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ATTENTION: DEPARTMENT OF PLANNING, TRANSPORT, AND INFRASTRUCTURE

**RE: SUBMISSION FOR PHASE THREE DRAFT PLANNING AND DESIGN CODE
CONSULTATION PLANNING REFORM**

Dear DPTI Staff,

Introduction

I have been engaged by Mr. Greg Walker, a resident of [REDACTED], McLaren Vale, land which is situated within the town's northern interface with the surrounding grape growing and wine production area. My client has an interest in the development of McLaren Vale particularly land adjacent his property ("Field Street carpark") and the town's main street. My client's property, and the land in question, are highlighted in Figure 1 below:



Figure 1: Subject Land and [REDACTED]

Source: SA Property and Planning Atlas (Govt. SA)

I have been asked to review the draft policies of the new Planning & Design Code Draft for Phase Three released for public consultation, and highlight the implications proposed policies may have on the development of the carpark site and the town of McLaren Vale in general. In conducting this review, I have also considered the relevant policies in the Council's Development Plan applicable to development within the township.

Observations

My client's land is in a Residential Zone which is bound by the Pedler Creek Policy Area of the Open Space Zone, the Caravan and Tourist Park Zone and the McLaren Vale Policy Area of the Neighbourhood Centre Zone. The same Open Space Zone surrounds the whole of the Field Street carpark except part of the land's street frontage immediately adjacent my client's property. The Open Space Zone to the north and west of the subject land is also within the Character Preservation District.

The Field Street carpark is physically separated to the rest of the Neighbourhood Centre Zone by the Coast at Vines Rail Trail and being some 200 metres from Main Road, exhibits no direct connectivity with the commercial activities of the street. The land primarily fronts open space and low-density residential land and has no direct vehicle access to Main Road other than via Field Street.

The current provisions within Council's Development Plan were developed as a result of intensive investigations, analysis and consultation. The zones do not consist wholly of generic policies from the South Australian Planning Policy Library but include many "Local Variations", especially within Desired Character Statements and policy areas. It is evident Council and State Government understood specific provisions for the McLaren Vale township are necessary in order to retain, protect and maintain its 'Country township' attributes and character which complements the historic and rural setting of the McLaren Vale wine region.

The draft Planning and Design Code (the "Code") proposes to put the subject land into a Suburban Activity Centre Zone.

The draft policies of the Planning and Design Code now appear to have given greater consideration to the existing policies which have played such a critical role in defining and protecting the unique character and qualities of the McLaren Vale township.

It is noted a Character Preservation District overlay will apply to the proposed zones within the township. While the overlay recognises the need to protect and enhance the special character of Character Preservation Districts, the specific DTS/DPF (Deemed to Satisfy/Designated Performance Feature) and PO (Performance Outcomes) do not include provisions which acknowledge and protect the unique character and attributes of the township.

The current policies specific to the McLaren Vale township will be lost.

Due to the Field Street carpark being constructed over three allotments the subject land is one of the few relatively large sites available for development within McLaren Vale.

We believe the land's proposed inclusion in the Suburban Main Street Zone is entirely inappropriate given the open nature of the immediate locality, its largely natural setting and the evident disconnect the land has to the core of the town's main street.

The land is surrounded by open space local reserves including the popular Coast to Vines Rail Trail and Pedler Creek watercourse. The reserves comprise open areas covered with native and introduced vegetation, which is complemented by the low-rise, low density residential developments on the eastern side of Field Street. With exception to the carpark, the locality provides an attractive interface between the urban fabric of the town and the surrounding vineyards.

The proposed transition of the Neighbourhood Centre Zone to a Suburban Main Street Zone lacks consideration to the natural open space character of the local setting and the change of the carpark land to a Suburban Main Street Zone introduces the possibility of large floor area buildings of substantive scale being developed on the land. Such development will unduly

disrupt the largely natural appeal and character of the local landscape which provides an attractive backdrop for and entry to the town.

We acknowledge that the Suburban Activity Centre Zone is a better fit for the Code transition in relation to the Field Street carpark and more so when the Technical and Numerical Variation (TNV) of one storey-height limit is also applied. We advocate that a TNV building heights to be applied to the zone as TNV, noting that many of the deemed to satisfy developments might well be of one storey but still be of substantial height. A 6m height limit TMV or similar would reflect the uniqueness of the site, with development beyond the TNVs being added to the list of restricted development in the zone.

The current Development Plan policies seek small scale forms of development reflective of a country town. The Code policies do not recognise this existing feature of McLaren Vale's main street. TNV's requiring setbacks from boundaries to enable landscaping between buildings and boundaries should be incorporated. The present building setback criteria provides for minimal boundary setbacks "provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment". The application of building setbacks depending on orientation does not adequately allow consideration of adjoining land uses reflect, separation for adjoining low scale residential development or for appropriate site landscaping.

Conclusion

The Suburban Activity Centre Zone is supported but stronger controls are needed to limit the scale of development on the subject land to properly reflect the character of McLaren Vale generally and the unique characteristics of the land identified above, and in particular its 'gateway' location.

Failure to limit the height and scale of future development have an irreversible and detrimental impact the natural open character and low-scale appeal of the locality.

If you have any questions in relation to this submission, please feel free to contact me. I would be pleased to assist.

Yours sincerely,



David Hutchison
Access Planning SA Pty. Ltd.