

DIT:Planning Reform Submissions

From: A&R Hillier [REDACTED] >
Sent: Friday, 18 December 2020 4:14 PM
To: DIT:Planning Reform Submissions; DIT:Planning Reform Submissions; Bragg EO
Cc: [REDACTED]@burnside.sa.gov.au; Anne Monceaux; [REDACTED]@burnside.sa.gov.au; [REDACTED]@burnside.sa.gov.au; Stephen Allison; Andrew and Margie Bills
Subject: (Revised) Draft Planning and Design Code for South Australia - Phase 3
Attachments: Draft Planning and Design Code for South Australia_C.pdf
Categories: leah

Dear Recipients at DIT/DPTI and local Member for Bragg Vickie Chapman,

Please find attached my submission.

Kind Regards,

Andrew Hillier

Dear Cc.s,

For your information,

Kind Regards,

Andrew Hillier

Revised Draft Planning & Design Code for South Australia – Phase 3

Submission by Andrew Hillier of [REDACTED] Linden Park, SA 5065.

E: [REDACTED]

T: [REDACTED]

To: Whom It May Concern

Background.

I am a professional civil/structural engineer. I have taken a keen interest in urban planning since 1990 when the “Green Street” initiative was prominent. I attended many PIA seminars in the 1990’s – out of personal interest and also given the topics were often aligned with the strategic direction of my then employer. *Aside: I distinctly recall one seminar with a guest presenter from California. His message was ‘do not repeat the mistakes being made in the USA’. He showed slides leading us through 4 or 5 steps in the ‘evolution’ of frontages to residential dwellings. He started with a traditional bungalow style with front verandah – and detached garage/shed down the back or side. He went through the evolution featuring ever greater worship of the car and prominence of garages. The room erupted with laughter when his final slide showed a single property with a frontage of 4 garage doors! His point has never been lost on me – however I look in despair at the second generation of development in Linden Park. We are repeating the mistakes of our American cousins. The American recommended to return to the verandah, with seating under it, – visually appealing and promoting community (interaction).*

I served as a Councillor with the City of Burnside from 2000-2010. I was a member of the DAP from 2000-2006 when that body comprised of all 13 elected members. In 2006, in response to State government direction, there were only 3 elected members on the panel - I was not one of them. Subsequent to my period as a Councillor I successfully applied to be an independent member of the City of Burnside DAP for a period of 2 years.

I have lived at the above address in Linden Park from 1983-1986 and from 1991 to the present time.

I made a written submission as part of the consultation undertaken in February 2020. I did not receive a reply.

I have studied the documents provided by Plan SA in response to the consultation, attended a workshop at the Glenunga Hub and attended a session convened by the City of Burnside. In addition I have emailed questions to Plan SA and subsequently spoken with the Duty Planner.

Please read the following carefully. Whilst much of the text is based on material provided by the City of Burnside I have edited and **added material (blue text)**.

Key comments regarding the Revised Draft Planning and Design Code for South Australia.

My key comments regarding the Code are summarised as follows:

1. The re-classification of Linden Park into “Suburban Neighbourhood Zone” instead of “General Neighbourhood Zone” is welcome. However the introduction of a new “Established Neighbourhood Zone” provides a more appealing option. I urge you to re-classify Linden Park into the “Established Neighbourhood Zone”. This zoning more closely resembles the present situation and provides more detailed attention to protecting the established amenity and ambience of the suburb.
2. I welcome minimum INTERNAL dimensions for garages that promote use as garages (and prevent the situation of wing mirrors having to be folded-in to park!) However I strongly state to you that garage door widths are a separate issue.
3. The relaxing of requirements for minimising garage door widths is not welcome. Garage doors are the least attractive part of a building façade and should be minimised to reduce their visual blight. In addition the repercussions, as garage door widths increase, are profound - increased front yard paving, reduced landscaping and hence less trees.

I note the ‘Suburban Neighbourhood Zone’ includes:
DTS/DPF 20.1

Garages and carports facing a street:

- *are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling*
- *are set back at least 5.5m from the boundary of the primary street*
- *have a garage door / opening width not exceeding 7m*
- *have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.*

I note the ‘Character Neighbourhood Zone’ includes:
DTS/DPF 10.1

Garages and carports facing a street (other than an access lane way):

- *are set back at least 0.5m behind the building line of the associated dwelling*
- *are set back at least 5.5m from the boundary of the primary street*
- *have a total garage door / opening width not exceeding 30% of the allotment or site frontage, to a maximum width of 7m.*

The latter is clearly a superior requirement and better suits the established streetscape of Linden Park. The 50% limit is too high for any dwelling – whether one or two levels. However it beggars belief that a two-storey dwelling could have a 7m wide garage door on a 9m wide site! That is 78%! This may be the norm in a 'greenfields' street in the suburb of Lightsview but it is inappropriate in the suburb of Linden Park! It is perplexing how a standard minimum garage width of 5.4m would require a door opening of 7m! In this case the response to consultation has been too biased towards 'industry'. Narrower blocks (less than say 16m) should only have a single width garage – simple. So please apply the 30% limit to Linden Park. The result will be a more pleasing streetscape. Also garages should be set back behind the building line of the dwelling.

4. I am extremely concerned that the current requirements for setbacks for development from side and rear boundaries will be substantially reduced, particularly for two-storey development. This will severely impact the amenity of both my property and the streetscape, particularly in relation to access to privacy, sunlight, overshadowing and the space in and around buildings.

