of these regional areas and their surrounds are sustainable in terms of both water quality and quantity under predicted future climatic conditions.</td>
</tr>
<tr>
<td>Alexandrina Council Rural Areas DPA</td>
<td>Mount Barker shares a long boundary with Alexandrina, and rural activities are very similar on both sides of the boundary. In May 2015 Alexandrina’s Rural Areas DPA was consolidated into the Development Plan. It dealt with very similar issues to those being addressed in the Mount Barker DPA. The two DPAs are compatible.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ministerial DPAs</th>
<th>Response/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

2.3.4 Existing Ministerial Policy

This DPA proposed changes to the following, existing Ministerial policy:

<table>
<thead>
<tr>
<th>Existing Ministerial Policy</th>
<th>Proposed Change and Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Scale Tourist Accommodation in Rural Areas of the Mount Lofty Ranges, 21 September 2000</td>
<td>It is proposed to amend the non-complying trigger in the Mount Lofty Ranges Watershed Areas 2 and 3 so as to introduce greater flexibility and opportunities for tourism development in association with primary production or a winery. There is a demand for such accommodation, and water quality in the MLR Watershed Area will be protected as any existing dwelling and the tourist accommodation will be connected to a common Wastewater Control System. Policy will require the clustering of buildings and the use of materials and colours which will blend with the environment. There will be no opportunity for the tourist cabins to be converted to dwellings and subsequently subdivided, as the creation of additional allotment remains non-complying in the Primary Production zone, and will not be supported.</td>
</tr>
<tr>
<td>Existing Ministerial Policy</td>
<td>Proposed Change and Justification</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Importantly, the establishment of such small-scale, rural-related tourist accommodation has the potential to contribute significantly to the farming economy.</td>
<td></td>
</tr>
</tbody>
</table>

**Mount Lofty Ranges Watershed Amendment PAR (Ministerial) 28 June 2001**

It is proposed to delete the Watershed Protection (MLR) as a zone and create a new Mount Lofty Ranges Watershed Area general module. This has come about as a result of the identification of four distinct policy areas in the district. All but one of these crosses existing zone boundaries, a situation not accommodated by the current Development Plan structure. By removing the Watershed Protection (MLR) as a zone, the four policy areas can be applied to the single Primary Production (MLR) Zone.

The existing Watershed (Mount Lofty Ranges) zone policy has been reviewed and is to be retained as a new Mount Lofty Ranges Watershed Area. A Desired Character Statement has been developed for the new Mount Lofty Ranges Watershed Area module. In discussions with DPTI, it is envisaged that the Mount Lofty Ranges Watershed Area will be mapped as an overlay similar to the Historic Conservation Area, and emissions and noise overlays.

Three categories of Mount Lofty Ranges Watershed Areas have been identified (Areas 1, 2 and 3) better reflecting the differing sensitivities of land and watercourses and storages within the watershed.

The non-complying list in the Primary Production (MLR) Zone will be reviewed and amended to ensure that the three categories of Watershed lands are protected from inappropriate development, whilst at the same time acknowledging that there is a need to strike a balance with primary production activities in the watershed which contains some of the most productive land close to Adelaide.

The current Watershed Protection (MLR) Zone does not relate to land-use as do all other zones; rather it is a development constraint seeking to protect water supply and quality and so it seems more logical to include its policies in the general section.
2.3.5 Onkaparinga landscape Evaluation 2002

This study which was commissioned by the Native Vegetation Council documented and mapped scenic resource value and visual sensitivity in Onkaparinga’s rural lands, with particular emphasis on the role of native vegetation in contributing to high landscape quality.

The methodology is acknowledged as one of the most objective of its type, and was developed by the University of Melbourne, Centre for Environmental Studies in 1989 *Landscape Principles Study for Upper Yarra Valley and Dandenong Ranges Volume 2: Procedures for landscape assessment and management*.

As part of the analysis leading to the identification of four new policy areas, the methodology adopted in the Onkaparinga study was applied in parts of the district in order to determine whether landscape quality was high enough to merit inclusion in a Rural Landscape Protection Policy Area.

2.3.6 Alexandrina Rural Areas Strategy and Action Plan 2008

The Rural Areas Strategy and Action Plan was prepared by Urban and Regional Planning Solutions supported by the Project Steering Committee and in consultation with the farming sector. Input was provided by representatives of Planning SA, PIRSA, SAMDBNRM Board, SAFF and the Fleurieu Regional Development Board.

Through this Strategy the Council wished to acknowledge farming as an integral part of the Alexandrina Council area and farmers as valued contributors to the community.

The Strategy established eight key goals, being:

1. Recognition and support for farming
2. Protect productive farming land
   - Prepare a Rural Areas Development Plan Amendment that provides strong protection for viable primary production
3. Improve land and water management
   - Develop a range of responses to the potential impacts of Climate Change on primary production
   - Monitor the potential impacts on water resources of mining and land use changes
   - Ensure Planning policies take into account the impacts of land use change on water quality and quantity.
4. Address gaps and shortfalls in infrastructure provision to support primary industry
5. Support older farmers in providing a choice of housing that suits their retirement needs
   - Undertake a survey of older farmers to document their intentions with respect to retirement living as an input to the Statement of Investigations for the Rural Areas DPA
6. Develop good working relationships between farmers and their rural lifestyle neighbours
   - Ensure that buffer requirements to minimise land use conflicts are addressed in the Rural Areas DPA
7. Strengthen the links between high quality regional produce and outstanding food and wine experiences
8. Improve the availability of skilled labour for primary production and allied businesses
   - Consider ways to meet the accommodation needs of the rural workforce as part of the Statement of Investigations for the Rural Areas DPA

The findings of the Strategy are complementary to those of the District Council of Mount Barker in the Rural Issues Discussion Paper and Rural Lands Investigation Report.
2.3.7 Greater Shepparton Regional Land Use Strategy 2009

The City of Greater Shepparton undertook this study in recognition of the agricultural sector which contributes regional development opportunities and to encourage investment attraction.

Greater Shepparton has particular strength in the horticultural sector generating around 64% of regional fruit production and 57% of regional vegetable production. This represents 26% and 17% of state production respectively. The dairy sector of Greater Shepparton produces around 25% of the regions milk and contributes $126 million to the local economy. Consistent with the trends in Campaspe and Moira, there was a slight shift away from dairy and expansion in the horticultural sector between 2001 and 2006.

The Strategy identified the fundamental importance of agriculture within Shepparton and the region and its specific needs for ongoing viability. This included supporting opportunities for consolidation and growth of farming enterprises with appropriate lot sizes and planning controls that limit the introduction of sensitive non-agricultural developments.

2.3.8 South Australian Murray-Darling Basin Natural Resources Management Board – Regional NRM Plan 2009-2019

The bulk of the district lies within the SA Murray-Darling Basin Natural Resources Management Board’s boundary.

The vision of this strategic plan is:

“A healthy, living landscape meeting the social, environmental, economic and cultural needs of the community and ensuring the rights and wellbeing of future generations”

Its goals are:

1. Landscape-scale management that maintains healthy natural systems
2. Using and managing natural resources within ecologically sustainable limits
3. Communities, governments and industries with the capability and connections to manage natural resources in an integrated way
4. Integrated management of threats to minimise risks to natural systems, communities and industry

Key issues identified in the plan and of particular relevance to this DPA are:

- The protection of prime agricultural land for future food security purposes
- Loss of natural ecosystems
- Pest plants and animals and land-use conflicts

2.3.9 Rural Issues Discussion Paper, District Council of Mount Barker, 2009

The report provides a detailed analysis of the issues and opportunities affecting the agricultural sector within the council area and forms a platform for further, more focussed analysis. Its conclusions about the role of agriculture and its future is that

“Agriculture remains an important component of economic and social cohesion. Furthermore there are specific conditions which are essential to viable agriculture production. These conditions are experiencing increased pressure and competition from global and local conditions, ranging from climate change to urban/residential encroachment. What remains essential is the need to adopt a policy framework which retains and enhances land capable of agriculture in order to encourage agricultural production.

As a first step in formulating a policy framework, this paper now addresses the environmental, social and economic issues, from a global, national and local perspective, affecting the rural lands within the District Council of Mount Barker. The intention of this paper is twofold. First, to encourage discussion and debate regarding rural issues.”
Second, to identify possible Council responses to addressing rural issues. These responses may range from amending Council’s Development Plan policy through to its rating policy, introducing environmental and infrastructure initiatives or advocacy on behalf of the rural sector.

2.3.10 Rural Lands Investigation Report, Rural Solutions SA, 2009

This report was prepared to identify land use issues within the rural areas of the Mount Barker district and to provide strategies to address these issues.

The report covered land use and land capability, patterns in finance of primary production, value adding, patterns in employment as well as legislation that affects the rural sector and Federal and State government initiatives.

Land capability maps for various crops and grazing were prepared.

The outcome of this research was the development of five (5) classes of land use potential as follows:

- **Class 1** Land with high productive potential and requiring no more than standard management practices to sustain productivity
- **Class 2** Land with moderately high productive potential and/or requiring specific, but widely accepted and used, management practices to sustain productivity
- **Class 3** Land with moderate productive potential and/or requiring specialised management practices to sustain productivity
- **Class 4** Land with marginal productive potential and/or requiring very highly specialised management skills to sustain productivity
- **Class 5** Land with low productive potential and/or permanent limitations which effectively precludes its use.

The report recommended that Class I - 3 for perennial and seasonal horticulture (receiving more than 650 mm rainfall) and Class I – 3 for cropping and grazing should be retained for primary production and incorporated into the planning process through the Mount Barker (DC) Development Plan. The most significant agricultural land in the district is to the west and east of Mount Barker. It is worth noting that later PIRSA research has gone further than concentrating on soil quality (refer Primary Production Priority Areas, Mount Barker Council June 2011 in section 2.3.13).

There are limited supplies of good quality groundwater and surface water. Areas of groundwater less than 1,500 ppm soluble salts should be conserved for high valued horticultural and viticultural crops rather than rural living or urban areas. These areas occur north-east and north-west of Mount Barker, north of Nairne, areas around Hahndorf, west and south of Echunga and south and east of Meadows.

The report also identified opportunities to use treated waste water and storm water for primary production.

Land use conflict is a real and potential issue between primary production land and neighbouring urban/rural living areas. The report recommended that a buffer policy should be developed to prevent potential conflicts from neighbouring primary production land such as chemical spray drift, noise or dust.

The report concluded that there should be no more rural living, residential or urban zones that will take good quality land out of production. The report also recommended that there should be no further fragmentation of rural properties and that those smaller properties be consolidated into productive holdings. Larger holdings will be more viable, control risks such as water supply, minimise interface land management issues with neighbouring properties and help to restrict land values through subdivision for rural living.
2.3.11 Mid Murray Council – Minimum Development Unit Study, Final Report and Recommendations February 2010

This report investigates the background to, and validity of minimum allotment sizes for dwellings in a number of rural zones in the Mid Murray Council. It concluded that less reliance should be placed on a minimum development unit by treating it as a principle of development control rather than a trigger for non-complying status. It also concluded that assessment of development in rural areas should incorporate an increased number of measurable principles of development control.

2.3.12 Shire of Moira, Shire of Campaspe – Regional Rural Land Use Strategy Implementation Final Report August 2010

These shires are located in northern Victoria immediately south of the River Murray and are characterised by productive farmland (dryland and irrigated) based primarily on dairying and fruit production. They represent Australia’s greatest concentration of food processing industries and workforce, high scenic and amenity values and tourism potential. Although the scale is different, the qualities of the landscapes are similar to those of Mount Barker. The report analyses the pressures associated with retention of the productive food bowl and associated processing, whilst maintaining high scenic and amenity values.

The study reviewed the effectiveness of planning controls introduced in 2008, relating in particular to minimum allotment size and the need for a permit for a dwelling. Ultimately it recommended that minimum allotment sizes be applied, with different minima relating to the type of farming. Dwelling permits are required for allotments below the minimum allotment size. It also recommended that a standard set of policy be prepared to provide guidance on rural subdivision and housing.

A Rural Activity zone was identified which supports rural-based tourism that builds on existing tourism activities, and takes advantage of the natural attributes of the region and the agricultural landscape and produce. The areas identified as suitable for this zoning were also characterised by greater fragmentation, with a number of rural residential clusters amongst lots ranging in size from 8ha to 40ha, and a few large lots over 100ha. Whilst Mount Barker’s allotment sizes are generally smaller, the degree of fragmentation and range of allotment sizes are very similar.

