

16 December 2022

Mr John Stimson
Presiding Member
Expert Panel, Planning System Implementation Review
By email: DTL.PlanningReview@sa.gov.au

Planning Review – Translation of Historic Character Provisions at Norwood into the Planning and Design Code

Dear John,

I am grateful for the opportunity to comment on the new planning system.

I wish to briefly restate the concerns I expressed Tuesday evening about the policy issues created, in large part, from the way in which policy was translated from the Residential Character Zones in Norwood Development Plan into the Planning and Design Code (the Code).

Under the Code it is expected that greater weight be given to Overlay provisions. However, it is also expected that where a designated performance feature (“DPF”) is met this demonstrates that the associated performance objective is satisfied. Indeed, the Code Rules of Interpretation term the DTS/DPF values as being a “standard outcome”.

The Norwood Historic Character Areas under the Development Plan made it adequately clear that land division and two-storey construction – to take two of the key limbs of the development control tools – were only appropriate where consistent with the pattern of settlement, and for sites where demolition and redevelopment was appropriate. The same minimum values have now been translated under the Code as a standard outcome to be applied in all circumstances.

Hence, throughout much of the historic or character areas of Norwood, allotments of as little as 200m², and generally of between 250m² to 300m², can be expected. Such densities may be appropriate as a minimum, in appropriate circumstances, but not in the context of large Victorian villas on Norwood’s main streets characterised by buildings with generous setbacks and in an open garden setting. The minimum allotment or dwelling site areas should only be applied where contextually appropriate as had previously applied – on narrower streets and laneways, and elsewhere in areas dominated by single-fronted cottages, and semi-detached and row dwellings.

The, generally inappropriate, site area minimum also has the flow on effect of increasing land values and helps to drive demolition and infill within these heritage and character areas based on the sheer land economics it creates.

A similar policy dilemma arises with building heights where, under the Code a two-storey dwelling of any street presentation and design has become a default standard under the Code. As with minimum allotment sizes, two-storey, or part two-storey, buildings are appropriate in

certain parts of the historic or character areas where such building forms/heights are the prevailing character. Rarely, however, will an outwardly two-storey dwelling be appropriate in the district's heritage and character areas other than in certain limited parts of Norwood, notably sections only of Osmond Terrace, for example.

One way in which this issue can be tackled is for the DPF to represent a deemed-to-satisfy standard, and not the minimum standard that may only be appropriate in limited circumstances. In my view, the DPF should stipulate standards that reflect the prevailing, or desired minimum standards which are, in effect, unarguable and not the absolute minimum values applicable only in limited circumstances.

Hence, in Norwood's historic and character areas single-storey dwellings and dwelling site areas of, say, 450m² more closely reflects the more predominant settlement pattern. It is these standards that should be applied as the deemed-to-satisfy, or a default standard outcome – which can be departed from in circumstances, as above, where contextually relevant or where replacement or renewal of existing discordant uses and buildings is to be encouraged – areas or sites which can be clearly identified on the mapping under the Code.

It appears the architects and minders of the Code do not appreciate that generic policies which do not accurately reflect the circumstances on the ground and in the surrounding area is of little comfort to anybody, development applicants included. It gives rise to doubt and argument rather than the consistency and certainty of decision-making that was sought in the Code. It is highly desirable in this matter for a more nuanced policy setting in the Norwood Character and Historic areas with more detailed statements of desired character and to ensure that they are reflected in the numeric standards applied.

All the best.

Kind regards

Alan Rumsby
