

Our ref: THG/220312

16 December 2020

Mr Michael Lennon
Chair
State Planning Commission
GPO Box 1815
ADELAIDE SA 5001

By email: DIT.planningreformsubmissions@sa.gov.au

Dear Mr Lennon

Submission on Revised Draft Planning and Design Code – Phase Three – 16 Hawkers Road, Medindie

This firm acts for Wilderness School (**the School**).

We make this submission on the Revised Draft Planning and Design Code – Phase Three (**the Draft Code**) on behalf of the School.

The submission relates to the zoning to be applied to an allotment owned by the School at 16 Hawkers Road, Medindie (**the Land**).

In summary our client respectfully requests that the Land at 16 Hawkers Road be included in the Community Facilities Zone with the balance of the School's land.

Background

1. Wilderness School is a leading girl's private school located at 30 Hawkers Road, Medindie accommodating students from Reception to Year 12. It has been in operation since 1884 and has grown into an educational establishment of academic excellence and high community regard. Valuing kindness, integrity, and adventurous learning, the School has produced generations of compassionate, strong and independent young women.
2. In June 2019, the School acquired a parcel of land with the intention of developing it for uses associated with its existing educational facilities. The land, situated at 16 Hawkers Road and directly abutting the School's existing site, currently contains a detached dwelling. It is the School's intention to retain the building and incorporate the land and building into its campus, likely as an Early Learning

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Centre and an additional outdoor play and education space (**the intended land use**).

3. The Land is currently located within the Residential Character Zone in the Walkerville Council Development Plan.¹ It is proposed to be included in the Established Neighbourhood Zone under the Draft Code.
4. The Land is not listed as a local or State heritage place, or as a representative building.
5. The balance of the School's land is currently located within the Community Zone in the Development Plan. Under the Draft Code it would be included within the comparable Community Facilities Zone.
6. The School seeks, for obvious reasons, to have the whole of the Land within a single zone which suitably reflects the existence of the School and accommodates its future redevelopment.
7. Accordingly, the School requests that the boundary of the Community Facilities Zone be extended south by one allotment, to incorporate the Land.

Merits of proposed new zone boundary

It is submitted that the Land should be included in the Community Facilities Zone for the following reasons:

8. Zone boundaries should, where possible, reflect the existing or anticipated future extent of the activities protected or envisaged by that zone.
9. The proposal to include a single, contiguous allotment, owned by the School and abutting the existing campus boundary is a logical minor spatial extension of the Community Facilities Zone.
10. The Community Facilities Zone is designed to enable the development of “a range of community, **educational**, recreational and health care facilities” and would plainly be more accommodating to the intended land use.² Put simply, the Community Facilities Zone is the most appropriate zoning to be applied to the School.
11. The Established Neighbourhood Zone is less conducive to the intended land use, as it is directed towards maintaining the residential character of the locality and does not provide an efficient assessment pathway for educational establishments.
12. Securing additional land is often a challenge for schools located in well-established neighbourhoods (such as the School) and the acquisition of the Land is important to ensuring the long term success and viability of the School.
13. If the Established Neighbourhood zoning is retained it will potentially frustrate the orderly expansion and redevelopment of the School to include the Land.
14. As there is no inherent heritage value in the existing dwelling on the Land, and as it is in any event proposed to be retained, the Established Neighbourhood

¹ Consolidated 6 October 2016.

² *Revised Draft Planning and Design Code (Phase 3)*, Community Facilities Zone, DO 1.

Zone provisions are not needed to preserve the character of the locality. The existing School campus already incorporates several former dwellings as well as more institutional scale buildings.

15. It makes good planning and economic sense for the totality of the School's land to be included within the Community Facilities Zone, to enable more efficient master planning, and to ensure the long term success of the School.
16. The School has been in operation for over a century and has become a prominent and recognisable feature of the area. Its expansion to incorporate a residential building is unlikely to impact the predominantly residential character of the locality. Indeed, the School intends to maintain the current built form.
17. Any proposal to expand the School campus to include the Land will of course need to be the subject of a development application and will be the subject of a merit-based assessment.

The *Planning, Development and Infrastructure Act 2016* is designed to create a planning system which is effective and efficient.³ Amending the boundary of the Community Facilities Zone so that the School can efficiently incorporate the Land into the existing Wilderness School is consistent with that goal.

It is respectfully submitted that it is appropriate to incorporate the types of minor zoning amendments now sought by the School as part of Phase 3 of the Planning and Design Code. The time and expense of a subsequent stand-alone Code Amendment process is unlikely to be justified in respect of the rezoning of a single allotment. This is an appropriate and important opportunity to address what is hopefully a straightforward matter.

Thank you for your consideration. Please feel free to contact me to discuss.

Yours faithfully



Tom Game
BOTTEN LEVINSON

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Enc Image from SAPPa depicting proposed zoning of the Land

³ *Planning, Development and Infrastructure Act 2016* s 12.
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