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Dear Members of the Review Panel,

**Submission concerning Planning System Review**

I write in response to the public invitation to make submissions concerning the review of the new Planning and Development system. I am not a planning professional or a property developer and so I write simply as an interested and concerned citizen.

Catalyst sites

I submit that the same rules should apply to developments on areas of 1,500 square metres or more as for other developments in the zone. So, for example, if a height limit for a zone is 4 storeys or 14 metres, then that limit should apply equally to all developments in the zone. I would like to see the abolition of the special category "catalyst sites".

Development of catalyst sites brings about changes to the character of the area in which they are situated. Many of us have chosen to live in or purchase property in a particular area because of its character and amenity.

Under the current legislation very bulky, skyline domineering buildings that are completely out of scale and character in the area can, with approval, be built in low rise or low to medium rise residential areas, and some have been. These cause problems of overshadowing and overlooking. They increase noise and traffic, (including from noisy service trucks that are required to deal with rubbish from large apartment or commercial premises) in otherwise quiet residential areas. They detract from harmonious streetscapes. In some cases, they result in the destruction, or the unattractive modification, of places of historical or architectural heritage value. Further, they tend to reduce the value of adversely affected nearby properties.

There seems to me to be adequate scope to increase the residential population within the limits of the development rules that are of general application together with the repurposing of some existing buildings.

Many of us do not want the character of the areas in which we live or own property changed by ever increasingly higher and bulkier buildings.

### Open space

Some developers seek to cover all, or nearly all, of a site with built structures, leaving no, or very little, usable outdoor space for occupants of the building, and often large trees and shrubs are removed.

This is unsatisfactory for both the well-being of occupants and for the environment. It is also inconsistent with the government policy of greening Adelaide.

I submit that for buildings containing many apartments, the minimum area of open space should be greater than for a single dwelling.

### Heritage

I would like to see areas of historical or architectural value, or unique character, preserved as part of our heritage. Some examples are the area comprising the early settlement of Mitcham Village, the suburbs of Colonel Light Gardens and Unley Park, the predominantly residential parts of North Adelaide and the South East and South West corners of the City of Adelaide. Any new buildings, building extensions or modifications or other structures should be consistent with the character of such areas.

### The Parklands

The Parklands are a magnificent and very precious public resource that makes Adelaide a special city – possibly one that is unique. They are of immense value environmentally and socially. They are beneficial to the health and well-being of residents and will become even more important if the Government's policy of increasing the population of the City and inner suburbs succeeds. I submit that The Parklands should be preserved as open space, gardens, playgrounds for children and sporting fields for public use, and the like.

I submit that the only types of buildings that should be permitted are kiosks, toilets and rotundas to serve the needs of people who are using the Parklands and small, unobtrusive, single story premises for change rooms, storage and café facilities for amateur sports clubs that are open to the public to join. (Incidentally, amateur sport is played with obvious enjoyment in parts of The Parklands by clubs that do not have club houses.)

Rezoning parts of The Parklands whenever the State Government wishes to have some free land, albeit for a public purpose, is contrary to the purposes for which we have The Parklands. It is probable that land that has been alienated in this way will never be returned to parklands.

I object even more strongly to rezoning of parts of The Parklands to allow commercial uses such as the Walker Corporation building between Parliament House and the Festival Centre.

#### Urban sprawl

The best and most efficient food producing land is close to the Adelaide Metropolitan area on the Adelaide Plains, in parts of the Adelaide Hills and in parts of Fleurieu Peninsula. It is far more efficient in terms not only of production per hectare, but also for ensuring the quality of fresh produce and reducing transport costs, and so air and noise pollution, to grow our food as close as possible to the major markets.

I submit that the Adelaide Metropolitan area should not be permitted to spread any further on to productive food producing land - market gardening, orchard, grain and hay cropping, dairies and meat sheep and cattle grazing land. It should be possible to accommodate any non-regional population increases within the existing vast sprawl of the Adelaide metropolitan area.

#### The complexity of the legislation and subordinate legislation

I have attempted several times to understand the new planning and development system. I have years of past experience in interpreting legislation, but trying to find my way through the *Planning, Development and Infrastructure Act 2016* (SA), the large amount of subordinate (delegated) legislation, including the very lengthy *Planning, Development and Infrastructure (General) Regulations* with its 17 schedules and then the **nearly 5,000 page** *Planning and Design Code* is like trying to find one's way through an almost impenetrable maze.

In the past I have attempted, without success, to obtain or see a paper copy of the Code, or the parts of it that are of particular interest to me. I find it extremely difficult and time consuming to find what I want to know when viewing the Code in electronic form, and after spending some hours at a time, I am never confident that I have found accurately what I want to know.

I suggest that it would be to the benefit of the public to make the Code more accessible by:

- (a) placing paper copies in all public libraries, Council offices and DPTI, and
- (b) making available paper copies that the public can purchase either as a whole, or in parts.

#### Certainty and stability

Now that zones, overlays and policies have been set, they should not be changed frequently and only for very sound reasons – not just because the State Government or a developer want to do something that is not otherwise permitted. Certainty and stability is needed for the confidence and trust of residents, business owners, land owners and developers.

### Finding out about development applications

I submit that neighbours should be notified of development applications as they were before the new system came into force. Further, applications for variation of approvals that have the potential to affect others in the vicinity should be notified also. For example, variations to increase the height or bulk of a building or to relocate noisy equipment such as air-conditioning plant, should be subject to notification requirements in the same way as the original application. In my opinion, a requirement to place a notice of proposed demolition or development on the street front is very useful, but not sufficient.

I also submit that it would be of value to the public to have more information about development applications available and more accessible on-line. When I have become aware of a development application in which I am interested, I have usually been unable to find plans, drawings or more than the most basic information on-line.

### Objection, review and appeal rights

I appreciate that proponents of developments dislike having to give owners of nearby properties notice and deal with objections. Nevertheless, requirements to notify owners of properties in the vicinity of a proposed development, and objection and fair appeal rights and processes are essential to ensure that unreasonable negative consequences are not imposed on others, and to promote a harmonious community and built environment. In my opinion, the new system gives the interests of developers greater priority than is desirable.

I question the wisdom of removing authority from Councils and conferring it on State Government agencies for developments that happen to exceed a specified estimated cost of \$10 million.

Yours faithfully,

D. M. Gray