

HAHNDORF BRANCH, NATIONAL TRUST OF SA

c/- [REDACTED], Mount Barker, SA 5251

hahndorfnationaltrust@gmail.com

Chairperson: Annette Humphries [REDACTED]

SUBMISSION TO THE DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE REGARDING THE DRAFT PLANNING AND DESIGN CODE.

INTRODUCTION

The Department of Planning, Transport and Infrastructure (DPTI) has developed the Draft Planning and Design Code (the Code) with the laudable aim of simplifying and clarifying the regulation of planning across the State of South Australia.

There are, however, numerous problems and issues that militate against a successful and democratic process that will be supported by all stakeholders.

SUBMISSION

The Hahndorf Branch of the National Trust of South Australia is particularly concerned about sections of the Code that appear to affect Hahndorf's heritage places and areas, including green spaces and trees. The Branch is also troubled by the incomprehensibility of the Code, the lack of proper and effective community consultation, the failure of the online system and the role of developers in its formulation.

Because the Code is, according to the Planning Commission, riddled with inconsistencies, errors and omissions, the issues of concern, noted below, have to be extrapolated and interpreted from the document.

They paved paradise
And put up a parking lot
With a pink hotel *, a
boutique
And a swinging hot spot

Don't it always seem to go
That you don't know what
you've got
Till it's gone
They paved paradise
And put up a parking lot

They took all the trees
Put 'em in a tree museum *
And they charged the
people
A dollar and a half just to
see 'em

Don't it always seem to go
That you don't know what
you've got
Till it's gone
They paved paradise
And put up a parking lot

Hey farmer farmer
Put away that DDT * now
Give me spots on my
apples
But leave me the birds and
the bees
Please!

Don't it always seem to go
That you don't know what
you've got
Till it's gone
They paved paradise
And put up a parking lot

Late last night
I heard the screen door
slam
And a big yellow taxi
Took away my old man

Don't it always seem to go
That you don't know what
you've got
Till it's gone

Joni Mitchell
Big Yellow Taxi
1969

THE CODE AND DEVELOPMENT

- There is a clear conflict of interest when the majority of the members of the Planning Commission are or have been developers.
- The lack of transparency in the preparation of the Code and in its proposed implementation parallels the Planning Commission's lack of accountability.
- Developers can promote and lobby for amendments to suit their purposes.
- Developers will be the winners, militating against a tourism economy based on heritage.
- Commercial endeavours will become paramount in the new "Code".
- In-fill and high rise development will be an outcome of the proposed "Code".
 - Dense in-fill under the "Code" will allow as little as 142 sq. meters per dwelling.
 - Heights of buildings can be up to 6 storeys in Suburban Shopping Precincts.
- The Code ill-advisedly uses a "One size Fits All" approach, and does not recognise local community differences and values. This smacks of totalitarianism.
- There is a presumption that single, universal policies for heritage and character will translate into the nuanced differences of heritage areas. However, not all 17 State Heritage areas are the same or have the same types of places. How will the code differentiate between, for example, Ayers' House and a stone wall and an immigrant peasant wooden barn?
- Having the minister as the final arbiter on state heritage is not ideal and should be rethought.
- With regard to heritage protection in the Historic Area Overlay, it appears that demolition controls will have a single set of criteria for assessment, of which simple economic advantage will be one.
- Who will determine the veracity and objectivity of the assessment? The code does not seem to consider the ability to reasonably, economically restore a building, its contribution to historic character of the streetscape, its structural integrity or its condition. The code needs to expand, qualify and quantify.
- This proposed "Code" is all about 'bricks and mortar'. It has nothing to say about the *intrinsic* value of a place.

COMMUNITIES, PEOPLE AND PLACES

- The “Code” is detrimental to the heritage, character and amenity of historic communities.
- ‘Significant Trees’ and open spaces will receive scant attention in urban design, even when the open spaces and trees are an integral part of the history of an area, such as Hahndorf’s *hufendorf* plan. The traditional allotments with farming areas extending behind them are not accounted for.
- There are many issues that are peculiar to Hahndorf’s historic character. These are dealt with in detail in the Mount Barker District Council’s submission, but some of them are, briefly:
 - The Code eliminates reference to Hahndorf’s *hufendorf* and *strassendorf* allotment pattern, which is vital to understanding and preserving Hahndorf’s unique historic character.
 - The Code does not take into account the minimum set back of buildings in the Main Street.
 - It encourages commercial use in areas where it is currently not permitted.
 - The traditional allotments with farming areas extending behind them are not accounted for.
 - There is no minimum allotment size.
- Careful and considered renovations and conservation will be the losers.
- The loss of “Contributory Items” will greatly diminish heritage value and damage tourism.
- Places such as Hahndorf and the sixteen other Heritage Areas across the State are huge contributors to the economy. Visitors will not come if there is nothing to see.
- There are limited rights of appeal on planning approvals by affected communities.

THE DOCUMENT AND LACK OF CONSULTATION

- The Code was ill-prepared and released prematurely on an unsuspecting public.
- The document is unfit for purpose, with major omissions, errors and inconsistencies, which the Planning Commission itself admits.
- It is a major breach of the Community Engagement Charter created and protected by Act.
- The structured public forums were dressed up as effective public consultations. But they merely attempted to clarify and justify the Code's 60,000 pages of policy implementation provisions. Questions were largely unanswered, and attendees' views were generally not sought.
- Public accountability has not been evident.
- The initial 61,000 pages of information were reduced to 3,000 for the Code's electronic production, the E-planning Platform, but is neither fully functional nor user friendly.

CONCLUSION

This deeply flawed and dubious document foreshadows weakened protections for state and local, built and natural heritage and has provisions for unfettered urban infill and high rise in metropolitan residential areas.

The Draft Planning and Design Code should:

Be completely rewritten with the input of heritage experts;

Have developers removed from the process;

Allow genuine community consultation in line with the Community Engagement Act;

Encourage local variations that reflect the historical character of an area.