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16 December 2020

Mr Michael Lennon
Chair – State Planning Commission

VIA EMAIL: DIT.planningreforms submissions@sa.gov.au

Dear Michael,

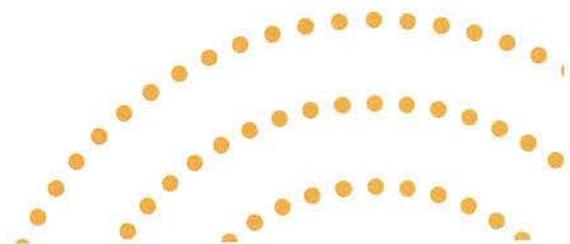
The Council would like to thank you for making the decision to provide a second round of public consultation to the Planning and Design Code. The first round of public consultation fell well below the standard required for such an important policy document due to the vast number of errors and omissions that were contained in the Planning and Design that was released in October 2019. The latest version of the Planning and Design Code is an improved Policy document containing many corrections and additional Zones to provide better direction for future development. However, we believe there are still many outstanding issues, as well as procedural matters that need adjustment.

The main concerns Council has with the revised Planning and Design are:

- The non-existence public notification for any type of residential development;
- Front setback policies for General and Housing Diversity Neighbourhood Zones will not maintain the existing streetscape policies;
- The proposed Zone changes to the current Light Industry Zone;
- The lack of any detailed analysis for any of the proposed changes;
- A sub-zone should be included (as recommended by DEW) over the coastal areas to better reflect this area, rather than the generic open space zone; and
- Master Planned Neighbourhood Zone consulted with important details still missing.

We have significant concern for the total lack of public consultation that will result from the Code. As currently proposed the only form of residential development that will be notified is over height development. However, the largest neighbour concern in the current planning system is boundary development, especially where it is over the prescribed height and length, which will be exempt from notification in the Code. This proposal is not consistent with either Council's or the community's expectation in regards to development. We strongly urge that the procedural table be amended so that boundary development that exceeds the prescribed requirements for height and/or length require notification to adjacent properties.

The front setback policies of the General Neighbourhood and the Housing Diversity Neighbourhood prescribes a minimum distance rather than acknowledging what the existing street setback pattern is. Street setbacks have an important part in streetscape character, which should be maintained in the Planning and Design Code.



Therefore Council recommends that prescribed front setbacks be removed from the Planning and Design Code and be replaced with a requirement to match the average of the adjacent buildings. There are many examples within our Housing Diversity Zone areas that have a street setback pattern of 7 metres, which would be detrimentally impacted by development setback 3 metres from the street.

The proposed changes to the Light Industry Zone are considered to be inconsistent with the existing built form and uses within the Somerton Park area. Council has questioned the change in policy several times, with the explanation being that the policy is to drive more innovative and variety of development. Council agrees with that vision, however that vision does not align with the proposed policies to achieve a productive way forward for this area. As previously advised, there are no other Light Industry Zone in Southern-Adelaide, but a high number of commercial zones. Council do not see the need for any more additional commercial zones.

We question why, if the vision is to promote growth and diversity why is:

- A policy being introduced that means there will be no further sub-division in this area? The nature of this area is for small scale businesses, operating at a local level. Council sees no harm in further division in this area where appropriate?
- Why is there a requirement for a 3 metre side back, and rear access when this does not currently exist in this zone, and means a significant portion of a site will not be able to be development? Most recent forms of development are built boundary to boundary, with front access. Most allotments are 15 metres wide; and
- The restricted development exclusion for shops is 1000sqm, when most allotments in this Zone are smaller than that and not achievable? That size is completely out of scale with the existing uses.

Without having an understanding of an area at a local level, Council fails to see how this can be successfully achieved. A site visit and an analysis of what is there at the moment would appear to be minimum requirements. We appreciate that the Commission is trying to provide a state wide vision, but surely this can only be achieved where through careful analysis to ensure that where new Zones are being proposed, they are being done carefully to ensure a smooth transition.

Council has also raised on multiple occasions the issues relating to traffic and access in Somerton Park area and how the additional proposed uses for this area aren't compatible. The above questions and issues highlight how inappropriate the proposed policy is.

We have serious concerns that a total lack of analysis across the whole metropolitan area could have detrimental consequences given that the Planning and Design Code significantly reduces allotments sizes and frontages, which could lead to an over demand on stormwater infrastructure and result in additional flooding. Council expects at the very minimum that there some be some basic analysis to demonstrate the potential risks to local communities.

The one size fits all approach to planning is an over simplification of the planning process and removes all local content. The danger of this approach is that thorough analysis has not been undertaken to understand what impacts these changes will have, or if they are appropriate to replace the existing policy.

We recommend that before the implementation of the Planning and Design Code, PLUS undertakes a thorough analysis of all the proposed changes to ensure that where new policy is being introduced it is appropriate for the locality.

The proposed Open Space Zone in the Planning and Design Code is proposed to be enlarged to include the Open Space Zone and the Coastal Open Space Zone that are in the Development Plan. The Coastal Open Space Zone in the Development Plan, as the name suggests, gives direction for development over coastal land. In the Planning and Design Code, the proposed Open Space Zone does not give any direction, or acknowledgement of Coastal development, and appears to be purely focused on inland parks and recreational areas. We believe this is a significant shortfall and could have significant consequence for Coastal development. Council supports the Department for Environment and Water's (DEW) recommendation in the previous consultation of the Code for a sub-zone over the coastal area. Having discussed this issue recently with DEW, we also recommend that a sub-zone be included over the land that is currently Zoned and Coastal Open Space.

Council notes that the land associated with the current Seacliff DPA is proposed to be Zoned Master Planned Neighbourhood Zone. Whilst Council is tentatively supportive of this, we note that no details are provided in relation to Building Envelope Plans (BEP), which the Zone appears to be strongly reliant on in place of Technical Numerical Variations. BEP will determine what setbacks, heights, site coverage are appropriate for each individual site within the Zone, and therefore is crucial to how the Zone will be developed. We are disappointed that no details of how BEP are developed or how they will operate have been included in the Planning and Design Code that was released for consultation. Council wishes to be included in any further working groups where this Zone is open for discussion.

If you have any question in relation to this letter, please contact Michael Gates on [REDACTED] or email [REDACTED]

Kind regards



Roberto Bria
CHIEF EXECUTIVE OFFICER