

February 2020

Barossa Partnership Submission

Planning and Design Code (Phase 3 Urban Areas)

Barossa Partnership is a collaboration of Industry Bodies in the Barossa (Grape & Wine, Tourism and Food), the local government authorities (Barossa and Light Regional Councils) and Regional Development Australia (Barossa Gawler Light Adelaide Plains)

The focus of this Submission is on strategic issues identified by the Barossa Partnerships collective whereas the detail of the Code and other matters will be addressed by Barossa's two local government authorities.

Structure of the new Zones

Using The Barossa Council as an example, four existing rural zones will be collapsed into two, viz:

- 1 Peri-Urban Zone ("Valley Floor" and "Watershed"); and
- 2 Rural Zone (Primary Production and Rural Landscape Protection)

There are concerns with this approach:

- There is no spatial or economic logic in the distinction between the new Peri-Urban and Rural zones. Both are productive rural areas within a character preservation district.
- There is a risk of interpreting the distinction between the two zones in a way that may be detrimental to the purpose of the Peri-Urban Zone because there is more than one way of interpreting the term "peri-urban".
- Confusion about the purpose of the Peri-Urban Zone is accentuated when compared with McLaren Vale where equivalent viticultural zones operate, (and also the Character Preservation District overlay), but in McLaren Vale the Peri-Urban Zone has not been applied; and
- Two zones which have the same purpose and intent is not in the interest of simplifying the planning system.

There is a very high risk of the wrong message being conveyed by applying "peri-urban" to rural land and zones. This makes the new structure more complex than is required

Existing Local Policies that facilitate development

Winery policies have a long history in Barossa, and which have been subsequently adapted over time and applied in other regions.

In its crude state a winery can be considered as an industry, and to take this further, unless a winery is required to have a connection to place that in fact produces the commodity that is being processed, it is no more than an industrial use, which if facilitated in a rural area would constitute an industrial land use that is out-of-its-desired zone.

The Barossa policies were devised to:

- Facilitate value adding on farm by vignerons that produced the grapes that were processed to make wine; and
- To limit a growing trend at the time for the proliferation of “wine shops” which traded in wine and its retail sale (and along arterial roads), and which had no origin to place or indeed the region.

Hence the concept of facilitating a specific type of industry in a non-industrial location or zone was devised as an important concession, enabled by the requirement that the industrial process must be connected to place.

The Code does not reflect the important nexus which exists in the current policies between wine production and sale, and primary production from the land on which the grapes are grown and the wine is made.

It allows for product to come from **rural areas** (at large), which although stating the obvious, means from any location.

It means the Code is in fact sanctioning industrial development in the form of wineries and associated cellar doors that have no connection to place.

Moreover, the overly generous approach in the Code would encourage not only non-local wine sales but ribbon development along main traffic routes in the region, the control of which in both urban and rural areas is a fundamental premise and need of a development control system.

The Code needs to reflect the current policies by amending the General Development Policies Beverage Production in Rural Areas.

Existing Local Policies that restrict development

It is noted that some critical and current policies have not been carried forward in the Code, viz:

- New residential development in rural areas around the concept of Minimum Development Unit (ie 25 Ha, 33 Ha, 100 Ha etc); and
- Division of rural land.

Of note is the application of the Minimum Allotment Size TNV Overlay as it relates to the construction of new dwellings and allied zone police.

Greater consistency with existing policy approaches could be achieved by noting a Detached Dwelling as Restricted Development with an exception applied where the allotment achieves the minimum size requirements prescribed in the TNV.

It is further noted that undertakings have been provided by the Commission that this is not intentional but an oversight, and further that the Code will be modified so that the current status is reflected in the Code. This response is supported.

New Policies that should be included to facilitate development

There is general agreement arising from previous submissions to Minister Knoll and Chair Michael Lennon that value adding of primary production commodities to produce food, and its sale from farm, should be actively assisted.

Presently, although this concept finds its place in the Code as a **Desired Outcome of the Rural Zone**; viz

- 1 A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.
- 2 A zone supporting diversification of existing businesses that promote value adding, such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

it appears in the Code by default because **Shop** is a **Restricted** development subject to the following **Exclusions**:

- (a) it is ancillary to and located on the same allotment or adjoining allotment used for primary production or value adding and offers for sale or consumption produce or goods that are primarily sourced, produced or manufactured on the same allotment or from the region; or

(b) it has a gross leasable floor area less than 250m²; or

(c) it is a restaurant.

Consistent with undertakings from the Minister and Chair Lennon, this land use should find its place as either **Accepted** or **Deemed-to-Satisfy** subject to the following conditions:

1 **Shop**, for Primary Produce Sales from the site in existing buildings:

Conditions:

- Not located within 100 metres of a dwelling in separate ownership
- The total area used for the display and sale of primary produce must not exceed 100 square metres
- Not be located on land where Major Urban Transport Routes Overlay, Urban Transport Routes Overlay or Traffic Generating Development Overlay applies
- Not be located on land where a Local Heritage Place Overlay or State Heritage Place Overlay applies

2 **Light Industry and Service Industry**, (to process primary produce from the site) in existing buildings:

Conditions:

- Gross floor area less than 250 square metres
- Not located within 100 metres of a dwelling in separate ownership
- Not be located on land where a Major Urban Transport Routes Overlay, Urban Transport Routes Overlay or Traffic Generating Development Overlay applies.
- Not be located on land where a Local Heritage Place Overlay State Heritage Place Overlay applies.