Executive Summary – Requested Amendments to the Planning and Design Code

Leyton Funds Management seeks:

- The ‘Township Activity Centre Zone’ to be introduced to the Gawler Central Shopping Centre and Gawler Central Train Station precinct with a recommended building height up to 4 storeys as part of the Code introduction (or alternatively, but less desirably, the ‘Township Main Street Zone’ could be retained with a four (4) storey height applied to the subject land); and
- The removal of the ‘Historic Area Overlay’ (and associated 2 storey height limit) from the Gawler Central Shopping Centre and Train Station precinct (or alternatively, but less desirably, the ‘Historic Area Overlay’ should only be applied to those land parcels that accommodate ‘Contributory Items’).

We write in relation to the proposed zoning of the Gawler Town Centre (Murray Street) which includes the area occupied by the ‘Gawler Central Shopping Centre’ and ‘Gawler Central Train Station’.

Leyton Funds Management (LFM) is the property investment funds management group that owns the Gawler Central Shopping Centre (though the Gawler Central Trust) which is located on the corner of Cowan Street and Murray Street, Gawler. The Shopping Centre is located directly adjacent the Gawler Central Train Station.

The Gawler Central Shopping Centre comprises a total floor area of approximately 6200 sqm and offers a range of shopping facilities and offices as well as an internal mall, shared car parking, signage and landscaping. The Centre contains a single ‘Contributory Item’ at 5 King Street, Gawler recognised as ‘offices, former station master’s house’.

The ‘Gawler Central Train Station’ is the current terminus of the Adelaide Gawler rail corridor and comprises a single track and platform with a ‘Wooden Railway Building’ which is recognised as a ‘Contributory Item’. To the north of the station is a ‘Park ‘n’ Ride’ which services the railway station.

There are no State or Local Heritage Places located on the site of the Gawler Central Shopping Centre, Gawler Central Railway Station or Park ‘n’ Ride.

The subject land is more specifically described as follows:

- Gawler Central Shopping Centre:
  - Certificate of Title Volume 6121 Folio 700 (Allotment 212 Filed Plan 7306);
  - Certificate of Title Volume 6121 Folio 700 (Allotment 213 Filed Plan 7306);
  - Certificate of Title Volume 6121 Folio 700 (Allotment 214 Filed Plan 7306);
  - Certificate of Title Volume 6121 Folio 700 (Allotment 215 Filed Plan 7306);
  - Certificate of Title Volume 6121 Folio 700 (Allotment 216 Filed Plan 7306);
  - Certificate of Title Volume 6121 Folio 700 (Allotment 218 Filed Plan 7306);
Gawler Central Railway Station and Park & Ride:
- Certificate of Title Volume 5723 Folio 412 (Allotment 998 Deposited Plan 17437);
- Certificate of Title Volume 5452 Folio 392 (Allotment 1 Deposited Plan 19008); and
- Certificate of Title Volume 5615 Folio 239 (Allotment 130 Filed Plan 213691).

Figure 1 below provides a spatial plan of the Gawler Central Shopping Centre, the Gawler Central Train Station and the associated ‘Park ‘n’ Ride’.

Figure 1: Gawler Central Shopping Centre & Gawler Central Train Station

The Gawler Central Shopping Centre and the Gawler Central Railway Station and Park & Ride are all currently located within ‘Policy Area 17 Light Town Centre Historic (Conservation) Policy area’ of the ‘Town Centre Historic (Conservation) Zone’ of the Gawler (CT) Development Plan (Consolidated 18 July 2019).

The current Zoning of the subject land and locality is illustrated in Figure 2.0 below together with the location of State and Local Heritage Places as well as ‘Contributory Items’.
The draft Phase 3 (Urban Areas) Planning and Design Code Amendment ['the Code'] currently on exhibition proposes to replace the current ‘Town Centre Historic (Conservation) Zone’ with the ‘Town Centre Main Street Zone’. We note that the Draft Code ‘Frequently Asked Questions’ (FAQ’s) suggests that existing ‘Town Centre Zones’ should be replaced with either:

- The ‘Township Main Street Zone’;
- The ‘Township Activity Centre Zone’.