In recognition of the negative impacts of rural residential and rural lifestyle pressures, particularly in the Rural Activity Zone, it was concluded that all new dwellings would require a permit. Refer extract below:

The Rural Activity Zone does not seek to provide for rural residential outcomes. Increased dwelling development will ultimately compromise the values of the areas identified for application of the Rural Activity Zone as suitable for agriculture and rural-based tourism.

The strategic objectives for the Rural Activity zone are:

- To promote and encourage a diverse range of agricultural activities, which do not rely upon large land holdings
- To promote and encourage tourism use and development that is compatible with agricultural production and the environmental attributes of the area
- To discourage uses which can be reasonably accommodated in an urban zone
- To protect the rural character of the zone by minimising the visual intrusion of new buildings on the natural landscape, particularly from highways and the Murray River
- To encourage the retention of productive agricultural land
- To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.

This has helped inform the identification of a Rural Activity Policy Area in the north-western corner of the district, with Hahndorf at its heart, (refer section 3.2.10) and additional policies regarding the establishment and siting of dwellings.

As part of its strategic directions, the report recognised the demand for amenity living/hobby farming. It concluded that such rural living areas should be close to existing residential areas, with
good amenity (water views, undulating landscapes), protect landscape values and act as a buffer
to agriculture. The need to carefully manage high amenity areas was acknowledged, as was the
need to avoid areas with agricultural infrastructure such as hail guns and frost fans that are likely to
lead to measures that will result in agricultural production being compromised.

2.3.13 Adelaide Hills Regional Strategic Tourism Plan 2011 – 2014

This plan follows the policy direction set in South Australia’s Strategic Plan and the South
Australian Tourism Plan 2009 – 2014 and the strategic directions set by the Adelaide Hills Council
and Mount Barker District Council.

The goal is that by 2014, the Adelaide Hills will be widely known in its own right and acclaimed in
domestic and international markets as a “best in class” tourist destination. Three objectives will
assist in achieving this, as follows:

- Develop a highly skilled and accredited Adelaide Hills tourism industry that is recognised for
  these qualities
- Attract investment in the development of new tourism product (experiences), improvements
to existing experiences and the provision of facilitating infrastructure
- Optimise the economic, social and environmental benefits from the region’s tourism sector
  through targeted consumer marketing

2.3.14 PIRSA – Primary Production Priority Areas, Mount Barker Council, June 2011

In this document PIRSA identifies land in the district which has high productive potential and is
worthy of protection through Development Plan policy. The areas have been identified on the
basis of a range of factors including land capability, industry investment and land-use, access to
water, climatic considerations (including anticipated climatic change) and any local conditions that
give rural land special significance for primary production.

Five units have been identified as follows

<table>
<thead>
<tr>
<th>Unit</th>
<th>Location</th>
<th>Rainfall</th>
<th>Soils</th>
<th>Agricultural landuse</th>
<th>Water</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mt Barker Springs – Hay Valley</td>
<td>650-800mm</td>
<td>Red and brown podzolic dominant</td>
<td>Significant areas of annual horticulture (notably brassica) Pockets of rural living Small-scale grazing</td>
<td>Irrigation water supplied by underground sources, surface capture and re-cycled from Mt Barker CWMS</td>
</tr>
<tr>
<td>2</td>
<td>Mount Barker - Macclesfield</td>
<td>650-850mm</td>
<td>Red and brown podzolic dominant</td>
<td>Some rural living associated with small-scale grazing and horse-keeping Commercial ag is mainly high rainfall grazing, including some dairying. Scattered areas of annual and perennial horticulture principally wine grapes and olives</td>
<td>Irrigation water supplied by underground sources, surface capture</td>
</tr>
<tr>
<td>3</td>
<td>Hahndorf - Echunga</td>
<td>800-850mm</td>
<td>Red and brown podzolic dominant</td>
<td>Mix of high rainfall grazing, including horse-keeping and some dairying Areas of perennial horticulture, including pome and stone fruits,</td>
<td>Irrigation water supplied by underground sources, surface capture</td>
</tr>
</tbody>
</table>
This analysis has helped inform the identification of four policy areas, reflecting different primary production potential and unique geographical characteristics. The map on the following page, Figure 1, shows the location of these five units.
Map 1. Generalised priority area units in the Mt Barker Council

Figure 1
2.3.15 PIRSA - Planning for the Future of Primary Industry in South Australia, September 2012

This document summarises PIRSA’s objectives for the future of primary industry in South Australia. It identifies the challenges faced, including loss of productive farmland as a result of land division and conflicts between primary industry and non-primary production land-uses.

Of the eight objectives identified, 1, 2, 3 and 6 are particularly relevant to DC Mt.Barker (see extract below) and have helped to inform proposed policy changes.

<table>
<thead>
<tr>
<th>No.</th>
<th>Objective</th>
<th>Policy position</th>
<th>Recommendations</th>
</tr>
</thead>
</table>
| 1   | Primary industry land resources are protected to a level appropriate to their productive potential | Primary Production Priority Areas may be subject to additional planning controls in specific areas such as:  
- Minimising land division  
- Minimum lot size  
- Minimising dwellings  
- Interface management  
- Complementary value adding activities | 1.1 Use PPPA investigations to create “Policy Areas” within “Primary Production Zones” in Development Plans to protect land with high productive potential  
1.2 Identify and prioritise the identification of PPPAs in regions outside greater Adelaide |
| 2   | Effective and equitable buffers to primary industry activities            | Any new development at an interface with primary industry (including new primary industry development) should provide a minimum stated buffer (eg. 40 metres) or a buffer demonstrated to be effective in appropriately managing the land use interface | 2.1 Amendment to the General Section of the SAPPL/Development Plans under heading “Interface Between Land Uses”.  
2.3 Develop and circulate guideline documents for primary industry buffers |
| 3   | Sustainable primary industry growth and diversification through value adding and associated activities | Primary producers can undertake value-adding activities on their land provided that they do not compromise the productive potential of that or adjoining land for primary industry | 3.1 Amend SAPPL/Development Plans that currently refer to “small-scale” of value-adding activities  
3.2 Define “value-adding” in the Development Plan |
| 6   | A primary industry sector that is able to respond effectively to market changes and opportunity | Planning policy should not be a barrier to primary industry including implementing new technology, changing commodity type, and participating in carbon markets | 6.1 Minimise non-complying lists and public notification requirements in Primary Production Zones in SAPPL and Development Plans  
6.3 Amend SAPPL/Development plans to reflect that vegetation plantings associated with participation in carbon markets may be appropriate in Primary Production Zones, but is not desirable in PPPAs |
2.3.16 Adelaide and Mount Lofty Ranges Natural Resources Management Plan – Strategic Plan 2014-15 to 2023-24
The north-western part of the district lies within the Adelaide and Mount Lofty Ranges NRM Board’s boundary.

This strategic plan comes into effect in July 2014. Unlike the previous plan, this plan adopts a landscape view and approach, treating ecosystems as a whole. This instils a capacity for resilience, for coping, for responding and surviving in good times and bad.

Regional targets describe the desired condition of natural resources in 2028. Five of the twelve regional targets are of particular relevance to this DPA, as follows:

T5  Maintain or increase the productive capacity of agriculture
T6  Land condition for primary production improved by 15%
T7  Condition and function of ecosystems (terrestrial, riparian) recovered from current levels
T8  Extent of functional ecosystems (coastal, estuarine, terrestrial, riparian) increased to 30% of the region (excluding urban areas)
T9  Improvement in conservation prospects of native species (terrestrial, aquatic, marine) from current levels

In addition the strategic plan highlights a number of issues of importance that can best be managed through Development Plan controls.

3. Investigations

3.1 Investigations undertaken prior to the SOI

- Rural Lands Investigation Report, Rural Solutions SA, 2009
- Rural Issues Discussion Paper, District Council of Mount Barker, July 2009
- Future growth Corridors for District Council of Mount Barker heading into 2050, University of Adelaide, 2009
- Onkaparinga Landscape Evaluation, Native Vegetation Council, 2002
- Totness Recreation Park Management Plan, 2007
- The Mid-Murray Council, Minimum Development Unit Study, 2010
- Hillgrove Mine, Kanmantoo, 2011
- Murray Darling Basin Plan
- South Australian Murray Darling Basin natural Resources Management Board, various documents
- Department of Water, Land and Biodiversity Conservation – A regional climate change decision framework for natural resources management 2008-21
- Shire of Moira, Shire of Campaspe, Regional Rural Land Use Strategy Implementation Report 2010
Greater Shepparton Regional Land Use Strategy, 2009

3.2 Investigations undertaken to inform this DPA

In accordance with the Statement of Intent for this DPA the following investigations have been undertaken to inform this DPA. The scope of the DPA has been reduced following the development of the Integrated Water Management (Regional) DPA and the gazettal of the Mount Barker Better Development Plan (BDP) DPA, and it now focusses on primary production and conservation related issues only. This has resulted in additional, more focussed analysis and investigations.

- Investigation of a number of reserves for incorporation into a Conservation Zone, in addition to SA Water and Forestry SA native forests
- Investigate means of incorporating Class 1-3 soils into the planning process
- Investigate the expansion and development of horticulture land uses adjacent to treated waste water ponds and the Mount Barker to Kanmantoo pipeline
- Consideration of additional policy relating to boundary realignments and the siting of dwellings
- Investigate mechanisms for improving farm viability
- Review of non-complying tables to ensure flexibility and responsiveness in rural ventures
- Incorporation of additional policy relating to landscaped buffers (size and composition), and local geographic and primary production activities, to protect primary production from non-rural uses
- Recognition of biodiversity corridors and areas of high environmental value in a Rural Landscape Protection Policy Area

Given the delays in completing this DPA from the time the SOI was agreed, additional investigations have been undertaken, including the review of several important PIRSA publications released since the SOI, and extensive analysis of all rural allotments in order to inform consideration of policy change relating to the following:

Additional Investigations

- Development of new policy relating to the establishment and nature of environmental covers
- Consideration of the incorporation of Primary Production Priority Areas (PPPAs) as mapped by PIRSA
- Investigation of the creation of one Primary Production Zone across the district and watershed policy to become a general module
- Consideration of inclusion of detached dwellings as non-complying
- Analysis of land in common ownership

The investigations are as follows:
3.2.1 Incorporation of known conservation reserves into a Conservation Zone

As part of the BDP Conversion a Conservation Zone was established for the:

- Mount Barker Summit Conservation Park
- Totness Recreation Park

These parks are respectively within Local Government and State Government ownership and apply land management practices designed to retain them for conservation purposes rather than primary production.

Additions to the Conservation Zone are proposed, as follows:

- Stringybark Conservation Reserve at Jupiter Creek
- Yantaringa Reserve at Hahndorf
- Jupiter Creek Diggings at Chapel Hill
- Survey Hill Reserve at Prospect Hill
- Stone Reserve at Meadows
- Emerald Quarry at Mount Barker Summit
- The Native Forest Reserve within Kuitpo Forest and,
- Native forests on the eastern side of Mount Bold

These have been identified by Council in consultation with the SAMDBNRM Board and DENR and will promote biodiversity benefits and long term conservation objectives. Several are already reserves which will be afforded additional protection as they all contain numerous state and regionally-listed threatened species. A rigorous non-complying list has been developed which precludes those forms of development which might threaten the maintenance of biodiversity.

The Native Forest Reserves at Kuitpo contain some of the last remnant areas of native forest and woodland and a significant number of state-listed threatened species. The reserves have limited public access in order to protect flora and fauna and protect them from further disturbance such as weed invasion, grazing and exotic animals and bushfire.

Parts of the Mount Bold reserve contain some of the most significant native vegetation in the council area, mostly intact condition. Over the five year period from 2005 to 2010 SA Water has completed a project aimed at restoring native vegetation across 450 hectares of land in the Mount Bold Reservoir and Clarendon Weir catchment. Extensive weed control has been successful, and revegetation areas have been planted with local native flora propagated from locally collected seed. The project has also including planting understorey shrub and groundcover species to better mimic the ecology of neighbouring remnant bushland.

3.2.2 Incorporate Class I-III soils into the planning process to protect for compatible primary production land uses

A cornerstone of this Rural (Primary Production Protection) DPA is the protection of agricultural land for future farming generations, and to prevent the intrusion of urban expansion and quasi rural residential development in prime agricultural areas. This philosophy will also lead to the protection of the landscape qualities of the Mount Lofty Ranges and promote environmental sustainability outcomes.

The Rural Lands Investigations and the Rural Issues Discussion Paper promote the identification and protection of good quality agricultural land. The Rural Solutions SA research identified a “land capability” assessment of all land in the Mount Barker district on the basis of soil quality and landscape parameters.
The outcome of this research was the identification of five (5) classes of land use potential as follows:

Class 1  Land with high productive potential and requiring no more than standard management practices to sustain productivity

Class 2  Land with moderately high productive potential and/or requiring specific, but widely accepted and used, management practices to sustain productivity

Class 3  Land with moderate productive potential and/or requiring specialised management practices to sustain productivity

Class 4  Land with marginal productive potential and/or requiring very highly specialised management skills to sustain productivity

Class 5  Land with low productive potential and/or permanent limitations which effectively preclude its use.

