



# Protecting the Barossa Valley and McLaren Vale Discussion Paper

Friends of Willunga Basin  
Submission

July 21, 2011



View of Willunga Basin from the air 20 July, 2011

# Table of Contents

Protecting the Barossa Valley and McLaren Vale discussion paper submission .....	2
McLaren Vale and Barossa Valley .....	2
Introduction .....	2
District Boundaries .....	4
Township Boundaries .....	6
Values and Characteristics .....	6
Desired Development .....	8
Prohibited Development .....	10
Governance Issues .....	11
Reference Group .....	11
Accelerated assessment of development proposals .....	11
Major Project Restrictions .....	11
Timing .....	12
Conclusion .....	12
Attachment 1 .....	13
CITY OF ONKAPARINGA DEVELOPMENT PLAN EXISTING RURAL ZONE OBJECTIVES .....	13

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## Protecting the Barossa Valley and McLaren Vale discussion paper Submission

Friends of Willunga Basin (FOWB), an organisation that originally came together in response to plans for an inappropriate development in our local area, welcomes without hesitation the efforts by the State Government and Minister Rau to establish legislation to protect McLaren Vale and the Barossa Valley. We also appreciate the opportunity, offered through the “Protecting the Barossa Valley and McLaren Vale Discussion Paper”, to participate in the public consultation process of responding to the questions in that paper through our response below.

FOWB is a not for profit community organisation that has existed for over 20 years, and initially came together as the Aldinga Bay Anti-Marina Association. Our many members have long supported our interest in promoting environmental protection of this area and the aim of limiting or preventing inappropriate development. We believe that our views are also consistent with the views of a large number of other residents in the area, many of whom appreciate the general rural amenity and relaxed country lifestyle available to those who live in or visit this district.

### McLaren Vale and Barossa Valley

In this submission we have focused on issues specific to the McLaren Vale District. Many of the principles will also apply to the Barossa Valley, but we leave it to others to comment on that district. Nonetheless, we very strongly support a similar level of protection to the Barossa and greatly value its agricultural and tourism assets. It mirrors McLaren Vale in many respects and also needs protection from urban sprawl and inappropriate development. It may be appropriate at this point to also acknowledge the importance of the wider Adelaide Hills region, an expanse that contains other valuable areas also worthy of identification and protection. FOWB would therefore encourage Minister Rau and the State Government to explore the possibility of legislative options being applied to other areas in the hills on a similar basis to that described in the “Protecting the Barossa Valley and McLaren Vale Discussion Paper”.

### Introduction

It has been an objective of FOWB since the association was formed in the 1980s to specifically “seek legislation that ensures long term certainty, for maintaining the integrity of agriculture and open

*space areas in the Willunga Basin*<sup>1</sup>. As such we strongly support specific legislation to provide protection from urban encroachment and to define the fundamental rural character of the McLaren Vale district. Changes in governments, periods of low agricultural returns, and other unforeseeable pressures will always create incentives for subdividing land for housing and risking *the tyranny of small decisions*<sup>2</sup>, where a series of individual and perhaps minor planning approvals lead to major inappropriate consequences. Therefore, while we strongly believe that legislative protection to prevent further subdivision is essential, we also believe that to define both the agrarian nature of the McLaren Vale district and the tourism asset in the same legislation is a step of considerable historical importance to South Australia and potentially of significance to the wider question of obtaining better urban/rural interface development elsewhere in Australia.

FOWB has, over a number of years, come to a view that the planning system as it exists does not provide an adequate level of protection from urban sprawl and other inappropriate development necessary to protect the magnificent agrarian and tourism assets of this area. We have come to believe that where urban development encroaches on productive agricultural land the houses represent the final crop.

While the development of an Urban Boundary, and later, the 30 Year Plan were welcomed by FOWB, we believe the current proposal has the potential to vastly improve the future for this area; that by providing greater certainty of land use, investment and job creation in the McLaren Vale district can be enhanced without sacrificing its fundamental values.