I request that the current setback criteria in the City of Burnside be maintained in all residential areas through a technical and numerical variation and, in particular, all two-storey development should be setback at least 4 metres from the side boundary and 8 metres from the rear boundary of residential properties.

I agree with the requirements for buildings adjacent to the southern boundary having more stringent requirements than those adjacent to north/east/west boundaries. However the formula needs to be reset to account for a 4m minimum upper storey setback.

5. The revised draft Code continues to allow for development on the boundary up to 11.5 metres in length. This is a substantial increase from the current maximum of 8 metres and will result in increased overshadowing and loss of amenity. I request that the current requirement of 8 metres be maintained in all residential areas.
6. The restrictions on overlooking by providing obscure glazing or sills or screens utilise a common figure of 1.5m. This is inadequate and should be increased to 1.7m.
7. Currently in my council's residential areas, shops, offices, and educational establishments are non-complying. Under the new Code, these non-residential uses will be allowed in existing residential areas, which will adversely impact traffic, parking, noise, neighbour amenity, and the character of our suburbs. This is unacceptable. All uses which are currently non-

complying in our residential areas should be “restricted development”. Alternatively, a new zone should be created purely for residential land use.

8. The term “representative building” is potentially misleading. It infers that current Contributory Items are only of “representative” value, rather than each being of individual historic value as a significant member of the historic collective group, irrespective of their form or design. I suggest instead using the term “Contributory Building” or “Nominated Building”.
9. The draft Code should reflect our council’s current Development Plan policy with respect to the notification of neighbours and the public. The Code should include notification for all development that increases development intensity, including additional dwellings on the site, two storey development, earthworks where new dwelling is located 600mm above ground level, development on the boundary and change of use from residential to non-residential.
10. The draft Code facilitates larger developments, the easier removal of trees on both private and public land, increased infill development opportunities, increased number of street crossovers, and reductions in minimum site areas, site coverage and setbacks. This will result in a significant reductions in canopy cover, habitat loss and climate resilience. The requirement to plant a reasonably sized tree as part of a proposed development should not be circumvented by paying money into a tree fund as this would allow the erosion of tree canopy in that specific location. Requirements for minimum tree planting size and ongoing maintenance should be written into both Code policy and conditions of approval.
11. Each of the design and land uses issues raised above are critical given the increased role of private planning consultants in the decision-making process. Private assessors should not be able to make ‘judgement’ calls where proposed development deviates from Deemed to Satisfy criteria or where it involves the interpretation of minor variations.

Furthermore the scope for ERD Court Commissioners to creatively interpret the Code should be minimised. In my time of involvement with the Burnside Council it was astounding that outcomes from the ERD Court were dependent on which Commissioner presided over the case!

12. My attention has been directed to the *‘OPTIONS ANALYSIS: Costs and Benefits of Urban Tree Canopy Options for Minor Infill Development in the Planning and Design Code; A Report to the Attorney-General’s Department; September 2020’*.

This is a very lengthy report - which I am unable to comment on fully, with the time available at present. However I make several points:

- Reactive soils should not be an issue in future greenfields developments as reactive soils are our best agricultural soils and should not be used for urban development! This is why suitable and respectful infill is desirable.
- Reactive soils in the present Adelaide metropolitan area largely coincide with the suburbs with the greatest property values. So a 16% increase in footing costs to cater for trees is even further diluted in the overall picture of property development. That is: 16% of footing costs, which are a minor proportion of overall building costs, which are in turn a minor proportion of development costs (once land purchase value is included). I recommend that designing footings for (large) trees should be mandatory. As the report says most footings have to be designed for tree effects due to existing trees off the subject property anyway.
- I refer to my February 2020 response for other salient points under the heading trees and buildings. I stress my 'simple principles' including that certain tree species should be banned. The fact that this point has not been discussed in the options analysis or addressed in the revised draft code is puzzling and annoying. If trees were categorised, as I suggested, then the size and number of trees made mandatory could be increased across the board – no matter the soil type.
- I am prepared to develop my solutions further by contributing up to 200 hours of my professional time pro bono. Please contact me should you wish me to contribute further on this basis.

13. I cannot determine from my viewing of the Code how undercroft garaging is controlled - or prevented where inappropriate.

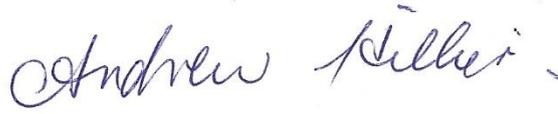
Undercroft garaging below dwellings is inappropriate in suburbs such as Linden Park. Where natural ground slopes are small or moderate they are artificially created with the facades and clinical front yards becoming a blight on the established streetscape. In addition they create a risk to pedestrians when cars reverse up the ramp to street level. Drivers cannot see the footpath or the road for crucial periods of time whilst they have their foot on the accelerator. After a storm with a downpour and electricity (pump) failure the garages are suitable for storing boats but not cars! They should be non-complying and only allowed on steeper sites.

Call to action.

I respectfully request that all of my key concerns be addressed (listed above). I request my specialist input, as provided above and in my February submission be given due consideration and hopefully some meaningful dialogue and action will ensue.

I emphasise that I request the proposed zoning for Linden Park of "Suburban Neighbourhood Zone" be changed to "Established Neighbourhood Zone".

Yours sincerely,

A handwritten signature in cursive script that reads "Andrew Hillier". The signature is written in dark ink and is positioned to the right of a vertical line.

Andrew Hillier