Classifications were prepared for a number of crop types, and land capability was then mapped across the district. In summary, a large amount of land within the Council area has a high to moderately high production potential for grazing and viticulture but only a moderate potential for cropping and brassica vegetables due to steep topography and waterlogging conditions. Generally, steep land in the west, and drier land in the east has the least potential.

The report also investigated groundwater quality which was also mapped. Groundwater needs to be less than 1500ppm soluble salts to be of value for most horticultural crops, and preferably less than 1000ppm for a wide range of crops. With groundwater less than 1500ppm there is opportunity for horticulture and viticulture to expand on Class 1 – 3 in the areas north-east and north-west of Mount Barker, north of Nairne, areas surrounding Hahndorf, west and south of Echunga, and south and east of Meadows. Clearly NRM Board controls over the licensing of existing bores will play a role.

Key strategies emerging from the Rural Lands Investigation included:

<table>
<thead>
<tr>
<th>Issue 3.5.1</th>
<th>Loss of productive primary production land</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Retain Class I-III for vines/brassicas receiving more than 650mm average annual rainfall and Class I-III for cropping/ryegrass for primary production</td>
</tr>
<tr>
<td></td>
<td>Incorporate Class I-III into the planning process through the Mount Barker (DC) Development Plan</td>
</tr>
<tr>
<td></td>
<td>Protect high value primary production land from conversion to urban uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Issue 3.5.2</th>
<th>Loss of higher return enterprises such as vegetables and poultry</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Strategy</strong></td>
<td>Recognise higher return enterprises</td>
</tr>
</tbody>
</table>

Since the Rural Lands Investigation report, PIRSA has taken this research further and mapped Primary Production Priority Areas for the district of Mount Barker and other outer metropolitan councils around Adelaide. As a result the more up-to-date research has been used to inform the DPA and a summary of these investigations can be found in section 3.2.10.
3.2.3 Investigate the potential for the expansion and development of horticultural land uses

There is opportunity for the re-use of waste water from the various Community Waste Water Management Systems (CWMS) throughout the district, where the water is treated to a re-use standard that meets relevant health standards. In summary these include:-

Mount Barker, Littlehampton and Nairne

Following a recent upgrade, reclaimed water from the Mount Barker Waste Water Treatment Plant (WWTP) will be suitable for all the horticultural uses prescribed in the National Water Guidelines. Sufficient reclaimed water for commercial horticultural ventures is possible in the long term, but not in the short term from the Mount Barker WWTP. Council has constructed a storage dam recently with 120 ML capacity with a 200mm pipeline to Kanmantoo/Callington for re-use of reclaimed water at the Hillgrove Mine and Callington Oval.

Currently, Class A Water from the Mount Barker WWTP is being re-used at:-

- Samwells market gardens (predominantly brassica production) - 250 ML per year
- Hillgrove Resources Kanmantoo Mine - minimum of 400 ML per year and maximum of 750 ML per year

Pockets of Class 1 soils in the Petwood and St.Ives localities in the south-east of the district are close to the pipeline and opportunity may also exist here for irrigated horticulture.

Macclesfield, Meadows and Echunga

Growth in these townships is less than one percent as township growth is constrained by the Mount Lofty Ranges Watershed Protection Area restrictions. Based on advice from Council’s Asset Services department there is scope for water to be made available for horticultural use.

At Macclesfield approximately 34 ML of waste water per year is generated – approximately 10 ML per year is currently used (Class C water) by Longview vineyard next to the treatment lagoons. The 10 ML is supplemented by other water and is shandied before use.

At Echunga approximately 20 ML of waste water is produced per year - 17 ML of Class C water is re-used at the Echunga golf club.

At Meadows, as part of the approval of Devine’s residential subdivision on the southern edge of the township a new wastewater treatment plant has been constructed. Treated wastewater will be piped to the estate for re-use in toilets and for domestic irrigation, but not to properties in the existing township, or nearby rural properties.

The Rural (Primary Production Protection) DPA sought to introduce additional policy to foster and encourage the re-use of waste water from the CWMS facilities (from a land use perspective), noting that separate business decisions would need to be made by Council in relation to accessing and using the water. There is considerable opportunity for re-use for horticultural purposes, although issues of price, efficiency, the need to construct pipelines, and risk of raising the water table and increasing salinity remain unresolved.

In summary, at this time there are too many unresolved issues regarding the supply of, and environmental impacts of the re-use of treated wastewater, and to introduce additional detailed policy would be premature.

3.2.4 Provisions supporting continued and viable primary production through boundary realignments

It is the case in rural parts of the district that historically a number of titles are in the same ownership. Recent analysis and mapping reveals that there are 91 clusters of contiguous allotments in common ownership across the district, where one or more allotment does not contain a dwelling, ranging from 16.4 hectares to 928.6 hectares. From time to time applications are lodged to rearrange the boundaries of these titles. Existing provisions preclude the creation of
additional allotments in rural areas but provide little guidance as to the best outcomes for on-going primary production resulting from boundary realignments.

Following discussions with PIRSA, and a review of provisions relating to boundary realignments in other rural councils which reveals a wide range of approaches, Council is proposing to introduce policies that provide direction on boundary realignments that require the clustering of smaller allotments (subject to meeting a number of criteria) and the creation of larger ‘balance’ allotments. This is seen as a more effective means of preserving primary production land, rather than creating a number of larger allotments that are still attractive for rural living purposes but may result in the loss of more primary production land from genuine agricultural pursuits, and poor management practices.

It is proposed that smaller allotments to be created are located on poorer agricultural land, clustered, and of sufficient size (up to 2 hectares) to allow for sound land management and substantial buffers between any new dwellings and adjacent primary production. The larger consolidated “balance” allotment will contain the more productive land.

By allowing the creation of smaller allotments, up to 2ha on poorer land, and consolidating the balance into one large holding, this may well act as an incentive to those owners of multiple contiguous titles to consolidate their titles, as the income generated by selling the smaller titles will facilitate investment in retirement and/or the farming enterprise. The case studies outlined below illustrate two very different outcomes and the advantages which can flow from such an approach.

**Case Study**  Archer Hill Road, Wistow

Recently at Bunnett and Archer Hill Roads, Wistow it appears that prime high rainfall cropping and grazing land may have been lost to primary production. There are 9 contiguous allotments in common ownership, all regular in shape, ranging from 10.3ha to 32.9ha in area, totalling 224 hectares. Only one of the allotments contains a dwelling. The land comprises gently sloping ridges which steepen to a central watercourse which flows from west to east. Ground cover is pasture, with scattered eucalypts.

Some years ago, with no effective policy in the Development Plan to guide boundary realignments with respect to consolidation of large allotments, a Community Title land division was approved, with the creek forming the common property. The above diagrams show the area and approved lot layout.

In recent months several of the nine allotments have been put on the market, advertised as “Lifestyle allotments”. Under new policy proposed in this DPA, allotments marketed for “lifestyle purposes” would have been approximately 2 hectares in area, clustered on land less suited to primary production, and at the same time preserving 190+ hectares in one title, for primary production. As it is the allotments are likely to be sold to hobby farmers at best, with little prospect of commercial primary production.
Case Study - Flaxley Road, Flaxley (Former Department of Agriculture Research Station)

With this agricultural research centre now surplus to government requirements, a land division was recently lodged. Fortunately the Department has seen fit to realign the boundaries and create a number of smaller allotments with frontages to the main road (between 1.7 and 3.6 hectares), whilst consolidating the balance into one large allotment of 154 hectares. Whilst the small allotments are slightly larger than ideal, and will require a knowledge on the part of new owners of sound management practices, this outcome is a far better one than the previous case study, with the large consolidated Lot 307 of 154 hectares remaining viable for commercial primary production.

This land division illustrates the type of outcome envisaged by the additions to land division policy in this DPA.

Refer also additional investigations 3.2.13 for district-wide analysis of allotment ownership. Identification of multiple allotments in common ownership may assist in the consolidation process.

3.2.5 Investigate mechanisms for improving farm viability

Existing Development Plan policy is somewhat restrictive in terms of the range of primary production and allied activities envisaged in rural zones. As part of the Better Development Plan DPA greater flexibility was introduced by allowing a second dwelling (under strictly controlled circumstances) for a farm manager, or elderly parents to enable them to stay on their land while
the next generation kept the farming enterprise going. A demand has also emerged for seasonal worker to be able to occupy a second dwelling on the farm and accordingly it is proposed to include policy to this effect.

In addition to existing Planning Library policies relating to small-scale agricultural industries and tourism development, it is proposed to add to the envisaged uses in the rural zone, so as to reflect the changing nature of farming in the Mount Lofty Ranges in recent years. Desired Character Statements for four proposed policy areas will stress the need for flexibility and diversification in the farm economy in order to boost revenue and remain viable.

PIRSA’s *Rural Lands Investigation, District Council of Mount Barker 2009* identified indicative viable property size for a variety of farming enterprises. Whilst this analysis identifies the need for large holdings for viable grazing and cropping, it does not include reference to topography and the historical development of a range of allotment sizes. Allotments in the Mount Barker district tend to be much smaller, particularly as one moves west and north-west, but this is compensated for by increasingly heavy and reliable rainfall.

In the years since this report there has been considerable diversification in the nature of grazing enterprises and their produce, for example goats and alpacas, with a market demand for high value niche products. Smaller, high rainfall allotments may well be able to support such high value commercial enterprises, particularly when the value-adding associated with the processing, promotion and sale of produce can all occur on the farm.

Farmers are keen to diversify their activities into farm stays/B&B, processing and sales of their produce, particularly of boutique, niche products such as olive oil, fruit and vegetables, honey, sheep and goat’s cheeses, condiments and the like. The demand for high-quality, locally grown produce has grown in recent years, and continues to grow, as evidenced by the number of farmers’ markets, produce trails and cooking schools using local produce, established in recent years in and around Adelaide. As long as the scale is appropriate, diversification of on-farm activities needs to be accommodated in Development Plan policy. This also mirrors PIRSA’s objectives for the farming sector.

By adding to the list of envisaged uses, and identifying additional uses as Category 2 in terms of public notification, more certainty is also provided to farmers that they will be successful in establishing a variety of farming ventures.

3.2.6 Review of format of non-complying tables in rural zones to facilitate appropriate forms of farm based development and increased flexibility and responsiveness

In the existing Development Plan the Primary Production (Mount Lofty Ranges) and Watershed Protection (Mount Lofty Ranges) Zones have a format based on ‘All kinds of development are non-complying in the .... Zone, except the following:’......... In effect, this policy approach renders all land uses, other than those specifically exempted, as non-complying in the zone.

This does not provide a level of flexibility that could otherwise be employed to approve certain uses that are considered appropriate in the zone but were not envisaged at the time of writing the policy. A good example of this is the range of products now commonly associated with a cellar-door (olive oil, cider, boutique beers, bread, nuts, cheeses, condiments etc.); it is no longer restricted to wine, yet the non-complying table specifically requires that wine be sold at a cellar-door. An outlet displaying and offering local produce for tasting and sale which does not include wine is considered appropriate given the recent changes in the market for rural produce. Another example is cooking schools/gourmet retreats in association with wineries and/or other local produce.

The most common type of value adding associated with primary production that is not consistently exempt from the non-complying provisions in the rural zones affected by this DPA is small scale sales activity that are typically described as “farm gate” sales. Given the fairly benign nature of such an activity, this type of shop should be exempt from non-complying status in the Primary Production Zone and Mount Lofty Ranges Watershed Protection Area affected by this DPA.
Nevertheless, this type of development will still need to be assessed against principles of development control to ensure it meets the objectives for the zone. Additional / new exemptions for a shop in the form of farm-gate rural produce sales are proposed, along with additional principles of development control to guide the assessment of merit uses for this form of shop.

Consideration needs to be given to replacing the “All forms of development are non-complying except …..” format, in the Primary Production zone, with a list of uses considered inappropriate and therefore non-complying, along with certain exceptions. This could then for example allow for small-scale farm-gate sales of produce grown and processed on site, and thereby contribute to the diversification of the farm economy. This also reflects the format of the current Planning Library, version 6.

It is proposed to create one Primary Production (MLR) with a standard non-complying table which identifies non-complying uses, and a new general module for the Mount Lofty Ranges Watershed Area with its own non-complying table. Refer section 3.2.11 for further discussion of this issue.