As has been the case since settlement, in an ever changing agricultural landscape the McLaren Vale



<sup>1</sup> Constitution Friends of Willunga Basin

<sup>2</sup> A E Kahn *The Tyranny of Small Decisions* 1966

district continues to be a vitally important asset to Adelaide. Today it is viticulture and the associated wine tourism that predominate. Tomorrow, other forms of agriculture may provide the economic and landscape values prevalent in the McLaren Vale district. The proposed legislation thus provides a great opportunity to preserve these agricultural and tourist employment lands both in their essential character and in their flexibility to accommodate the appropriate ongoing change in the agricultural and human landscapes.

It is useful to remember too that apart from wine production the McLaren Vale district currently supports commercial production of; dairy products, barley, oats, table grapes, apples, pears, quinces, apricots, peaches, cherries, plums, citrus, figs, avocados, almonds, pistachios, olives, strawberries, a huge variety of vegetables, herbs, roses, native plants, cut flowers, meat production (venison, lamb, beef), honey, and poultry for meat and for eggs, surely a list that underlines the productivity and versatility of the area's agrarian production. All of these activities also support employment at their source, or through their points of sale so that the McLaren Vale district can properly be seen as a rural employment zone of some importance.



The gradual onset of climate change, which appears likely to make areas north of Adelaide ever warmer and drier, should also be looked at in relation to the future of the McLaren Vale district. It, too, will get warmer and drier, but will still remain slightly cooler than areas even 60 kilometres to the north, something that will have a bearing on long term food production. Likewise, the tourism potential of its scenic beauty, its marvellous beaches, the iconic sweep of the Willunga scarp and natural vistas in every direction, are all of exceptional importance and underline why its agrarian focus, with scattered structures located in agricultural settings should be retained as much as possible so as not to spoil the general look of the countryside.

### **District Boundaries**

Friends of Willunga Basin believe the draft map of the McLaren Vale Protection District in the discussion paper represents a very good starting point for defining a sensible boundary. While appreciating that the delineated area is different from the wine industry Geographic Indicator

boundary, we believe it important that the protected area's boundary clearly identifies the Protection District as the agrarian landscape where the southern and south-eastern extent of Adelaide's urbanisation ends. In future the boundary will be identified as a somewhat hard edge, where the city suddenly ends and a rural and agrarian landscape begins. FOWB believes that it will be important for the long term success of the proposed legislation that the underlying logic of the boundary is readily understood and appreciated for its rural values by all South Australians, not just by those that live and work in the protected area.

FOWB proposes a few minor, but nonetheless important changes to the draft map;

1. That the boundary be extended to include the extractive industry zoned land east of Maslin Beach. Although it is obvious that the sand quarries will continue to operate, it is important in the long term they not be an option for inclusion in any future residential development schemes.
2. That the land located to the west of Main South Road at Sellicks Beach, lying to the south of Sellicks Beach Road (and currently zoned Rural) should be included within the protected area. This open space is a vital buffer to delineate the boundary between urban lands and the open space beyond. It is also a vital entry point to Willunga Basin from the south, and those travelling north are presented with a magnificent vista due to the elevation of the road at that point.
3. That the addition of a generous vegetated buffer of at least 100 metres to the land west of Main South Road lying between Aldinga Beach Road and Port Road Aldinga be included in the protected zone. Should housing be built on this site (currently zoned urban, and owned by the LMC) there would be a great diminution of the scenic attractiveness to tourists travelling the vital link between Adelaide and the Willunga Basin beaches, the southern Fleurieu and on to Kangaroo Island.
4. The triangle of land at Port Willunga lying between Port, Quinliven and How Roads should also be included. This open space is an important component of the special sense of arrival at Port Willunga, one of the most iconic of the district's tourist attractions. One of the major points of difference about Port Willunga compared with other beaches in the Metropolitan Area is the sense that it sits not amongst suburbia but in a special setting of its own, the historic village of Port Willunga with its open space and historic buildings. By disallowing future subdivision on this triangle of land through its incorporation within the boundary, FOWB believes it would assist in maintaining the international tourism appeal and general amenity of this locale. It can also be legitimately seen as a minor but nonetheless important "gateway" in the district. If, however, the land cannot be included in the boundary for some reason, FOWB is strongly of the opinion that some other measure (e.g. Metropolitan Open Space) be taken to prevent the triangle being placed under housing.
5. FOWB strongly supports the need for protection of Glenthorne Farm and the historic vineyards and wineries of Reynella. However we do not believe it is appropriate to include them within the boundary proposed by the McLaren Vale Protection District legislation. Indeed we believe that to include them would lead to a lack of clarity in the eyes of the general public of South Australia as to what the protected district is and what its purpose is. We thus urge that a robust alternative method of protection for these immensely valuable but different assets be found and put securely in place.

