

## DTI:Planning Review

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**From:** NICK KARAGIANNIS [REDACTED]  
**Sent:** Wednesday, 7 September 2022 2:32 PM  
**To:** DTI:Planning Review  
**Subject:** Expert Panel

[REDACTED] [REDACTED]

Dear Panel

Thank you for the opportunity to make a submission.

The Re-Zoning Process currently in place is manifestly unfair and unreasonably burdensome on affected residents.

The current Code allows developer led spot re-zoning to occur which requires a tremendous amount of time and resources and financial pressure to be placed on residents to respond.

We are currently responding to the Scotty's Corner Rezoning application and have borne the full front of that process, shared with dozens of other effected residents in Medindie and the surrounds. We note that the Community Engagement conducted by the Designated Entity in 2021 was so poor it was directed to conduct another round of Community Consultation.

The Review should reconsider the developer-led planning process. The "Designated Entity" is predominantly a developer looking to maximise commercial return on a quick exit. The current process creates misaligned incentives and promotes spot rezoning without a holistic analysis of the effects of such a rezoning to the broader area. The current process seems to encourage re-zoning proposals to permit high rise developments without proper regard to traffic and parking impacts, massive overshadowing, loss of heritage character, infrastructure needs and green open spaces.

A key failure of the new Code has been to remove councils and residents from the assessment and approval process and to trust the Designated Entity to act impartially.

As is evident, the current Code, in the context of Community Engagement, has not brought about, in any real or meaningful way, public consultation which comes at all close to satisfying the principles and performance outcomes of the Community Engagement Charter. The Designated Entity has the incentive to undervalue the level of engagement that should applied to those most directly impacted - ie. by ascribing "consult" where "collaboration" is most apt, in particular where the people affected are given a "high" level of interest in the re-zoning. The Scotty's Corner Re-Zoning is the perfect example of this and the Designated Entity, in re-doing its Engagement Plan in 2022, has again failed to ascribe "collaborate" to the affected residents, against the express submissions of the Town of Walkerville.

The Designated Entity ascribes the level of engagement across the relevant stakeholders in a community. The levels are weighted so a party with a 'consult' level has materially no effect on a Code Amendment process compared with someone with an 'involved' or 'collaborate' level. The Designated Entity should be directed to ascribe adjacent landowners and the relevant Council with a 'collaborate' level of engagement for all applicable Code Amendments. Otherwise, the most affected stakeholders are marginalised in the process.

Code Amendments set the building envelop and maximum development parameters. It is neither fair nor transparent for critical issues such as traffic, hydrological impacts, overshadowing and infrastructure needs to be delayed to a subsequent stage of a development process. To provide meaningful feedback, stakeholders need to be provided

information that a development utilising the maximum building framework permitted under a proposed Code Amendment as part of the Code Amendment approval process.

We look forward to the outcomes of your review.

Regards

Kathleen & Nick Karagiannis, owner / occupier