For rural councils with a large area of prime agricultural land in the Watershed zone, achieving greater flexibility and responsiveness is a priority. There are farming practices, innovative ventures and niche products not yet envisaged, which were previously rendered non-complying and therefore difficult to launch.

Current policy renders small-scale tourist accommodation in new buildings non-complying in both the Primary Production (MLR) and the Watershed Protection (MLR) zones. This appears out of step with the marketplace, where new, airy, well-appointed, energy efficient cabins/units offering privacy for visitors is in demand in coastal and rural environments.

Case study Olive Oil Cellar Door and Small scale Tourist Accommodation

A recent example illustrates this issue. An olive oil grower and producer at Echunga lodged a Development Application to establish an olive cellar-door and small scale tourist accommodation in the form of three 2 x bedroom cabins on the same allotment as an existing dwelling and olive grove. A new WCS, approved by Council’s Environmental Health Department, was to be installed, catering for the existing dwelling and tourist cabins. The subject site is in the Watershed (Mount Lofty Ranges) zone.

Two triggers rendered the application non-complying:

- the non-complying table exempted cellar doors for wine only. Other produce such as olive oil was not envisaged.
- the tourist accommodation was proposed in three new buildings rather than in a building in existence at 14 September 1990.

For non-complying proposals in the Watershed, the EPA has the power of direction, in addition to the need for Development Assessment Commission (DAC) concurrence for an approval. For a value-adding venture such as this which would have assisted in the on-going viability of the olive grove, an appropriate use in the zone, this adds a significant degree of complexity and uncertainty, and cost, and in some cases discourages growers from lodging such an application.

In this case the EPA advised that it would not exercise its power to direct refusal as it considered that there were adequate provisions in the Development Plan to merit refusal. In this case Council’s Development Assessment Panel approved the application, but DAC did not concur with Council’s decision. With no appeal rights for the applicant, the application failed. This decision threatens the on-going viability of the olive grove, and denies visitors and tourists to the region the benefit of an additional local overnight stay and tasting of local quality produce.

Concerns that tourist accommodation will later be converted to additional dwellings are unfounded, as this would require development approval, and subdivision resulting in additional allotments is non-complying and would not be supported.

Whilst acknowledging the importance of water quality in the Mount Lofty Ranges catchment areas, it is the case in the Mount Barker Council area that only the north-western part of the Watershed...
zone lies within the Onkaparinga River catchment feeding into Mount Bold Reservoir. The balance feeds into the Finnis, Angus and Bremer Rivers which flow into Lake Alexandrina.

### 3.2.7 Incorporation of buffers to protect primary production

Areas of agricultural significance around Mount Barker include land immediately east of the township (major concentration of brassica production) and to the west (south of the freeway). Land north of Littlehampton and Nairne is also significant because of the relationship to neighbouring production in the Adelaide Hills Council areas (PIRSA 2004). The PIRSA report states that agricultural conflict between rural residential landholders or urban landholders and neighbouring rural horticultural or agricultural producers is becoming more common, where issues relate to chemical sprays (real or perceived spray drift), machinery noise (including night harvesting, pumps, bird scarers), dust from cultivating land, odours including organic fertilisers, pollution of water resources through stormwater disposal, domestic pet attacks, spread of pest plants brought in by residential development, or the visual impact of a development.

The report recommends that a more intensive use of land needs to avoid establishing a conflict situation, and that land uses which are deemed to be conflicting can be separated by a specified distance or a buffer area. Buffers are generally more effective if they are vegetated to certain standards.

The Better Development Plan conversion contains up-to-date policy relating to interface issues, in the *Interface between Land Uses* module, as do other relevant modules, for example the *Animal Keeping* module for Intensive Animal Keeping, and the *Waste* module for waste management facilities. It is proposed however to include additional policy in the Primary Production zone which seeks to establish buffers which respond in their width to local topographical and climatic conditions, and the likely source and frequency of impacts, and provide detailed guidance on appropriate planting and suitable species.

### 3.2.8 Incorporation of environmental policies and constraints to better protect biodiversity

As outlined in the Rural Issues Discussion Paper, 2009, “biodiversity” is a measure of the health of an ecosystem. The greater the biodiversity, the greater the flexibility of an ecosystem to adapt to change.

In the Mount Lofty Ranges only 13% of the original native vegetation has been retained and only 26% of this is under public management. This area includes many threatened species in isolated pockets/communities, including species endemic to the Mount Lofty Ranges, and remnant swamps. Threatened species and ecological communities are listed and protected under the State National Parks and Wildlife Act (1972) and the Commonwealth Environment Protection and Biodiversity Conservation Act (1999).

The DPA has included additional policy and constraints mapping relating to:

- areas of environmental significance and
- remnant swamps

and the inclusion of biodiversity corridors with the Rural Landscape Protection Policy Area

At present approximately 1,400 native plant species from 152 families have been recorded in the Adelaide and Mount Lofty Area. In terms of regional fauna, in 2003, native mammal species had declined from 31 species at the time of European settlement to 22. Furthermore, there are an estimated 243 bird species, 60 native reptile species (not including marine reptiles), and an estimated 10,000 invertebrate species.

At present seven bird species in the Adelaide and Mount Lofty region are considered extinct or functionally extinct whilst five mammals are of conservation concern. In addition five terrestrial reptiles in the region are rated in terms of state significance. It is estimated that two species of
reptiles have become extinct in the region and that the Southern Bell Frog may also be regionally extinct.

Primary reasons for the loss and decline in species include:

- Loss of habitat including the removal of dead trees (for fire wood) and moss rocks
- Habitat modification due to climate change
- Fragmentation of habitats
- Predation and competition with introduced species
- Conflict due to living in close proximity to humans.

In consultation with the SAMDBNRM Board, DENR, the Conservation Council and Council’s environmental management division, biodiversity corridors have been identified throughout the district. They coincide with the steep wooded ridges of the Bull Creek Range, ridges east of Meadows and east and north of Macclesfield, between Wistow and Flaxley, and SA Water and Forestry SA native forests at Mount Bold and and Kuitpo respectively. They include the roadside vegetation along numerous rural roads. In order to protect this high biodiversity value, they have been incorporated into a Rural Landscape Protection Policy Area.

These corridors are based on the following principles:-

- areas of significant native vegetation
- areas of high quality biodiversity value
- areas of Heritage Agreements
- areas of significant flora and fauna
- undeveloped road reserves linking areas of high biodiversity
- extensive remnant roadside vegetation
- areas of environmental significance as identified on Map D19 of the 30 Year Plan for Greater Adelaide
- fieldwork by Council's planning and environmental staff

The Rural Landscape Protection policy area also reflects high scenic quality. This has been identified by applying the methodology developed in association with the Landscape Principles Study for Upper Yarra Valley and Dandenong Ranges – Procedures for Landscape Assessment and Management, one of the most objective methodologies for documenting landscape quality. All the land identified in this policy area rates high of very high in terms of scenic resource value and there are a number of vantage points from which there are panoramic views of the district.

The policy area will focus on the protection of vegetation and habitat, and scenic landscape qualities.

3.2.9 Additional Investigations – Environmental Covers

The current Mount Barker Development Plan has no reference to Environmental Covers, despite their being a genuine rural form of development. One orchardist from Echunga has recently installed permanent covers over part of his apple orchard, and with expected increases in extremes of weather and storm events associated with climate change, it is anticipated that there will be more applications for such structures from grape growers, orchardists and market gardeners. Under current Development Plan policy these development applications are non-complying, with no policy to support their establishment.

The benefits which spring from environmental covers include:

- Reduced bird damage from lorikeets and rosellas
- Stops hail damage during storms
- Improved skin finish on the fruit with less wind-rub & sunburn
- Slower drying times for chemical application as a result of higher humidity and reduced winds
- Less spray drift and less chemical required due to reduced winds
- Better bee activity to assist in growing the fruit
- Reduced evaporation and transpiration (increase in humidity) resulting in less irrigation being required
- Less tree stress in hot and dry conditions due to higher humidity and reduced evapotranspiration under the net
- More consistent lines of supply and financial security
- Reduced use of gas guns and shot gun shooting

Given the size of many commercial orchards, there is the potential for significant visual impact, particularly in undulating country. The major issues informing policy relate to:

- the visibility and colour of the netting in different locations
- the siting of the structures wholly within property boundaries
- landscaping where necessary with local indigenous species
- protection of existing native vegetation
- design construction to ensure the safe passage of small native fauna such as lizards and snakes
- fire risk, and
- access by emergency vehicles

3.2.10 Additional Investigations - Consideration of the incorporation of PIRSA’s Primary Production Priority Areas (PPPAs)

This was not specifically identified in the Statement of Intent as PIRSA’s PPPA mapping was completed after the finalisation of the Statement of Intent. As it takes the analysis a great deal further than previous PIRSA research, and takes into account climate change, it was considered imperative to include it, and additional extensive local analysis, in the DPA investigations.

In its report Primary Production Priority Areas, Mt Barker Council, Primary Industries and Regions SA (PIRSA) has mapped prime agricultural land in the district with a view to the addition of Development Plan policy to retain this land for primary production. The district possesses generally favourable water, climate and soil conditions for cool climate horticulture/viticulture and high rainfall grazing, and there are pockets of high value production throughout the district. Extensive analysis and fieldwork by Mount Barker Council staff has resulted in slight modifications of PIRSA’s mapping.

The PPPAs have been identified on the basis of a range of factors including land capability, industry investment and land use, access to water, climatic considerations (including anticipated climate change) and any local conditions that give rural land special significance for primary production. Consideration of soil conditions alone are an inadequate measure of agricultural potential.

In reviewing PIRSA’s mapping in light of local knowledge and additional extensive analysis, a pattern emerged of four distinct rural areas in the district, displaying different geographic
characteristics and agricultural potential. Three of these proposed policy areas cross zone boundaries.

The current Development Plan has two rural zones, Primary Production (Mount Lofty Ranges) and Watershed Protection (Mount Lofty Ranges). As policy areas cannot cross zone boundaries, it has been concluded that a more logical approach is to create one Primary Production (MLR) zone across the district, with five policy areas (the existing Native Vegetation Buffer Policy Area and the four emerging from research associated with this DPA). This would also allow for the inclusion of the Watershed as an overlay which better reflects its role in the protection of water supply and quality and as such, a constraint on development (refer section 3.2.11 for more detailed discussion).

The review by Council staff comprised exhaustive analysis of every rural allotment in terms of its:

- size and configuration
- land-use
- occupancy
- ownership (in order to identify parcels of contiguous land in common ownership)
- topography and ground-cover
- rainfall
- scenic quality (selected locations)
- biodiversity value

One of the most important findings was the range and location of different allotment sizes which, when combined with annual rainfall, soil quality, topography, ground cover and PIRSA’s PPPA mapping, resulted in a clear pattern of primary production potential, conservation and landscape value emerging. Council’s own research has resulted in the inclusion of some lands exempted by PIRSA (essentially rural-residential/hobby farms) as there may be potential for consolidation through boundary realignments, and land at Wistow with pockets of Class 2 soils, undulating topography and annual rainfall in the order of 650mm.

Four distinct geographic areas have been identified as follows:

**Broad-acre Agriculture Policy Area 23**

This area lies east of PIRSA’s PPPAs, and its contrasting characteristics, agricultural potential and landscape quality merit a distinct policy area.

This eastern third of the district is characterised by lower rainfall and poorer soils but it supports broad-acre cropping and grazing. Whilst not as lush as the wetter western half of the district, the landscape is quite dramatic and the relatively high scenic quality results from its rugged incised land form, scattered mature eucalypts and panoramic views over the Murray plains.

A major employer and generator of economic activity is the Hillgrove Mine at Kanmantoo and it must be shielded from inappropriate uses nearby which might jeopardise its on-going viability. No such policies currently exist.

With relatively good access to the South-eastern Freeway, and on to markets and/or processing in Adelaide or Murray Bridge particularly in the southern part of the policy area, and larger allotments able to accommodate wide buffers, there are opportunities for intensive non-soil based rural enterprises such as intensive animal-keeping, feed lots and land-based aquaculture. There may also be opportunities for irrigated cropping/horticulture in substantial pockets of Class 1 soils at Petwood and St. Ives, utilising treated wastewater which is piped from Mount Barker to the Hillgrove Mine at Kanmantoo.
Hahndorf Rural Activity Policy Area 24

An area in the north-western corner of the district has been identified as possessing a different character and agricultural potential from the balance of the western half of the district proposed as a Prime Agricultural Policy Area. Those parts of this area displaying “rural living” characteristics (small allotments; hobby farms, predominantly residential uses) were excluded by PIRSA in its PPPA mapping.