## **Township Boundaries**

The discussion paper “Protecting the Barossa Valley and McLaren Vale”, encourages the community to contribute its understanding of how we think these areas can best be protected. FOWB considers that the single greatest threat to the overall value of the McLaren Vale District is the threat of further urban subdivision inside the proposed district boundary, not the least of which is the threat of further urban expansion around the existing townships. FOWB thus believes that one of the best protections that the proposed legislation could provide is that of ceasing further urban expansion around our townships.

FOWB therefore proposes that the present boundaries of the existing townships of McLaren Vale, McLaren Flat, Willunga, Kangarilla and Clarendon not be altered. Should any expansion be allowed at this time it would create a strong expectation that the boundaries are flexible in the future, and certainty of planning would therefore be diminished. Expectations of, or imagined flexibility creates uncertainty and insecurity. It creates uncertainty for those living in the townships, for those who own land around the townships, and also, for the local authority the City of Onkaparinga. FOWB believes that an important flow on effect of fixing township boundaries under the proposed legislation is that such uncertainty and doubt can finally be laid to rest.

Allowing township boundaries to remain elastic also raises a contradiction in a district that has a fixed external boundary. Incremental urban expansion around the townships can be seen as a form of landscape cancer eating away at areas within the district boundary and at the values of the area.

Yet, for those concerned about the loss of flexible town boundaries, all is not lost under a piece of legislation that fixes township boundaries.

Should circumstances overwhelmingly demand it in the future, the legislation can be taken back to Parliament and amended to reflect community needs for extra land availability around the townships. Amending the legislation though will require a strong level of support among the communities concerned, the council, and the consent of Parliament.

It must also be acknowledged that although FOWB has been a consistent supporter of local government decision-making on development, we believe that the proposed legislation could provide an important counterbalancing and protective mechanism against impulsive and undesirable changes occasionally looked for through local government.

## **Values and Characteristics**

The values of the McLaren Vale district are very largely bound up with its working agricultural and agrarian industries, the tourism associated with this, and the tourism connected to its natural amenity and beauty.

Some key characteristics to celebrate, enhance and preserve include:

- An actively worked agrarian setting, accommodating both a preponderance of viticultural activity surrounding McLaren Vale, McLaren Flat and Blewitt Springs with more diverse forms of agriculture elsewhere in the district.
- A high level of awareness of sustainability practices by both consumers and producers, exemplified by the increasing interest in organic foods and wines is apparent in the McLaren Vale District. Several wineries are currently embracing organic principles.