The ‘Township Main Street Zone’ policies would seem to be the most appropriate for the majority of the Murray Street town centre area, it being a zone for traditional low-scale main street forms of development. However, we believe the ‘Township Activity Centre Zone’ would be the most appropriate policy response for the Gawler Central Shopping Centre and Train Station Precinct with the precinct being a consolidated and standalone site, which can logically accommodate a greater intensity of development without negatively impacting on the character or heritage values of the Murray Street precinct. The zone provisions which allow a greater range of land uses with a transit oriented focus, would better support the development outcomes envisaged for this precinct.
The ‘Guide to the Draft Planning & Design Code’ also identifies that building heights of up to 4 storeys may be appropriate in the ‘Township Activity Centre Zone’ whilst building heights of up to 3 storeys are contemplated in the ‘Township Main Street Zone’ (to complement traditional low scale main street character). Notwithstanding, and in direct contradiction of the Guide, we note that the ‘Township Main Street Zone’ proposed to be adopted over the subject land identifies buildings of low to medium rise (1 – 6 levels) where technical and numeric variations do not apply whilst the ‘Township Activity Centre Zone’ includes a maximum building height of 3 building levels or 12 metres (DTS / DPF 3.2 refers) where technical and numeric variations do not apply.

Further, we note that the ‘Historic Area Overlay’ is proposed to be applied to the subject land and this incorporates the ‘Town Centre Light Historic Area Statement (Ga8)’ which has now been released on consultation (Refer to Figure 3 below). This Overlay proposes a two (2) storey height limit across the subject land. We note that where policy in a zone conflicts with the policy in an overlay, the overlay policy takes precedence. On this basis, the two (2) story height limit in the proposed overlay will therefore usurp the proposed ‘Township Main Street Zone’ height limit of low to medium rise (1 – 6 levels).

Figure 3: Historic Area Overlay

Staff of the Department for Planning Transport & Infrastructure (DPTI) have advised that specific precincts can be identified within the zone to accommodate greater height limits, provided they can be accommodated without negatively impacting on heritage areas. On this basis, we would propose for the Gawler Central Shopping Centre and Train Station precinct that the ‘Township Activity Centre Zone’ be introduced to the subject land with a recommended building height up to 4 storeys as part of the Code introduction (which is consistent with the Code Guide). Alternatively, but less desirably, the ‘Township Main Street Zone’ could be retained with the same four (4) storey height provision for the Gawler Central Shopping Centre and Train Station precinct.

In addition, we would propose that the ‘Historic Area Overlay’ (and associated 2 storey height limit) be removed recognising that there are no State or Local Heritage Places on the subject land. At the very least, but less desirably, the ‘Historic Area Overlay’ (and concomitant two (2) storey height limit) should only be applied to those land parcels that accommodate ‘Contributory Items’. 
In making this request, we note that the ‘State Heritage Areas’ overlay also applies to portion of the subject land adjoining the ‘State Heritage Area’, opposite the site over Cowan Street (refer to Figure 4). This overlay has clearly been applied to ensure that future development on the site will maintain the cultural values of the State Heritage Area opposite the site (irrespective of allowable building height).

**Figure 4: State Heritage Areas Overlay**

If these matters are not addressed via the introduction of the Code, then we would seek a transition to the ‘Township Activity Centre Zone’ via an initial Ministerial Development Plan Amendment (under the Development Act, 1993) to first Zone the land to a ‘Town Centre Zone’ accommodating development up to four (4) storeys across the Gawler Central Shopping Centre Precinct.

Our request for amendments to the proposed new policy framework applying to the subject land has been made in the context that the ‘Planning and Design Code’ is a new designated instrument under the Planning, Development and Infrastructure Act, 2016. It does not need to incorporate all of the same policy as contained in current Council Development Plans (and in many cases cannot due to the different format of this new planning instrument).

We thank you for the opportunity to provide this submission in response to the new Code and thank you in anticipation of your favourable consideration of this request. Please do not hesitate to contact the undersigned on [contact information] should you require any further information, or should you require clarification of any of the matters raised and discussed in this submission.

Yours sincerely,

[Signature]

**Damien Brown**
Director