It is characterised by:

- a high proportion of smaller allotments (70% of allotments less than 8 hectares, 27% are less than 1ha, and there are only two exceeding 40ha)
- great variety in the shape and configuration of allotments, with remnants of the original German Hufendorf subdivision pattern still evident in places
- only 4.9% of allotments do not already contain a dwelling
- Relatively steep land and topographical variety. Except for a couple of pockets close to Hahndorf slopes are in the order of 1:5 to 1:10.
- Substantial pockets of remnant native vegetation, scattered large eucalypts and extensive roadside vegetation
- High scenic quality due to the relative relief, visual diversity, quality rural views and vistas and intimacy of the landscape

The majority of the land is under pasture with scattered, and stands of, eucalypts. This supports small scale grazing and horse-keeping, and is essentially a rural living area. However there are two substantial vineyards east of Hahndorf, six smaller vineyards, substantial fruit and vegetable growing and processing at Beerenberg just south-east of Hahndorf and several smaller areas of horticulture. There are two intensive animal-keeping enterprises (poultry).

The policy area lends itself to a range of tourism activities and niche market produce and associated activities very similar the Rural Activity Policy Areas identified in the Victorian planning system (refer section 2.3.12). At its centre is the historic township of Hahndorf, one of the state’s most important tourist destinations. This presents opportunities for rural-based economic development such as farmers’ markets, produce trails, gourmet retreats, cafes, cellar doors and overnight accommodation, in Hahndorf’s picturesque hinterland.

Prime Agriculture Policy Area 25

This policy area contains some of the most productive agricultural land in the hills, and generally coincides with PIRSA’s PPPA mapping. It is characterised by gentle to moderately undulating land, criss-crossed by creeks and supporting stands of, and scattered native vegetation. Soils are relatively fertile, rainfall relatively high, there is potentially, access to treated wastewater near the townships and there is good access to Adelaide and Murray Bridge. For the most part it displays high scenic quality.

The majority of the farmland is pasture, some un-farmed, some supporting beef cattle, and widespread horse-keeping and fodder production. There is also a variety of more intensive primary production scattered across the policy area including:

- viticulture in seven widespread locations
- dairying, mostly in the south of the policy area
- apple and cherry orchards at Echunga
- strawberry production at Nairne, Mylor and just south of Mount Barker
- market-gardening east of Mount Barker concentrating on brassica production, and north of Nairne
but with no particular clusters of like uses,

The greatest threat causing the loss of prime agricultural land in the western half of the district is the “rural living” factor whereby new residents are seeking a rural retreat/change of lifestyle, within easy distance of townships and Adelaide, but with little prospect of farming the land commercially without a supplementary income. Rural land prices also become inflated, forcing farmers out of primary production. The issue of non-complying detached dwellings as a mechanism for preventing this is discussed in further detail in section 3.2 12.

In addition to preserving viable land for primary production and precluding incompatible uses it is important to allow for diversification of farm activities and value-adding by way of processing, tasting and retail sales of local produce and associated tourism activities.

**Rural Landscape Protection Policy Area 26**

The third policy area coincides with the steeper wooded ridges running north/south the entire length of the district from Bull Creek on the southern boundary, east of Meadows and Echunga, higher ridges at Bugle Ranges, the steep land east of Mount Bold reservoir and the lower slopes of Mount Barker Summit, to the district’s northern boundary at Totness.

This land is of high scenic and biodiversity value and somewhat reduced agricultural potential because of steep slopes, shallower soils and substantial remnant native vegetation but forms a dramatic steep wooded backdrop to productive farmland. The middle, less steep slopes leading up to the steeper wooded ridges support extensive grazing and have good access to surface water. Viticulture and horticulture has been established in a number of locations, particularly in higher rainfall southern parts of the policy area. The analysis and identification of this policy area is discussed in more detail previously in section 3.2.10.

The prime objective of this policy area is the continuation of grazing and horticulture in suitable areas, the protection of native vegetation, biodiversity and scenic quality, and there is considerable potential for nature-based tourism activity to contribute to the rural economy. In one section it also acts as a buffer to the Mount Barker Summit Conservation Zone.

Refer map on the following page for location and brief description of the new policy areas.
**Four new policy areas**

- **Hahndorf Rural Activity Policy Area**
  - Water, fertile, small allotments, steep topography, Ingram scenic views and visitor appeal. Opportunities for tourism, value-adding to local produce and diversification such as gourmet retreats, cafes and cellar doors.

- **Adelaide Hills Council**
  - Lush farmland, extensive orchards, and grazing opportunities. Opportunities for winemaking, specialty produce, and tourism.

- **Mount Barker Council**
  - Lush farmland, extensive orchards, and grazing opportunities. Opportunities for winemaking, specialty produce, and tourism.

- **Alexandria Council**
  - Lush farmland, extensive orchards, and grazing opportunities. Opportunities for winemaking, specialty produce, and tourism.

- **Hahndorf Regional Park**
  - High, steep wooded ranges, narrow tree-lined roads and distant views. Grazing, landscape contrast and high scenic value. Opportunities for nature conservation, tourism, and foraging.

- **Prime Agriculture Policy Area**
  - Suitable for large-scale agriculture, irrigation, and cropping.

- **Rural Landscape Protection Policy Area**
  - High, steep wooded ranges, narrow tree-lined roads and distant views. Grazing, landscape contrast and high scenic value. Opportunities for nature conservation, tourism, and foraging.

- **Broad-scale Policy Area**
  - Suitable for large-scale agriculture, irrigation, and cropping.

- **Tara, rugged topography, numerous scattered eucalypts, grazing and some cropping, and the hills remain in use. Opportunities for winemaking, specialty produce, and tourism.

- **Hahndorf Rural Activity Policy Area**
  - Water, fertile, small allotments, steep topography, Ingram scenic views and visitor appeal. Opportunities for tourism, value-adding to local produce and diversification such as gourmet retreats, cafes and cellar doors.
3.2.11 Additional Investigations – One Primary Production Zone and the Watershed Zone reconfigured as the Mount Lofty Ranges Watershed Area

As a result of the investigations into new Policy Areas outlined in section 3.2.10 it was determined that a single Primary Production Zone would be created across the district with five policy areas (the existing native Vegetation Buffer Policy Area and the four emerging from research associated with this DPA).

With the creation of a single Primary Production Zone it was necessary to investigate an alternative Development Plan policy approach for the area currently within the Mount Lofty Ranges Watershed Protection Zone to ensure the ongoing protection of the watershed.

The Mount Lofty Ranges Watershed is of significant importance to the State as a source of the majority of metropolitan Adelaide’s water supply. It is an equally important region for some of the State’s best food production and it is a region that attracts many tourists seeking to enjoy the beauty and experience the local produce, heritage and resources offered.

Council has worked extensively with the Department for Planning, Transport and Infrastructure and the Environment Protection Authority (EPA) to review the existing Mount Lofty Ranges Watershed (MLRW) development plan policy and policy framework.

The resulting outcome was the creation of a new Mount Lofty Ranges Watershed Area Overlay. This approach lifted the water quality protection policies out of the zone level into an Overlay which gives them the leverage required to protect our valuable water source as Overlay policies take precedence over zone and policy area policies.

The review of the MLRW also resulted in rewording the non-complying list and reviewing some of the water quality related conditions for merit developments, and has removed unintended consequences and provides a fairer system that enhances diversification and economic opportunities for all primary producers in the MLR Watershed.

The process has been further refined by the identification, and mapping as overlays, of three types of Watershed, as follows:

Watershed Area 1 – this incorporates those catchments that discharge directly into reservoirs or weirs where water is taken into a water treatment plant. Water pollution from these catchment areas can be washed into water storages and pass quickly into the distribution system without detention and natural treatment and these areas are therefore the most sensitive in terms of controlling landuses.

Watershed Area 2 – this incorporates catchment areas within 2km of secondary reservoirs and/or weirs, within 100m of rivers that are used to convey pumped River Murray water into downstream reservoirs, and land in flood-prone and high rainfall areas. These areas are less sensitive than Watershed Area 1 in terms of landuses.

Watershed Area 3 – this includes all remaining parts of the Mount Lofty Ranges Watershed, where water supply functions co-exist with a variety of agricultural, commercial, residential and industrial uses and so are the least sensitive in terms of landuses.

The Mount Barker District Council has a small section of Watershed Area 2 adjacent to the Onkaparinga River and its tributary stretching from Hahndorf to the Mount Bold reservoir and forests immediately east of Mount Bold. The balance of the district’s watershed comprises Watershed Area 3 and hence the degree of flexibility and responsiveness sought by this DPA can generally be achieved by the listing of exemptions to non-complying uses in the less sensitive Watershed Areas 2 and 3.

Given the changes proposed to the MLRW format and non complying provisions it is anticipated that minor amendments to the policies in the MLRW Overlay and non complying list will be identified though the consultation of this DPA. Council will investigate any issues or amendments raised in consultation with the Department of Planning, Transport and Infrastructure and relevant state government agencies prior to the finalisation of the DPA.
3.2.12 Additional Investigations - Non-complying dwellings in rural zones/rural living factor

It is widely acknowledged that one of the greatest threats to on-going primary production in the Adelaide Hills is the alienation of fertile farmland for rural residential/lifestyle purposes. The value of farm land in proximity to urban centres and attractive environments has been driven up by the competing market demand from lifestyle, holiday or hobby farming properties. The trigger for higher land values is directly linked to the ability to be able to construct a house. As a result, consideration was given to making dwellings non-complying in rural areas.

Council staff have conducted extensive and detailed analysis of every rural allotment in the district in order to inform policy change in relationship to this issue. Allotment size, occupancy, ownership, land-use, topography, biodiversity, ground cover and scenic quality have been analysed. The principal findings are in the tables below:

**Allotment Size**

<table>
<thead>
<tr>
<th>ENTIRE DISTRICT</th>
<th>Allotment size (hectares)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>80 – 389</td>
<td>1.9%</td>
<td></td>
</tr>
<tr>
<td>40 – 80</td>
<td>6.6%</td>
<td></td>
</tr>
<tr>
<td>8 – 40</td>
<td>42%</td>
<td></td>
</tr>
<tr>
<td>4 – 8</td>
<td>9.8%</td>
<td></td>
</tr>
<tr>
<td>2 – 4</td>
<td>11.7%</td>
<td></td>
</tr>
<tr>
<td>0 - 2</td>
<td>28%</td>
<td></td>
</tr>
</tbody>
</table>

*Table 1*

The largest single percentage (42%) corresponds to the 8 – 40 hectare range of allotment sizes. This led to additional analysis of this range of lot sizes (refer Table 5 in part 2 of this section).

It is notable that, across the district, 49.5% of allotments are less than 8 hectares, and 28% of allotments throughout the district are less than 2 hectares in area (refer Figure 5). Whilst there are clusters of small allotments outside Meadows and Macclesfield, west and south of Echunga and along main roads, there is a marked concentration in the north-west, in the area now identified as a Rural Activity Policy Area (see further analysis and map below).

A distinct pattern also emerges of a much greater percentage of large allotments in the eastern part of the district, east of Nairne, and also immediately east of Mount Bold.

<table>
<thead>
<tr>
<th>HAHNDORF RURAL ACTIVITY POLICY AREA</th>
<th>Allotment size (hectares)</th>
<th>Number of allotments</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 and above</td>
<td>2</td>
<td>0.5%</td>
<td></td>
</tr>
<tr>
<td>8 – 40</td>
<td>112</td>
<td>29.4%</td>
<td></td>
</tr>
<tr>
<td>6 – 8</td>
<td>24</td>
<td>6.3%</td>
<td></td>
</tr>
<tr>
<td>4 – 6</td>
<td>41</td>
<td>10.8%</td>
<td></td>
</tr>
<tr>
<td>2 – 4</td>
<td>55</td>
<td>14.4%</td>
<td></td>
</tr>
</tbody>
</table>
Table 2

In summary, there is a marked concentration of small rural allotments in the north-western corner of the district, with Hahndorf at its heart. 70.1% of all allotments are less than 8 hectares, and 53% less than 4 hectares. Historically this reflects the rural lifestyle factor in the hills close to Adelaide. Easy commuting to Adelaide with the construction of the South-eastern freeway, and no prohibition on land division until the early 1990’s resulted in subdivision of productive rural land and the introduction of non-rural uses.

This has had significant implications for rural productivity, and calls for policy which concentrates on, not only maintaining existing primary production itself, but also policy which stimulates economic activity through value-adding, rural-related enterprises, diversification and tourism. The area is easily accessible from Adelaide, has high scenic quality, and Hahndorf is one of the state’s premier tourist destinations.

