

THE NORTH ADELAIDE SOCIETY INC
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NORTH ADELAIDE 5006

14 December 2020

Chair
Michael Lennon,
State Planning Commission
GPO Box 1815
ADELAIDE 5001

Dear Sir,

This letter is in response to the extended period of consultation in regard to the Phase 3 implementation of the Planning and Design Code.

The society appreciates recent additional amendments proposed by the Commission. However, our investigations, as well as those conducted recently by the City of Adelaide, indicate that there remain many unresolved issues with the code. In our view, in its current state it is most certainly not ready to bring into operation early in 2021.

We are particularly concerned at the findings by city council planners, as summarised in its agenda of The Committee, special meeting, Item 5.10, 8 December 2020, pp 199–293. This will form the basis of a council submission to you from council, to meet the 18 December deadline. We concur with council's observations at this time, some of which themes we reproduce below. They include:

- Land use policy (through the Desired Outcomes and Performance Outcomes) requires additional clarity in some zones.
- Current non-complying types of development – there is insufficient policy criteria to be able to easily refuse existing non-complying development that has in some instances changed to an envisaged land-use or merit (performance assessed) development.
- Additional policies are needed in the City to ensure land uses and built form can harmoniously co-exist and reduce potential conflict, whilst building on the vibrancy of the city e.g. residential development near licensed premises.
- City Living Zone – changes are still required to ensure the long-term policy position of council to increase residential uses is not compromised.
- Heritage – heritage adjacency provisions are insufficient to achieve their desired outcomes and careful policy edits are still required to ensure that the suite of heritage policies are complete and effective.
- Policies previously agreed in the Residential and Main Streets and North Adelaide Large Institutions' and Colleges' DPA have not been fully carried across.
- Car Parking – car parking provision rates have been reduced to zero in the City Main Street Zone and Business (Neighbourhood) Zone, which is a significant shift in policy, and City Living Zone car parking rates for dwellings have no car parking requirements.

- Encroachments and public realm policies – additional policy is needed to streamline encroachment approvals as part of development applications, whilst some public realm policies (such as crossovers) provide “accepted” pathways which risks conflict with other uses of public spaces (e.g. on-street parking) and assets (e.g. heritage kerbing, street trees).
- Public Notification – errors in drafting need to be resolved to ensure public notification.
- Zones and subzones in the City still require the inclusion of key policies, and the completion of assessment tables to enable review and checking.
- Vacant sites – additional policies are needed to encourage continual use of land and enable reuse of properties by avoiding premature demolition that creates vacant land.

Our concerns are particularly focused on matters relating to the City Living Zone, – the North Adelaide Low Intensity Sub-zone (which covers the extent of the North Adelaide Historic (Conservation) Zone, as well as Heritage Overlays, and Public Notification Tables. Much work still needs to be done.

We concur with council’s broader themes, reproduced below, which indicate that the Code remains problematical in relation to the City of Adelaide and is most certainly not ready for implementation. Themes still requiring discussion and satisfactory resolution among the residential communities of North Adelaide include:

- Significant and effective policies from the current Adelaide (City) Development Plan still need to be translated into the Code to enable well-managed and streamlined city growth.
- As applied to the City of Adelaide, the Code adds unnecessary onus, cost, and time to the assessment of some developments
- It remains incomplete as a development assessment tool – some policies have been applied inaccurately and/or require significant updating
- Until key concerns are resolved, the Code has the potential to compromise good planning practice.
- Process and quality assurance improvements are needed to achieve a standard of quality development outcomes similar to that which occurs under the current policy and planning system.

In short, the Commission could do better, and must do better before the Code is brought into operation.

Yours sincerely,

Elbert Brooks,
Chair