

18th December 2020

Submission RE: South Australian Plan and Design Code (Phase 3 Urban Areas)

From: Barossa Region Residents' Association

We would like to congratulate you on the creation of South Australia's new planning system – a massive task and much-needed change for our state.

We submit that significant further input is needed to enable this new policy to achieve the intended vision for a contemporary planning system that provides greater certainty to the community and the planning sector more broadly. The Barossa Region Residents' Association (BRRRA) has previously been instrumental in shaping policy that has brought about economic and social prosperity to our region, and we need to be assured that any new planning framework within SA continues to preserve and strengthen the Barossa's unique character, culture and economic foundations.

The Barossa has been the leading light for the Australian wine industry from the late 1980's and beyond. BRRRA formed in the 1980's, advocating to maintain the region's agricultural landscapes and way of life from being eroded by proposed three to five acre housing lots. It was BRRRA's mandate to strengthen planning policy to encourage positive development and ensure inappropriate development wouldn't occur. The success of this advocacy work has helped secure our agricultural landscapes, our hills facings, well considered town boundaries and natural landscapes, strengthening the region and building the foundation which supported the massive economic growth over the last three decades.

In light of the economic challenges that again face our region today, we would like to respectfully raise with you these particular concerns for your consideration:

1. Character Preservation District Overlay

- The performance outcomes within the Overlay require clear definition in order to more effectively guide planning decisions. The Overlay provides no description of what distinguishes the character of the Barossa from the character of McLaren Vale. There is no definition within the Overlay as to what constitutes 'special character', which is one of the existing issues with the effectiveness of the Character Preservation Legislation.
- The generic performance outcomes give little guidance as to what the landscape values are that require a design response. For example, the use of the term 'appropriate scale and design'. It is unclear what the assessment parameters are for 'appropriate scale' within the open Barossa landscape.
- The importance of the hills face within the Barossa should be duly recognised and protected within Code policy.

2. Character Preservation Act (Barossa) 2012 and Sub-Zones

- As the Character Preservation Act lacks detail when defining the Character of the Barossa, it is recommended that the Overlay be strengthened through the incorporation of siting and design criteria for rural areas.
- The creation of a sub-regional plan for the Barossa GI would greatly assist in creating a strategic vision for the locality.
- As there is no statutory definition of what defines the character of our world class landscape, it would be highly beneficial to include a Regional Character Study which would provide a framework for further policy development and which could underpin a Sub-Regional Plan.
- The only proposed sub-zone in the Barossa, which are designed to address local nuance, is located on the Seppeltsfield site. This is not an adequate response in any way, shape or form to deal with local character, especially in the context of the lack of design controls within the Act.
- Why should a Winery Experience sub-zone only apply on the Seppeltsfield site and nowhere else in the Barossa?
- PO 1.3 of the Winery Experience sub-zone contains a policy reference which is not relevant to the site to which it applies. Moreover, the sub-zone provides no policy guidance as to what is an appropriate scale of development? I.e. 3 stories or 12 stories as is currently proposed under the existing Light Regional Council Development Plan.

3. Appeal rights

- As it stands currently, South Australia will have the only planning system in the country with zero appeal rights for Third-Parties for performance assessed development. This is of significant concern to our community as the majority of development applications will fall within this category.
- This is highly undemocratic, particularly in the context that representors can only present their arguments to the Council Assessment Panel for a 5-minute period and it is difficult to obtain expert advice in the short period of time which an application is on public notice.

It is our view that the proposed local policy content with Phase 3 of the Planning and Design Code does little to address the distinctive and unique character of the Barossa and whilst we understand that this is the first version of the Code, the lack of policy detail creates a significant risk to the valuable asset that is our region.

As such we would strongly support the creation of a Sub-Regional Plan as envisaged within the *Planning Development and Infrastructure Act 2016* and would welcome any further discussions with the Planning and Land Use Services team in relation to the policy development within the region.

Yours sincerely,
Barossa Region Residents' Association