A further analysis of land parcels mapped by PIRSA as PPPAs reveals the following:

<table>
<thead>
<tr>
<th>PRIMARY PRODUCTION PRIORITY AREAS as mapped by PIRSA</th>
<th>Allotment size (hectares)</th>
<th>Number of allotments</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 and above</td>
<td>33</td>
<td>2.1%</td>
<td></td>
</tr>
<tr>
<td>50 – 60</td>
<td>22</td>
<td>1.4%</td>
<td></td>
</tr>
<tr>
<td>40 – 50</td>
<td>56</td>
<td>3.5%</td>
<td></td>
</tr>
<tr>
<td>30 – 40</td>
<td>147</td>
<td>9.3%</td>
<td></td>
</tr>
<tr>
<td>20 – 30</td>
<td>179</td>
<td>11.3%</td>
<td></td>
</tr>
<tr>
<td>10 – 20</td>
<td>314</td>
<td>19.8%</td>
<td></td>
</tr>
<tr>
<td>5 – 10</td>
<td>274</td>
<td>17.3%</td>
<td></td>
</tr>
<tr>
<td>2 – 5</td>
<td>175</td>
<td>11.1%</td>
<td></td>
</tr>
<tr>
<td>1 – 2</td>
<td>104</td>
<td>6.6%</td>
<td></td>
</tr>
<tr>
<td>0 – 1</td>
<td>278</td>
<td>17.6%</td>
<td></td>
</tr>
</tbody>
</table>

Table 3

The large percentage of smaller allotments, up to 10 hectares (52.8%) is quite marked. In addition, 35.4% of allotments are less than 5 hectares. The small percentage of larger allotments is also noticeable, with only 7% over 40 hectares. Accordingly, in the most productive part of the district the range of allotment size is considerable, but with the majority less than 10 hectares. This has implications for primary production and points to the need to consolidate parcels into larger, more viable holdings where possible, as well as value-adding and the diversification of the farm economy.
Occupancy (dwelling/no dwelling on the allotment)

Throughout South Australian rural zones it is common for 8 hectares to be generally considered the minimum allotment size capable of sustaining commercial primary production, although there will be instances where high value intensive horticulture succeeds on smaller holdings. It was also concluded that for allotments over 40 hectares, a dwelling on a rural allotment was unlikely to result in a "rural residential" outcome.

As a result, in considering the appropriateness of making dwellings non-complying, further analysis of occupancy was undertaken of all rural allotments in the district between 8 and 40 hectares. It was felt imperative that actual conditions on the ground be analysed and documented in order to avoid the imposition of blanket restrictions in locations where such restrictions were inappropriate, ineffective and/or unreasonable.

<table>
<thead>
<tr>
<th>ALL ALLOTMENTS</th>
<th>PROPOSED POLICY AREA</th>
<th>% WITH NO DWELLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hahndorf Rural Activity</td>
<td>4.9%</td>
<td></td>
</tr>
<tr>
<td>Prime Agriculture</td>
<td>11.5%</td>
<td></td>
</tr>
<tr>
<td>Rural Landscape Protection</td>
<td>18%</td>
<td></td>
</tr>
<tr>
<td>Broad-acre Agriculture</td>
<td>34%</td>
<td></td>
</tr>
<tr>
<td>Whole district</td>
<td>17.1%</td>
<td></td>
</tr>
</tbody>
</table>

Table 4

<table>
<thead>
<tr>
<th>LOTS 8 - 40 HECTARES</th>
<th>AREA</th>
<th>% WITH NO DWELLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hahndorf Rural Activity Policy Area</td>
<td>8.6%</td>
<td></td>
</tr>
<tr>
<td>Prime Agriculture Policy Area</td>
<td>14.7%</td>
<td></td>
</tr>
<tr>
<td>Rural Landscape Protection Policy Area</td>
<td>15.1%</td>
<td></td>
</tr>
<tr>
<td>Broad-acre Agriculture</td>
<td>34.2%</td>
<td></td>
</tr>
<tr>
<td>Whole district</td>
<td>18.1%</td>
<td></td>
</tr>
</tbody>
</table>

Table 5

<table>
<thead>
<tr>
<th>LOTS LESS THAN 8 HECTARES</th>
<th>AREA</th>
<th>% WITH NO DWELLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hahndorf Rural Activity Policy Area</td>
<td>5.2%</td>
<td></td>
</tr>
<tr>
<td>Prime Agriculture Policy Area</td>
<td>1.1%</td>
<td></td>
</tr>
<tr>
<td>Rural Landscape Protection Policy Area</td>
<td>2.4%</td>
<td></td>
</tr>
<tr>
<td>Broad-acre Agriculture</td>
<td>16.8%</td>
<td></td>
</tr>
<tr>
<td>PPPAs as mapped by PIRSA</td>
<td>2.7%</td>
<td></td>
</tr>
<tr>
<td>Whole district</td>
<td>6.3%</td>
<td></td>
</tr>
</tbody>
</table>

Table 6
In summary the analysis reveals that the vast majority of rural allotments already contain a dwelling, although this pattern is less pronounced in the east (coinciding with the broad-acre policy area). Using a tool such as non-complying dwellings on rural allotments to halt the “rural residential” factor would appear to be futile given the small number of allotments remaining vacant. It appears that this would be a punitive policy, without substantial benefits.

Current policy in the Primary Production (Mount Lofty Ranges) zone precludes a detached dwelling unless in association with a use envisaged in the zone. Additional analysis of all unoccupied allotments to help determine their likely agricultural potential revealed the following. The western sector coincides with PIRSA’s mapping of Primary Production Priority Areas (PPPs) and the eastern sector lies outside the PPP Areas to the east.

<table>
<thead>
<tr>
<th>Lots 8-40 hectares</th>
<th>Potential</th>
<th>Limited potential</th>
<th>Primary production already established (excluding horse-keeping)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western sector</td>
<td>56 lots</td>
<td>19 lots</td>
<td>31 lots</td>
</tr>
<tr>
<td>Eastern sector</td>
<td>86 lots</td>
<td>16 lots</td>
<td>2 lots</td>
</tr>
</tbody>
</table>

Table 7

In the more productive western half of the district, a total of 106 allotments between 8 and 40 hectares do not contain a dwelling. Of these only 56 appear to have agricultural potential. The balance either already support primary production in some form (excluding horse-keeping), or have limited potential because of steep terrain, streams and dams or remnant native vegetation.

Horse-keeping is widespread, particularly in the wetter western half of the district. Were horse-keeping to be included in this analysis, allotments with primary production potential and limited potential would be significantly fewer.

These findings support the premise that the benefits of making a dwelling not in association with primary production a non-complying use is dubious in terms of protecting viable agricultural land, as a large number of allotments already have a dwelling and a significant number of unoccupied allotments already support primary production.

In addition, this mechanism appears to be a rather blunt instrument and does not take into account the potential productivity of the land, the area and configuration of the allotment, topography and creeks, groundcover/remnant vegetation etc.

Current policy in the Primary Production (MLR) Zone which renders a detached dwelling non-complying except where it is ancillary to development that is envisaged within the zone potentially creates enforcement problems. A development application may well contain suitable plans for a dwelling AND a form of primary production, and gain approval. Both elements must be completed in three years but there is a considerable risk that, whilst the dwelling will be built, the primary production will not be established.

Council does not have the resources to track and actively check the progress of such applications; rather they rely on the general public to report possible breaches of development approval. Were such breaches to come to light, where does the remedy lie? Neither Council nor the ERD Court can force the owner to establish to primary production element of the proposal, and they may not have the capacity to do so. The matter has the potential to become a significant intractable compliance issue for Council’s administration.

Detailed analysis shows that there are a number of locations in the western half of the district which have considerable potential for commercial primary production. Although the percentage varies, in these locations the majority of allotments already have a dwelling, but many of the
allotments exceed 20 hectares and so are considered to have further agricultural potential despite already containing a dwelling.

3.2.13 Additional Investigations - Contiguous land in common ownership

Ownership of land in the district has been analysed to help determine the likely effectiveness of strengthening boundary realignment provisions to encourage the consolidation of land in larger, more viable parcels. 91 clusters of rural land in common ownership have been identified, ranging in total area from 16.4ha. to 928.6ha. The clusters tend to be more common and larger in the eastern sector but there are significant clusters in the prime agricultural land south of Mount Barker in the vicinity of Bugle Ranges, Flaxley and Wistow. Unfortunately they are markedly fewer in the wetter, flatter country stretching from Echunga, west of Meadows to Kuitpo in the south of the district.

Clearly this pattern of ownership affords significant potential for boundary realignments which create smaller rural living type allotments on poorer land while at the same time consolidating the balance into much larger, viable parcels for primary production. The issue of creating smaller rural-residential allotments is a contentious one but it must be acknowledged that there is a demand for such allotments in peri-urban locations, and if their creation facilitates the creation of many more large viable allotments, without compromising on-going primary production, it must be considered.

Smaller allotments on poorer land, not exceeding 2 hectares, in order to allow for sound land management, and with a configuration which allows for substantial buffers, need not compromise nearby and adjacent primary production, and indeed can contribute to it. With many allotments in common ownership, the land division process is also rendered more straightforward.

A number of studies over the years including PIRSA’s Rural Lands Investigation 2009 and the Shires of Moira and Campaspe Rural Land-use Strategy have identified that farm size needs to increase to remain viable, or otherwise production intensified and/or supplementary farm income generated. PIRSA’s Rural Lands Investigation 2009 identified indicative viable property size for a variety of horticultural crops (refer below).

<table>
<thead>
<tr>
<th>ENTERPRISE</th>
<th>RAINFALL (mm)</th>
<th>INDICATIVE MINIMUM PROPERTY SIZE TO BE VAIBLE (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cherries</td>
<td>700-800</td>
<td>4</td>
</tr>
<tr>
<td>Apples</td>
<td>700-900</td>
<td>8</td>
</tr>
<tr>
<td>Red wine grapes</td>
<td>700-900</td>
<td>10</td>
</tr>
<tr>
<td>White wine grapes</td>
<td>700-900</td>
<td>18 - 20</td>
</tr>
</tbody>
</table>

Table 8

Existing farm sizes in Mount Barker are shown in the table on the following page, although it is not known if there is supplementary farm income.
LAND USE | FARM SIZE (Hectares)
--- | ---
Dairy | 29.6 – 119.7
Vineyards | 7.1 - 114
Vegetables | 10.2 – 138.8
Fruit (strawberries and apples respectively) | 16 - 43
Cherries | 4.8

Table 9

All of the above-mentioned enterprises have an annual rainfall of over 700mm.

The PIRSA report suggested strategies to prevent further fragmentation of rural properties, as follows:

- **Support the current planning policy of no further fragmentation of rural properties and that smaller properties be consolidated into productive agricultural holdings**
- **There should be no more allotments in any of the rural zones**
- **If the boundaries of the allotments are allowed to be rearranged then the new allotments must still facilitate or link to economic rural or value-added activities**
- **If two or more allotments contain a dwelling then the allotment boundaries could be rearranged for one allotment to contain the dwelling and the land amalgamated into the other. There should be a separation buffer between the house and the neighbouring land**
- **Encourage larger holdings (multiple ownership titles) that will be more viable, better managed and control business risks such as water supply, minimise interface and land management issues with neighbouring properties and help restrict land values through subdivision for rural living**

It is the intention of this DPA to continue the prohibition of additional allotments throughout the district. Additional policy relating to boundary realignments will help achieve the last three points above.

There will be a need to either acquire more land, or intensify, or diversify farm income in future in order to remain viable. The fact that there are so many clusters of contiguous holdings in the same ownership augers well for future consolidation, and this will be encouraged by additional policy.

### 3.2.14 Review and ensure consistency between Development Plan changes and Development Regulations (2008) references

In summary, the following inconsistencies between the Development Plan and the Development Regulations will arise:

- **Part 6 (A)(3)(c)** – designated area refers to the Rural Watershed Protection Zone, Rural (Mount Barker) Zone, Rural (Kanmantoo) Zone and Rural (Kondaparinga) Zone and does not refer to the Primary Production Zone
- **Schedule 9 - -26 (1)** reference to the Watershed Protection Zone will no longer be applicable

### 4. Recommended Policy Changes

Following is a list of the recommended policy changes based on the investigations of this DPA:
Incorporation of eight additional areas of environmental significance in Conservation zones
Recognition of biodiversity corridors in a Rural Landscape Protection policy area
Inclusion of additional envisaged uses in the Primary Production zone
Inclusion of policies to support diversified on-farm land-uses including processing of produce, small-scale tourism development and farm-gate sales
Amendments to the form of the non-complying lists to allow for a more dynamic response to market-driven changes in the rural and tourism economies
Introduction of additional policy to better guide the outcomes of boundary realignments for on-going primary production
Introduction of additional policies for the establishment of vegetated buffers, in response to local geographic characteristics
Introduction of new policy to guide the design and siting of environmental covers
Limited additional policy to support the use of treated wastewater for irrigated horticulture near the townships of Mount Barker, Littlehampton and Nairne, Echunga, Macclesfield and Meadows and the pipeline from Mount Barker to Kanmantoo.
Addition of certain uses to the category one and category two list relating to public notification
The addition of seasonal workers’ accommodation in association with a second dwelling on rural land
Creation of one Primary Production (Mount Lofty Ranges) Zone across the district and reconfiguration of the Mount Lofty Ranges Watershed Area in the general module section, mapped as three categories of overlay.
Addition of four policy areas in response to differing geographic characteristics and potential for primary production

A comprehensive summary, including a summary of the conclusions drawn from the investigations, is contained in the Appendix C.

