



Councillor Don Palmer
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DPTI

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Planning Reform Submissions

Via email: DPTI.PlanningReformSubmissions@sa.gov.au

Opening Observations

Thank you for the opportunity to comment on the proposed new Planning & Design Code.

The observations made below are on the initial draft. Time has not permitted me to study the additional 2,000 page document dated 23 December. If changes complimenting what I observe herein are addressed in that document I thank you.

I live in Black Forest/Clarence Park (west of East Avenue). I am also one of the two ward Councillors for the Clarence Park Ward, within which these suburbs reside. The current zone, under the City of Unley Development Plan RB350 is being transitioned into the General Neighbourhood Zone.

Contradicting the assurances of the Minister and the Commission Chair that our zone would be transitioned into the new zone with little or no change, the changes to the zone are significant. So significant, that I suggest the two zones simply are not compatible.

The changes are so impactful that they depict the zone in which I live as a zone presenting for complete renewal. Changes that I trust are not intended but which could see our population double in a short period of time.

A community response

I expect you will be inundated with observations from my Community. These will be as a result of my ensuring my neighbours are aware of the changes. Indeed many of the submissions will have a similar ring to them, given my influence.

As someone who has been a practitioner in the development industry and who has sat on Council's Development Assessment Panel, I am well familiar with Development Plans. With this in mind, I can say with commitment that navigating the Code was an exercise only for the informed.

I say this with all due respect to the enormous effort the department has had to apply. In other words I expect you understand what I am saying here.

So much so, that my neighbours I am sure you would agree on reflection had little or no hope of understanding what you were asking of them. Given my efforts, they do now.

Differences between the RB350 Zone and the General Neighbourhood Zone.

Not only has the area per dwelling changed from 350m² to 300m², (or down to 200m² for row housing), setbacks have been drastically changed. The front setbacks have been effectively halved, from the current existing established setback of around 10m (suburban wide) to a mandatory 5m.

New developments will, under this change be predominant in the streetscape. They will impact seriously on the visual amenity of the adjacent neighbours for years to come creating streetscapes of conflict rather than the harmony that exists now.

Side and rear setbacks do not exist in the draft. This is surely in error. Such if included in the final draft will see the current spaciousness of our suburb disappear. Potentially streets could become a series of row housing.

The amount of roofed area is increasing from 50% to 60% of the site area, with private open space reducing from 20% to as little as 8%.

The Impact of these differences on Black Forest/Clarence Park.

The current zoning does allow a 2 for 1 redevelopment of the average site in Black Forest/Clarence Park. This in and of itself is impactful. The potential is there for significant population growth.

The changes that the draft indicates would allow however for most sites a 3 for 1 redevelopment opportunity. In many cases, particularly corner sites, this grows to 4 for 1, or more. ***I trust the Government/the Commission is not intent on seeing a whole suburb with 3 houses on each property.***

Such redevelopment potential will artificially increase the value of most properties in Black Forest/Clarence Park. Affordability, for other than developers, will result as properties that are currently within the reach of the average person, will no longer be affordable.

This results in Black Forest/Clarence Park realistically being not a like for like, but a zone that is seen as a regeneration zone. A zone with a potential to double the population. Doubling the population in an area with a road network and infrastructure that cannot sustain such.

Overlooking restrictions have been reduced from 1.7m cill height on 2nd floor windows to 1.5m cill heights. An average height person can see over a cill height of 1.5m with ease, effectively eliminating the effort to minimise overlooking.

Increasing the width of carports from 30% of the frontage of the site to 50% will see carports/garages dominate the streetscape.

Comparison of Zones.

The General Neighbourhood Zone as I read the Code is more appropriate for Greenfield Development. Greenfield development typically has block sizes in the order of 350m² to 500m², unlike the suburbs of Black Forest and Clarence Park. The typical block size of these suburbs is 850m² to 1000m².

Such a zone may work in a future Greenfields development where public open space is plentiful. Where the block sizes create greater street access. With one house per property on street parking available for each house (at least one car). Where 3 houses exist on each property only one of these houses can access on street parking.

