

DTI:Planning Review

From: Nicholas Klar [REDACTED]
Sent: Wednesday, 14 September 2022 12:56 PM
To: DTI:Planning Review
Subject: Planning System Implementation Review
Attachments: 22MP10364 - Signed Response - Lucy Hood.pdf

[REDACTED] [REDACTED]

This is my review.

Someone can build shops/restaurants that abut right under my bedroom window. And they can do that without any notice and any feedback. Even worse, there's not a goddamn thing I can do about it.

If feedback was actually allowed this development could have been rejigged with some offset and screening. I'm all for vitality in the city (I mean, the Mars Bar was there for years) but I'll probably have to move out when the restaurants move in because of the noise, smoke, smells and loud air conditioners.

At least provide some chance for compromise. All power now is in the hands of the developers!

Nicholas Klar
[REDACTED]

----- Forwarded Message -----

Subject:RE: Application Number [REDACTED]
Date:Tue, 13 Sep 2022 04:43:48 +0000
From:Adelaide EO <Adelaide@parliament.sa.gov.au>
To:Nicholas Klar [REDACTED]

Hi Nic,

I hope you have been well.

As promised last month, my office made enquiries on your behalf regarding [REDACTED] (Application Number [REDACTED]).

Thank you for your patience as we awaited a response from the Minister for Planning, Nick Champion MP. Please see the attached letter from the Minister responding to your concerns.

As outlined in the Minister's response, we are currently undergoing a Planning System Implementation Review.

Prior to the March State Election, we made a commitment to review the *Planning, Development and Infrastructure Act 2016* and the implementation of the Planning and Design Code. Now in government, and with the assistance of an Expert Panel, we are calling for submissions from the community to hear feedback on the current structure and processes of the planning system.

I encourage you to put in a submission to share your experience with the Expert Panel. To have your say and for further information, please visit: www.plan.sa.gov.au/planning_review. Please note submissions close on Friday 16th of December 2022.

We hope this information is of value to you.

As always, please do not hesitate to reach out to our office to raise any other community concerns important to you.

Kind regards,

Lucy

Lucy Hood MP

Member for Adelaide

T 8269 1838 **E** adelaide@parliament.sa.gov.au

84 Prospect Road, Prospect SA 5082

Parliament House, North Terrace, Adelaide SA 5000



Lucy Hood MP
MEMBER FOR ADELAIDE



8269 1838 | 84 Prospect Road, Prospect SA 5082

  [LucyHoodAdelaide](#)

From: Nicholas Klar [REDACTED]

Sent: Monday, 22 August 2022 3:02 PM

To: Adelaide EO [<Adelaide@parliament.sa.gov.au>](mailto:Adelaide@parliament.sa.gov.au)

Subject: Re: Application Number [REDACTED]

Thank you for following this through Lucy.

I have also now been told by the ACC that land use can be changed without notification AND I cannot object to that change.

It is noted that while you may be able to monitor any future applications, there is no ability to formally object to an application. Any written objections or concerns will be noted on file but are not able to be considered as part of an assessment.

I would hope that if someone is going to open a cafe or restaurant that is literally 2-3 metres from my rear windows that I would have the chance to object to that. Surely the pendulum has not swung that far in developers favour?

Kind regards, Nic Klar

On 22/08/2022 2:53 pm, Adelaide EO wrote:

Good afternoon Nic,

Thank you for taking the time to contact me, as your Member for Adelaide.

I appreciate this would be a frustrating situation for you. Please be advised my office has put in a call to the Office of the Minister for Planning, Nick Champion MP, for further information and advice regarding this specific development.

I look forward to being in touch when I receive a response.

In the meantime, please do not hesitate to contact my office to raise any other community matters important to you.

Thanks again Nic.

Kind regards,

Lucy

Lucy Hood MP

Member for Adelaide

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MEMBER FOR ADELAIDE



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  [LucyHoodAdelaide](#)

From: Nicholas Klar [REDACTED]
Sent: Thursday, 18 August 2022 1:07 PM
To: Adelaide EO <Adelaide@parliament.sa.gov.au>
Subject: Fwd: Application Number [REDACTED]

Good afternoon Lucy,

Please refer to email below. There has been shops built behind my residence on Grote St. and demolition/construction has been done without any public notification. Now I am told that the owners can apply to change land use, also without public notification. Is this correct? Surely there must be some consideration for local residents?

Kind regards, Nic Klar

[REDACTED]

----- Forwarded Message -----

Subject: RE: Application Number [REDACTED]
Date: Thu, 18 Aug 2022 02:25:59 +0000
From: Phil Chrysostomou [REDACTED]
To: Nicholas Klar [REDACTED] Marc Lucas [REDACTED]
CC: Kristen Mackintosh [REDACTED]

Hi Nic,

The building was approved for the four retail or shop uses under the Development Act. Under the new legislation, a shop can include café/restaurant uses but not a standalone bar and/or function venue.

Any future building work, including the installation of mechanical extraction systems would be subject to a development approval. Given this was a point of concern to you and other residents, it is advised that the works would need to comply with relevant National Construction Code standards, mainly AS1668.2 which deals with appropriate discharge requirements (i.e. proximity to allotment boundaries, windows etc.)

Under the notification requirements, any future changes in land use would not be subject to public notification. These applications would require assessment against the Planning and Design Code, which includes various policy mechanisms to ensure commercial uses are suitable and sympathetic to adjacent residential uses.

Happy to discuss further if required.

Kind regards,

Phil Chrysostomou

Planner – Development Assessment, Regulatory Services
[REDACTED]

Kaurna Country

Colonel Light Centre

4th Floor, 25 Pirie Street, Adelaide, South Australia, 5000



cityofadelaide.com.au

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From: Nicholas Klar [REDACTED]

Sent: Thursday, 18 August 2022 9:10 AM

To: Phil Chrysostomou [REDACTED]; Marc Lucas

[REDACTED]; Kristen Mackintosh [REDACTED]

Subject: Re: Application Number [REDACTED]

Good morning all,

My understanding is that approval was given for these buildings for retail but not F&B. Is that correct? I note then that they are advertising for F&B tenants. Could you please let me know what my rights are here given the proximity to the building. Thank you.

Kind regards, Nic Klar



 Shop & Retail

 79 - 117 m²

 For Lease, Contact Agent

New Retail/F&B Development in the Heart of Chinatown

 presents an exciting new retail/food and beverage complex undergoing development in the thriving Gouger Street and Chinatown precinct. Belle Property Commercial Adelaide is pleased to exclusively offer all 5 tenancies for lease. This is the perfect opportunity to relocate or establish your retail or food and beverage business.

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