- Locally produced food and wine are of importance to residents and visitors alike, as illustrated by the success of Willunga Farmers Market (with over 800,000 shoppers spending over \$40M since inception 9 years ago, resulting in a flow on of around \$100M to the local community<sup>3</sup>).
- Restaurants and food outlets highlight locally sourced wines and foods. *A Review of 50 top Restaurants in Australia* in The Week End Australian cited a restaurant in Willunga because it is “...a community restaurant. It celebrates McLaren Vale and the Fleurieu in a way that kind of makes you wish you were part of it.....the passion for everything local in the food and wine world.....vegetables, fish, game, preserves, meats, fruit and wine that the rest of us can only dream about.”<sup>4</sup>
- An excellent climate for growing grapes and many other crops, with abundant winter rain, good sunshine in the drier months, and the mitigating effects of temperature from its location proximate to the sea. The Mediterranean climate should be considered highly conducive to tourism, with summer conditions more comfortable than those prevailing further north and inland.
- New sources of assured water from reclaimed supplies supplementing reliable rainfall and well-managed ground water resources. Reclaimed water is of vital importance in an era of climatic uncertainty, as this will virtually drought-proof the district.
- The proximity of food and wine production to Adelaide, given the interest in local production of foods and awareness of ‘food miles,’ is crucial. David Suzuki, in his speech at the official opening of the Willunga Farmers Market, stated that the average distance travelled from producer to consumer in USA was 3000 miles, and that in Australia is wasn’t much different.  
As our current transport systems rely heavily on fossil fuel (a diminishing resource) it will be imperative that we preserve agricultural land close to cities, as the cost of petrol and diesel, although currently largely exempted from the recently announced carbon tax, will inevitably increase markedly.
- Beauty that combines the patchwork of vineyards, other agriculture and open space, amongst rolling hills dotted with woodland trees framed by the Sellicks Range to the East and South, the beautiful seascape to the West, and the Onkaparinga Conservation Park to the North.
- Magnificent beaches close by, and the constant recognition of Port Willunga in diverse tourism publications identifies our coast as one of our district’s prime iconic assets.
- The proximity of a working agrarian region to a capital city, with McLaren Vale under an hour by road from the CBD of Adelaide, and to be serviced by much enhanced rail in the near future. The McLaren Vale district is an important asset to the Greater Adelaide area

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<sup>3</sup> Flinders University Economics Dept

<sup>4</sup> Week End Australian June 11-12, 2011, pp12-18

through providing a sense of easy escape to a very different and beautiful environment than suburbia and the city. It has also been described as the lungs of Adelaide.

- Historic towns and rural buildings, with the township of Willunga being the jewel, and the district's historic wineries are a great attraction to tourists. The historic township of Aldinga, with unrealised potential to celebrate its history, could rise in importance as a tourist gateway to the beach areas.
- A sense of community created through a preponderance of family farms and family-operated vineyards, a relatively stable population, as well as great local pride are important attributes which greatly enhance the interest locals have in their district, and helps assure its future. Very high levels of participation in the district's community and other organisations and in sporting bodies reinforce the sense of community
- The small scale of many existing developments – smaller landholdings, smaller shops, smaller townships, the lack of fast food outlets and (by and large) unsightly commercial development on main roads.
- The small scale and discrete boundaries of the townships of the McLaren Vale District greatly enhance their attractiveness to tourists. They create walkable towns, inviting visitors to linger and explore. This difference in scale strongly differentiates them from the nearby suburbia and must be preserved.
- Recreational values – walking, cycling, beaches, many active sporting clubs
- A sense of cultural awareness, exemplified by galleries, cultural groups such as STARS, music groups and choirs, painting groups, schools with high appreciation of cultural development.

In summary it is the opinion of FOWB that the McLaren Vale district creates a ***distinct sense of place in both the people living here and in those that visit.***

## **Desired Development**

In general, we believe the existing Development Plan does a good job in defining and controlling development within the City of Onkaparinga Rural Zone.

*For the City of Onkaparinga Development Plan's Rural Zone Objectives see **Attachment 1***

Thus FOWB believes the Development Plan should remain the starting point for identifying desired and non complying development.