4.1 State Planning Policy Library update
Council resolved in the SOI that it would update the Development Plan to the latest version of the State Planning Policy Library – version 6. A summary and analysis of the changes is contained in the Appendices.

5. Consistency with the Residential Code
Not Applicable to this DPA

6. Statement of statutory compliance
Section 25 of the Development Act 1993 prescribes that the DPA must assess the extent to which the proposed amendment:
- accords with the Planning Strategy
- accords with the Statement of Intent
- accords with other parts of council’s Development Plan
- complements the policies in Development Plans for adjoining areas
• accords with relevant infrastructure planning
• satisfies the requirements prescribed by the Development Regulations 2008.

6.1 Accords with the Planning Strategy

Relevant strategies from the Planning Strategy are summarised in the Appendices of this document. This DPA is consistent with the direction of the Planning Strategy.

6.2 Accords with the Statement of Intent

The DPA has been prepared in accordance with the Statement of Intent agreed to on 26 August 2011, as amended and endorsed by the Department of Planning Transport and Infrastructure. In particular, the proposed investigations outlined in the Statement of Intent have been have been addressed in section 3.1 of this document.

6.3 Accords with other parts of the Development Plan

The policies proposed in this DPA are consistent with the format and content of the Mount Barker Development Plan. All new policy has been reviewed against the policies in the General section of the Development Plan to ensure there is no repetition. However, a change to the structure of the Development Plan is proposed by the deletion of the Watershed (Mount Lofty Ranges) as a zone, and its inclusion in a different format in the general module section. In addition, unlike other general modules the Mount Lofty Ranges Watershed Area will have an associated non-complying list.

Additions of policy relating to the following issues extrapolate on policy in the general modules, and acknowledge geographic variety.

• the preservation of viable agricultural land
• diversification of on-farm activities
• effective landscaped buffers
• environmental covers
• irrigated horticulture and,
• conservation

The identification of four additional policy areas allows for greater refinement and responsiveness of policy in response to local geographical and climatic conditions, conservation value, and agricultural potential.

6.4 Complements the policies in the Development Plans for adjoining areas

The District Council of Mount Barker shares a long boundary in the north with Adelaide Hills Council, in the south with Alexandrina Council, and a shorter common boundary in the west with Onkaparinga Council. To the east it abuts the Rural City of Murray Bridge and in the north-east it shares a short boundary with Mid-Murray Council.

Alexandrina Council has recently completed a Rural DPA, and although the Mount Barker Rural DPA goes farther in terms of policy change, much of the thrust of the content is the same as Mount Barker’s. An imminent Better Development Plan conversion of Alexandrina’s Development Plan will gain greater consistency in structure between the two Development Plans.

Mount Barker shares a long common boundary with Adelaide Hills Council (AHC) to the north. As one would expect, the environments are very similar with more rugged topography and higher rainfall in the west, and a drier, more open landscape as one moves east. The adjoining land in Adelaide Hills Council is zoned Watershed (Primary Production), and a number of policy areas, largely Watershed Protection abut the common boundary. Policies are very similar, with the
protection of water supplies and quality, sustainable rural production and landscape quality paramount in AHC’s Watershed (Primary Production) zone and Watershed Protection policy area, and Mount Barker’s proposed Mount Lofty Ranges Watershed Area Prime Agriculture and Broad-acre policy areas.

Onkaparinga Council’s Development Plan has recently been converted to BDP format, and the land adjoining Mount Barker lies in the Mount Lofty Ranges Policy Area 32. The general thrust of this policy area is the continuation of a variety of farming activities in a sustainable manner, and the protection of scenic quality. This is very similar to the intent of the DPA as lands abutting Onkaparinga Council lie in the proposed Prime Agricultural policy area.

Mount Barker’s north-eastern boundary abuts Murray Bridge Council, and the environment is very similar, with broad-acre grazing and cropping dominant. Policies relating to primary production and conservation are very similar.

In Mid-Murray Council adjoining land is zoned Rural and supports dryland cropping and grazing. Policies are very similar to Mount Barker’s Primary Production Zone with the encouragement of rural-related tourism and other value-adding activities, aquaculture and intensive animal-keeping. Mid-Murray’s Hills Policy Area also abuts and policies seek the retention of native vegetation and the siting and design of buildings so as to preserve landscape quality.

Accordingly, the policies proposed in this DPA will not affect and will complement the policies of Development Plans for adjoining areas.

**6.5 Accords with relevant infrastructure planning**

This DPA complements current infrastructure planning for the Council area, as discussed in section 2.3.2 of this document.

**6.6 Satisfies the requirements prescribed by the Regulations**

The requirements for public consultation (Regulation 11) and the public meeting (Regulation 12) associated with this DPA will be met.
REFERENCES/BIBLIOGRAPHY

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Alexandrina Council Rural Areas DPA June 2013
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University of Adelaide, 2009, Future Growth Corridors for District Council of Mount Barker, heading into 2050

URPS - Hills Positive Aging Strategy 2020

Western Mount Lofty Ranges, draft Water Allocation Plan, 2010
SCHEDULE 4A CERTIFICATE

CERTIFICATION BY COUNCIL’S CHIEF EXECUTIVE OFFICER

DEVELOPMENT REGULATIONS 2008

SCHEDULE 4A

Development Act 1993 – Section 25 (10) – Certificate - Public Consultation

CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF PUBLIC CONSULTATION

I, Andrew Stuart, as Chief Executive Officer of Mount Barker District Council, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments:

(a) accord with the Statement of Intent (as agreed between the "Insert Name of Council" and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in Regulation 9 of the Development Regulations 2008; and

(b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that related to the amendment or amendment has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation, and

(c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and

(d) complement the policies in the Development Plans for adjoining areas; and

(e) satisfy the other matters (if any) prescribed under section 25(10)(e) of the Development Act 1993.

The following person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

Judith Urquhart MPIA CPP
Simon Coote MPIA CPP

DATED this 30 day of September 2015

[Signature]

Chief Executive Officer
APPENDICES

Appendix A - Assessment of the Planning Strategy
Appendix B - Assessment of Council's Strategic Directions Report
Appendix C - Summary of Recommended Policy Changes
Appendix D – State Planning Policy Library update
## Appendix A - Assessment of the Planning Strategy

### The 30-Year Plan for Greater Adelaide vs. DPA Response

<table>
<thead>
<tr>
<th>New metropolitan and township growth Areas</th>
<th>DPA Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policies</strong></td>
<td></td>
</tr>
<tr>
<td>32 Ensure new urban growth occurs in designated urban and townships expansion areas shown on Map D7 (P82).</td>
<td>The DPA aim is to support and enhance primary production activities. It does not support urban growth in rural areas.</td>
</tr>
<tr>
<td>42 Restrict ad hoc construction of isolated rural dwellings and subdivision of rural lands through the planned expansion of townships, density increases within township boundaries, and appropriate intensification of existing Rural Living Zones, and strategic designation of new Rural Living Zones, outside areas of primary production significance (P84).</td>
<td>The DPA does not support the ad hoc construction of isolated rural dwellings. Where a second dwelling on an allotment is genuinely required to accommodate a farm worker or ageing parents, it is proposed that it can only be undertaken in close proximity to the existing farm dwelling and subject to the proposal not seeking an additional separate allotment.</td>
</tr>
<tr>
<td>44 Manage the interface between primary production activities and urban areas and townships through the identification of appropriate separation buffers, screening vegetation and appropriate alignment of allotment boundaries (P84).</td>
<td>Whilst the current 'Interface Between Land Uses' policies (based on the State Planning Policy Library) provide a relevant policy base for this issue, additional more prescriptive policies will be developed to better protect farm activities and more sensitive receptors, including during the boundary realignment process.</td>
</tr>
</tbody>
</table>

### Health and wellbeing

<table>
<thead>
<tr>
<th><strong>Policies</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Protect Greater Adelaide’s high-quality food bowl areas to ensure a supply of affordable fresh food (P100).</td>
</tr>
</tbody>
</table>

### The economy and jobs

<table>
<thead>
<tr>
<th><strong>Policies</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Set specific job targets at a regional level which will: • Ensure sufficient land is available for commercial, industrial, retail, primary production and other activities (P102).</td>
</tr>
</tbody>
</table>

### Primary production

<table>
<thead>
<tr>
<th><strong>Policies</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Improve primary production’s share of economic activity in Greater Adelaide through the protection of strategic areas for horticulture, viticulture, dairying and grain production (see Map D11) (page 106).</td>
</tr>
<tr>
<td>13 Designate areas of primary production significance (see Map D11) in Development</td>
</tr>
</tbody>
</table>
### The 30-Year Plan for Greater Adelaide

<table>
<thead>
<tr>
<th>Plans and introduce a standard set of planning controls to protect the areas' use (page 106)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>14</strong> Use measures, including planning controls, to protect important primary production areas such as the Barossa Valley, Willunga Basin and Northern Adelaide Plains. (page 106).</td>
</tr>
<tr>
<td>Important primary production areas will be identified and mapped, and policies will be developed to protect these lands from inappropriate development.</td>
</tr>
<tr>
<td><strong>15</strong> Prevent the fragmentation of primary production land by restricting land subdivision to maintain viable and productive land-use activity. These planning controls will differ across Greater Adelaide, depending on the dominant activity of a particular area and the appropriate minimum lot size of that type of agricultural activity (page 106).</td>
</tr>
<tr>
<td>Additional policies will be introduced which guide the circumstances under which boundary re-alignments are appropriate and ensure that the resultant lot layout will not compromise primary production.</td>
</tr>
<tr>
<td><strong>16</strong> Remove unnecessary regulatory barriers to the adjustment of primary production activities. Development Plans should be flexible enough to allow property holders to change agricultural practices or commodity type, particularly where the change would enable increased productivity or better environmental outcomes (page 106).</td>
</tr>
<tr>
<td>The DPA will change the format of the non-complying table in the Primary Production (Mount Lofty Ranges) Zone so that it accords with the latest version of the DPTI Planning Library. This will allow for much greater flexibility in the nature of primary production and associated processing and value-adding. In addition the Watershed Protection (MLR) zone will be deleted and policy reviewed for inclusion in the general module section. This will remove the existing very restrictive non-complying table.</td>
</tr>
<tr>
<td><strong>17</strong> Encourage the development of small-scale value-adding activity that complements local primary production. Large-scale value-adding activity should be located outside areas of primary production significance (page 106).</td>
</tr>
<tr>
<td>The DPA proposes amendments that will encourage the further development of appropriate small-scale value adding opportunities and ability to sell produce at the farm gate. The investigations process has not identified a demand for any particular larger scale activities. As these are usually a 'one off' activity, it is not considered necessary that specific policies be introduced as such activities can be dealt with under the current policies.</td>
</tr>
<tr>
<td><strong>18</strong> Co-locate intensive primary industries and compatible processing activities to reduce land-use conflicts and achieve efficiencies in production, processing, distribution, energy efficiency and waste recycling, taking into account environmental, bio-security, infrastructure and rural amenity issues (page 106).</td>
</tr>
<tr>
<td>Smaller scale agricultural industries will be encouraged in the Primary Production (MLR) Zone where compatible with the underlying primary production activity and appropriate infrastructure exists.</td>
</tr>
</tbody>
</table>

### Biodiversity

**Policies**

1. Introduce a clear hierarchy of environmental assets to be protected to improve development certainty and transparency – these are represented in map D19. Incorporate the protection of these areas into Development Plans. The three areas of high environmental significance and perched swamps will be mapped as development constraints. The high wooded ridges and hilltops will be included in a Rural Landscape Protection Policy Area which will also promote...
categories in the hierarchy which will be managed through Structure Plans and Development Plans are:

- **Areas of high environmental significance** include protected public lands (for example, national parks and Conservation parks), areas of private/public lands under a Heritage Agreement and land containing high value native vegetation. These areas will be protected from development unless a specific regulatory exemption applies.