The street network itself is designed around properties of that size. The streets of Black Forest & Clarence Park have been designed around our larger sites.

General Neighbourhood zones do not and cannot work in an infill environment where public open space is minimal. Particularly in the City of Unley which (at around 2.5%) has the least amount of public open space in the whole metropolitan area. This would place pressure on the City of Unley to find more open space, which would be a significantly costly exercise.

Black Forest and Clarence Park is surrounded by suburbs of like block sizes, with similar architecture and amenity. With similar history. All, whether adjacent City of Unley suburbs or the adjacent suburbs of the City of Marion or the City of Mitcham, have been allocated in the Code as Suburban Neighbourhood. All have seen their own technical numeric variation equal their current Development plan status.

Not so Black Forest or Clarence Park. We have suffered by comparison with our neighbours. I expect unlike the remainder of the City of Unley, we have no current historic or character overlay. Neither do the suburbs mentioned in our neighbouring Councils but they have managed to be adopted into the Suburban Zone.

Summary

The General Neighbourhood Zone has no numerical variation overlay.

The Suburban Neighbourhood Zone, on the other hand, does. This zone provides the opportunity for the Commission to reflect the public promises being made to transition zones like for like from the Council Development Plan to the Planning & Design Code.

It provides the opportunity for the identity of Black Forest and Clarence Park to be preserved. To avoid our precinct being compared to a greenfield development which has no similarity with us.

My request then is to support the submission prepared by the City of Unley, particularly the observations on their part that the current RB350 zone be transitioned into the Suburban Neighbourhood Zone. That, in so doing the current RB350 numerical values be used for the Technical Numerical Variation overlay.

Council as a preferred driver of Development Policy into the future

I understand it is the Parliament's intention to remove/restrict what input Councils will have in the future with changes to the Code. Councils (Local Government) are surely best placed to actually be the driver of investigations into future changes. They have the empathy with the amenity of the community that State Government Departments can't have.

This is currently being demonstrated with the City of Unley's in depth analysis of what appears to be a draft Code full of errors and omissions. An analysis without which the new Code potentially would have been so disastrous as to destroy the amenity of the suburbs of Adelaide, and in particular my suburb. Likewise in their leading the Development Plan Amendment in the Life Care, Norman Terrace Precinct.

Their ability to engage with the community in both exercises demonstrates they are far more equipped to conduct community consultation than is the department.

I request in all sincerity therefore that you should respect the role that Councils can and do provide. Please, not only re-include them in the process, but consider allowing them to be the driver of future considerations for change.

Finally

I trust the intention of the Government is not for the RB350 zone to be a regeneration zone, that it was meant to be transitioned like for like. If this is the case then the numerical discrepancies noted in my submission are in error, and not deliberate.

If in error, this may reflect that the Commission is under severe pressure to put this mammoth exercise together in the time frame the Parliament has decreed.

I ask the Parliament to provide the Commission with an extension of time to ensure that errors and omissions do not see their way through to actual development. Any resultant and unexpected abhorrent development that might occur as a result of not taking our time to get it right will surely impact on the Government's re-election chances.



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The Minister for Planning & Infrastructure
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21 February 2020

re: Planning & Design Code

Please refer also my correspondence to DPTI (copied to you) dated 7th Inst.

I thank you for your decision to delay the implementation of the new Planning & Design Code. I am thankful too for the commitment you and your Department have made to prepare a public report on what you have heard from the current public consultation. In so doing you have shown good faith, which is appreciated.

Notwithstanding this I implore you to provide the South Australian Community the opportunity to make comment on the final draft, before it is implemented.

Only by doing this can we all (you, the Government and the Parliament, Councils, Industry and the larger Community) have the confidence that errors or unintended consequences will not still exist in this final draft. Errors and unintended consequences that could yet have long lasting grave and negative impacts on the built form of our environment.

Thanking you in anticipation that you will accept and implement this common-sense approach.

Yours Faithfully

Councillor Don Palmer