**FOWB believes that an important underlying principle when considering development is that because of our good soil and assured water, our climate and our scenic attractiveness, any agrarian industry that utilises these factors is to be encouraged rather than those that just wish to occupy land or impose structures on it for their activities.**

Desired outcomes include:

- Policies to encourage greater diversity both of agriculture and horticulture and the wine and tourism industries

- Developments that promote and build on the district’s reputation for locally sourced food, wine and related activities such as the Willunga Farmers Market. Cottage industry that is supplemental or supportive to agrarian activity.
- Provision of facilities for visitors to eat and stay **in** the environment, not just in the vicinity. This implies a scale and form that allows the visitor to be in close physical and visual contact with the landscape.
- Using differing policy areas/zones where different scales of development might be located, eg sites for larger scale tourism accommodation, sites for bulky service activity buildings such as tank farms, bottling plants etc. There could be differing thresholds of scale of buildings defined.
- The crucial importance of the scale of proposed developments when assessing impacts. Scale might be defined as buildings beyond a certain floor area, site area or height. Design solutions can be part of the answer for marginal proposals.
- Caution where expansion of existing small scale operations can easily move a desirable operation to an undesirable one.



The central issue here will be the relationship between the proposed legislation and the Development Plan. In this regard, FOWB sees the on-ground management of future development being the preserve of the Development Plan.

The purpose of the proposed legislation is to provide umbrella protection to the district and to provide the over-arching framework within which the Development Plan policies must be set. The proposed legislation’s effect on the desired character of the area will therefore be at a strategic level, as expressed in the desired strategic outcomes such as those listed above. It is in this context that the district might be defined as **‘agricultural and tourism employment**

lands’.



### **Prohibited Development**

**FOWB strongly supports the notion put forward in the discussion paper that certain types of development could be prohibited. While the idea of prohibition seems to run counter to the very essence of the times we live in, FOWB thinks that no such accommodations should be made in relation to the proposed McLaren Vale District Protection Bill. Certain types of development would be completely undesirable under the proposed legislation and therefore should not be allowed: they should, therefore, be prohibited.**

**FOWB believes that a development should be prohibited if, due to its nature, its scale, its form, or a combination of these, it detracts from the fundamental attributes of the protection area, namely, its agricultural values and amenity as a working rural community, as well as its attractiveness to visitors and tourists, especially its scenic and visual attributes.**

An immediate example is the group of sheds that have been erected adjacent to Victor Harbor Road on the top of a hill just south of the intersection with Communication Road



**It is suggested that prohibited development should**

**include:**

- Urban subdivision outside existing town boundaries
- Urban subdivision within proposed McLaren Vale protection boundary
- Formation of new rural titles other than as per existing rules

- Mining
- Industrial uses unless associated with the agrarian activities undertaken in the protected zone (e.g. wine-making facilities, olive-oil processing)
- Expansion of Aldinga airfield or increased use of airfield beyond established levels of use
- Intensive animal husbandry or feedlotting other than at cottage industry levels

## **Governance Issues**

### **Reference Group**

FOWB supports in-principle a role for the community in some form of ongoing consultation after the McLaren Vale District Protection Bill has become legislation. While we would like the community interest and support for the Bill somehow reflected in the legislation we do not believe that an exact formulation of community consultation as such need be indicated in the legislation. However, given that community interest and concern for the district has long assisted State and Local government to understand the needs of our community, we strongly believe that some feedback mechanism should be allowed for through the legislation.

At this time the mechanism that FOWB most supports is that of the formation of a reference group. While we do not have any particular model or membership in mind for a reference group - except one that allows for recognised and appropriate community voices to be heard - we would like the reference group to be able to provide comment on two aspects of ongoing governance: to provide feedback on policy settings, and to assist in the planned regular reviews of the development plan.

### **Accelerated assessment of development proposals**

FOWB does not support the suggestion to “*create a process for accelerated assessment of these proposals*” even if the legislation is able “*Identify activities and development proposals that complement the values*”<sup>5</sup>.

Given that planning decisions have very long term consequences, development application assessment should be undertaken with due care. Where a region has been identified as one in need of special protection and careful planning, such as the McLaren Vale district, accelerated assessment might easily lead to poor planning outcomes and a reduction of the capacity for the community to comment and be consulted in a meaningful way. FOWB thus rejects the notion of accelerated assessment unless significant extra resources are made available to those engaged in assessment (in both local and State Government) to assist with minimising delays.