- **Areas of environmental significance** include areas of habitat as well as lands that have human uses (such as primary production) but support biodiversity because they are of lower environmental impact. Higher impact land-uses in these areas should be avoided. However, if development cannot be avoided, environmental impacts will be minimised and offsets provided (page 128).

**Targets**

**New metropolitan and township growth areas**

R  Provide for a buffer of 25% of the total land mass to allow for land that will remain undeveloped for various reasons (for example, due to landowner decisions, environmental constraints, buffer requirements of policy decisions).

Additional policies will further detail appropriate buffer establishment in order to protect both farming practices and nearby more sensitive uses.

**Communities and social inclusion**

B  Plan for regional distribution of projected population growth as shown in Map D8

By facilitating a second dwelling on productive rural land, the elderly will be able to remain in their local communities into old age.

**The economy and jobs**

A  Provide for 282,000 additional jobs during the next 30 years. The regional distribution of additional jobs is:

- 13,000 in the Adelaide Hills and Murray Bridge

C  Plan for 15,900 green-collar jobs during the Plan’s first 15 years

F  Plan for an additional 2000 primary production jobs in Greater Adelaide.

As above

**Biodiversity**

C  Increase the extent of functional ecosystems (coastal, estuarine, terrestrial)

Policy will promote the protection and enhancement of biodiversity corridors and remnant swamps, and a Rural
The 30-Year Plan for Greater Adelaide | DPA Response
---|---
and riparian) to 30% of the region, excluding urban areas, consistent with regional NRM Plans. | Landscape Protection Policy Area will better identify geographic areas worthy of greater protection. Six additional reserves will be included in the Conservation zone as will extensive areas of native vegetation with high biodiversity value at Mt.Bold and Kuitpo on the recommendation of the Department for Environment Water and Natural Resources. This will ensure their protection.
### Appendix B - Assessment of Council’s Strategic Directions Report

#### Council Strategic Directions Report (approved by the Minister 1/4/2014)

<table>
<thead>
<tr>
<th>Goal/Policy/Target</th>
<th>DPA Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restrict ad hoc construction of isolated rural dwellings and subdivision of rural</td>
<td>High quality agricultural lands will be mapped and policy developed which guide the siting of dwellings to avoid any negative impacts on primary production.</td>
</tr>
<tr>
<td>lands through the planned expansion of townships, density increases within township</td>
<td></td>
</tr>
<tr>
<td>boundaries, and appropriate intensification of existing Rural Living Zones, outside</td>
<td></td>
</tr>
<tr>
<td>areas of primary production significance.</td>
<td></td>
</tr>
<tr>
<td>Prevent the expansion and/or inappropriate intensification of existing, or the</td>
<td>The DPA does not expand Rural Living zones, but rather seeks to protect viable agricultural land.</td>
</tr>
<tr>
<td>creation of new, Rural Living Zones in areas of primary production</td>
<td></td>
</tr>
<tr>
<td>significance.</td>
<td></td>
</tr>
<tr>
<td>Protect Greater Adelaide’s high-quality food bowl areas to ensure a supply of</td>
<td>Primary Production Priority Areas will be identified and policies developed to protect these lands from inappropriate development.</td>
</tr>
<tr>
<td>affordable fresh food.</td>
<td></td>
</tr>
<tr>
<td>Improve primary production’s share of economic activity in Greater Adelaide</td>
<td>Prime agricultural land will be identified and mapped and included in a Prime Agricultural Policy Area in which primary production will be paramount, and incompatible uses will not be permitted.</td>
</tr>
<tr>
<td>through the protection of strategic areas for horticulture, viticulture,</td>
<td></td>
</tr>
<tr>
<td>dairying and grain production.</td>
<td></td>
</tr>
<tr>
<td>Designate areas of primary production significance in Development Plans and</td>
<td>As above</td>
</tr>
<tr>
<td>introduce a set of planning controls to protect the area’s use.</td>
<td></td>
</tr>
<tr>
<td>Prevent the fragmentation of primary production land by restricting land</td>
<td>The creation of additional allotments is currently non-complying and this will not change. Additional policies relating to rural boundary realignments will ensure that prime agricultural land will be consolidated in large, viable parcels.</td>
</tr>
<tr>
<td>subdivision to maintain viable and productive land-use activity.</td>
<td></td>
</tr>
<tr>
<td>Introduce a clear hierarchy of environmental assets to be protected to improve</td>
<td>Areas identified as being of High Environmental Significance in state and local government ownership will be incorporated into the Conservation zone.</td>
</tr>
<tr>
<td>development certainty and transparency – these are represented in map D19.</td>
<td>Biodiversity corridors will be protected through policies in the Rural Landscape Protection Policy Area.</td>
</tr>
<tr>
<td>Incorporate the protection of these areas into Development Plans. The three</td>
<td>Areas of High Environmental Significance have been incorporated into the Development Constraints mapping along with a relevant provision.</td>
</tr>
<tr>
<td>categories in the hierarchy which will be managed through Structure Plans and</td>
<td></td>
</tr>
<tr>
<td>Development Plans are:</td>
<td>Additionally Areas identified as perched swamps (threatened ecosystems) have also been incorporated into the Development Constraints mapping.</td>
</tr>
<tr>
<td>• Areas of high environmental significance</td>
<td></td>
</tr>
<tr>
<td>include protected public lands (for example, national parks and Conservation</td>
<td></td>
</tr>
<tr>
<td>parks), areas of private/public lands under a Heritage Agreement and land</td>
<td></td>
</tr>
<tr>
<td>containing high value native vegetation. These areas will be protected from</td>
<td></td>
</tr>
<tr>
<td>development unless a specific regulatory exemption applies.</td>
<td></td>
</tr>
<tr>
<td>• Areas of environmental significance include areas of habitat as well as lands</td>
<td>Higher impact landuses in these areas should be avoided. However, if</td>
</tr>
<tr>
<td>that have human uses (such as primary production) but support biodiversity</td>
<td></td>
</tr>
<tr>
<td>because they are of lower environmental impact. Higher impact landuses in these</td>
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<td>areas should be avoided. However, if</td>
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</table>

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<table>
<thead>
<tr>
<th>Goal/Policy/Target</th>
<th>DPA Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>development cannot be avoided, environmental impacts will be minimised and offsets provided.</td>
<td></td>
</tr>
<tr>
<td>Protect 115,000 hectares (13% of Greater Adelaide) of existing natural areas identified as areas of high environmental significance</td>
<td>As above</td>
</tr>
<tr>
<td>Maintain the existing range of lower intensity land uses, such as primary production, across 156,500 hectares (identified as areas of environmental significance. Where the retention of lower intensity land use cannot be achieved, impacts will be minimised and offset.</td>
<td>Primary Production Priority Areas will be identified and policies developed to protect these lands from inappropriate development.</td>
</tr>
<tr>
<td>Increase the extent of functional ecosystems (coastal, estuarine, terrestrial and riparian) to 30% of the region, excluding urban areas, consistent with regional NRM plans.</td>
<td>Areas identified as being of High Environmental Significance will be incorporated into the Conservation zone. Additionally Areas identified as perched swamps (threatened ecosystems) have also been incorporated into the Development Constraints mapping.</td>
</tr>
</tbody>
</table>
## Appendix C - Summary of Recommended Policy Changes

### Summary of Recommended Policy Changes

<table>
<thead>
<tr>
<th>Issue</th>
<th>Current Policy</th>
<th>Comment and Recommended Policy Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation of areas of environmental significance</td>
<td>Existing Conservation Zone contains only two reserves</td>
<td>The Conservation Zone will be expanded to include five additional reserves, and native forests under the care and control of Forestry SA and SA Water at Kuitpo and Mount Bold. All these reserves contain threatened species and habitats or intact native forests.</td>
</tr>
<tr>
<td>Protection of biodiversity corridors and areas of high environmental value</td>
<td>General provisions only apply. To date these corridors have not been mapped in the Development Plan</td>
<td>Areas of high environmental value and biodiversity corridors are to be included in a new policy area – Rural Landscape Protection – which coincides with steep wooded land with high biodiversity and scenic value. Policy will afford greater protection to these values.</td>
</tr>
<tr>
<td>On-going viability of farm enterprises in changing markets</td>
<td>Current policy restricts the range of value-adding activities and produce through the identification of non-complying uses, and limiting a possible second dwelling to aged or infirm relatives</td>
<td>One of the keys to ensuring that primary production enterprises continue to operate is the ability to diversify in response to changing market conditions and climate change, and to expand the nature of rural and rural-related activity in order to value-add to improve viability. It is proposed to amend the structure of the non-complying list in the Primary Production (Mount Lofty Ranges) zone to list non-complying uses in line with the latest Planning Library Version 6, and introduce additional envisaged uses and category 2 uses in the Primary Production zone. It is proposed to reduce the triggers for non-complying tourist accommodation to allow for small-scale new, modern, well designed, energy efficient buildings for this purpose. It is also proposed to add seasonal workers to those who may utilise a second dwelling on working farm, to help improve viability.</td>
</tr>
<tr>
<td>Land fragmentation as a result of land division</td>
<td>Little guidance is provided currently to ensure positive outcomes for primary production</td>
<td>Additional policies will ensure that smaller allotments created will be located on less productive land and be of a size and configuration to allow for substantial buffers. Additional policy will guide the siting and design of buildings. They will also ensure that the balance of the land is consolidated into one large viable allotment.</td>
</tr>
<tr>
<td>Inadequate policies for vegetated buffers</td>
<td>Current Interface policy provides no guidance as to the nature of vegetated buffers.</td>
<td>A vegetated buffer is generally accepted as being much more effective than an open one. New policy will guide the nature of plantings in the buffer to maximise the benefits and will also encourage design which responds to local geographic conditions.</td>
</tr>
<tr>
<td>Environmental Covers</td>
<td>No policy</td>
<td>New policy will be introduced which guides the siting and design of environmental covers in order to maximise the benefits for growers whilst at the same time minimising the visual and environmental impacts.</td>
</tr>
<tr>
<td>Interface between primary policy</td>
<td>Policy exists in the general section.</td>
<td>Whilst policy exists in the Interface section of the general modules, greater detail is required as to the composition of</td>
</tr>
<tr>
<td>Issue</td>
<td>Current Policy</td>
<td>Comment and Recommended Policy Change</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>production and residential use of rural land and townships</td>
<td>landscaped buffers and their response to local geographic conditions. Consideration will be given to the likely nature and frequency of the threat given local topography, ground cover and prevailing weather conditions.</td>
<td></td>
</tr>
<tr>
<td>Expansion of irrigated horticulture through the re-use of treated wastewater</td>
<td>No current reference in the Development Plan</td>
<td>Opportunity will be identified in the general Waste Water module for the further re-use of treated wastewater from SA Water and Council’s Community Wastewater Management Systems (CWMS). However, more detailed and focussed policy is premature as important infrastructure provision issues remain unresolved.</td>
</tr>
<tr>
<td>Greater certainty for primary producers</td>
<td>Identification of uses subject to category 2 public notification is very limited in the Primary Production zone.</td>
<td>Expand the range of uses subject to category 2 public notification to include associated value-adding activities such as farm-gate shop, small-scale tourist accommodation, cellar doors.</td>
</tr>
<tr>
<td>Flexibility and responsiveness to market changes</td>
<td>Restrictive Watershed non-complying table</td>
<td>The deletion of the Watershed Zone, and incorporation of its policies in general modules will allow a consistent approach to non-complying development across all zones in the district. The Primary Production zone and its non-complying table will be reviewed to ensure that inappropriate development which might threaten water supply and quality will be precluded. As non-complying developments will be listed, new innovative rural ventures will be assessed on their merits.</td>
</tr>
<tr>
<td>Geographic contrasts across the district</td>
<td>Current policies apply across a large area, with no distinctions reflecting differing character</td>
<td>Four distinct areas have been identified which display significant differences in terms of topography, ground cover, primary production potential, climate and occupancy. Policy has been developed for these four policy areas which better reflects their potential and limitations for primary production and associated activities, and conservation.</td>
</tr>
<tr>
<td>Current Module</td>
<td>New Module</td>
<td>Comment / Noted Variations</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Local addition to Primary Production Zone Procedural Matters</td>
<td>Primary Production Zone Procedural Matters Version 6</td>
<td>The BDP Development Plan consolidated on 24 October 2013 rendered all form of development in the Primary production zone non-complying unless exempted. This approach stifles any flexibility and diversity in the nature of primary production and associated produce. Adoption of version 6 which lists non-complying development introduces the necessary flexibility for producers to respond to new products and techniques and market demands.</td>
</tr>
</tbody>
</table>