### **Major Project Restrictions**

FOWB believe that Ministerial Intervention available under Major Project legislation has previously been resorted to with undue haste for some development applications. Its use has also effectively sidestepped the involvement of local government, which should be able to represent the views of residents of the district. The use of Ministerial intervention also diminishes the capacity for legal challenge. Future governments may seek to allow inappropriate developments if such provisions remain. Thus we believe that under the proposed protection legislation the capacity for Major Project status to override the protection afforded by the Act be prevented.

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<sup>5</sup> Protecting the Barossa Valley and McLaren Vale Discussion Paper, page 4

## **Timing**

FOWB believe that there is no need to extend the period of consultation for the discussion paper provided there is an opportunity for us and other community representatives to be included in consultation about the draft legislation once it has been drafted. Given the involvement of Friends of Willunga Basin with issues associated with planning over many years and our connections with the local community, we believe we can provide a useful point of reference.

## **Conclusion**

Friends of Willunga Basin believe that the proposed legislation will offer great advantage to the McLaren Vale District through providing far greater certainty about the direction of its future. Uncertainty has many costs, including the stagnation of investment on land where the owners consider change in land use likely. We have indicated above many of the reasons why a future of agrarian land use associated with value added wine and food sales and high quality tourism provide for a bright economic future and enhanced employment in this district. It is clear to us that there remains a huge untapped potential for high quality tourism associated with the combination of our wine and agricultural enterprises, our magnificent coast and the scenic beauty of the district – all located close to our capital city.

It is our belief that the requirement for certainty suggests a reasonably extended period of time before reviews of the act are needed. We suggest a ten year period

We have indicated that in an era of carbon constraint and probable increased costs of transport fuels, local food production will be vital. We have also identified the added value of these lands due to the assurance of future water for agriculture in years of poor rainfall. Federal Infrastructure Minister Anthony Albanese stated recently at the launch of a National Urban Policy “ We need a smarter approach to planning, one that makes sure land release policies take into account the nation’s long term food security” <sup>6</sup>

Signed:

Richard Bennett, Chair Friends of Willunga Basin

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<sup>6</sup> *Week-end Australia June 18-19, 2011*

## **Attachment 1**

### **CITY OF ONKAPARINGA DEVELOPMENT PLAN EXISTING RURAL ZONE OBJECTIVES <sup>7</sup>**

**Objective 1:** The maintenance and enhancement of the natural resources of the zone.

**Objective 2:** The enhancement of the rural character, key scenic routes, scenic surrounds to townships, amenity and prominent landscape for the enjoyment of residents and visitors.

**Objective 3:** The development of a sustainable tourism industry with accommodation, attractions and facilities which relate to and interpret the natural and cultural resources of the region, and increase the opportunities for visitors to stay overnight.

**Objective 4:** Where natural resources are not jeopardized, a zone comprising land retained in use primarily for agricultural purposes.

**Objective 5:** Establishment of flora and fauna corridors to preserve rural character and improve biodiversity.

**Objective 6:** Rural production and other development that will contribute to the re- establishment of a natural ecological balance by the application of environmentally sustainable development practices.

**Objective 7:** Protection of productive agricultural land from conversion to non-productive or incompatible uses.

**Objective 8:** Encouragement of the establishment of appropriately scaled "value added" commercial activities to utilise local rural production, including the establishment of niche market products, within suitable areas and resulting in minimal landscape intrusion and environmental impact.

**Objective 9:**

The development of agricultural industries (small-scale), wineries, mineral water extraction and processing plants and home based industries in rural areas.

**Objective 10:** The extension of the economic base of the region in an environmentally sensitive and sustainable manner.

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<sup>7</sup> City of Onkaparinga Development Plan Consolidated 4th November 2010