

DPTI Planning Reform - Submission on the New Planning and Design Code

Michael Lennon and the Planning Reform Team,

We were disgusted with Mr Rau's outlook on planning and that is one reason we did not vote for his government in the last election. However, we have been bitterly disappointed to see that this government has just rubber stamped all his proposals.

It is also disappointing to see that the protection of residential areas is to be relaxed, allowing a much wider variety of commercial activities including some which by their nature are noisy and generate traffic that suburban streets are not designed for. For people who have chosen to live in a residential area this diminishes the amenity of the area. The new system does not allow for notifications and ability to put in submissions when a commercial property is about to be built in a residential area. This is a further erosion of the public's ability to have some control over development in their areas and be subjected to unwanted development. The code also reduces the Council's control over their areas, while leaving planning applications to be dealt with by them. This means that the blame for unsuitable developments will again be put on Council, when it should be going to the State Government and those on the development application panels. Councils should be left to do their work in local areas, leaving State Government to deal with other matters.

Not only are the restrictions on types of buildings allowed in residential zones relaxed, but buildings of intrusive heights are allowed in many areas. This is not what the public wants or needs.

"Consultation"

There is supposed to be consultation with the public about the new planning system, but there seems to be a misunderstanding about what "consultation" means. It does not mean inviting people to put in submissions and then ignoring them, it means actually taking into account what the people are saying and acting on that. At one of the meetings about the new development plans I was shocked to hear Stephan Knoll state that: *many submissions have been received, but they all say the same thing and we don't agree.*

A" new code that is simple to understand"

The purpose of the new system was to provide a single, simple development plan that can be easily understood and followed. The new system is not simple, consisting of several thousand pages through which it is difficult to navigate. It is not possible to form a simple code for the large variety of situations in all the different Council areas. The individual Council development plans may have needed some alterations, but this plan discards all the local knowledge and expertise which went into forming them and replaces it with a system which disenfranchises the people and enables developers and government to ride rough shod over them. Another purpose was to stop the public from having a say in developments near them when they are proposed. We were told that the public can help make the overall plans, but the trade-off for the government and developers would be there would be almost no notification or acceptance of submissions from the public when new developments are proposed once the new plans are in action.

Ministerial interference in local issues:

A few years ago many local councils spent a considerable amount of time and expertise in working out a development plan suited to each particular area. Mr Rau signed off on these, but then decided to override these arrangements in various ways and the current government has continued to do this, allowing buildings far taller than is commensurate with the local area. There were reasons for the limits on the heights of the developments allowed by the Council development plans. If the minister is able to totally disregard development plans, the community has no reason to believe present and future ministers will honour any new plans.

Inaccurate comments on the present system:

It is disappointing to hear the continued double-speak about the results of the proposed changes. We are constantly told that there will be protection for buildings, just as there is now and also that there is no protection under the present rules for contributory items. This is not true as there have been instances of these buildings being preserved because of their contributory status. The comment that there have been no applications for contributory items in the last few years is not because people do not believe such items are worth maintaining

to preserve the ambience of an area, but because of the probable lack of protection for such buildings in the future and the fact that applications for such status has been refused. There is much made of the fact that the new system will accurately list heritage buildings and that contributory buildings will be included in historical zones, but not much protection provided for either. Decisions on the demolition of buildings should not depend on the current minister without local information and people knowledgeable on heritage matters.

Parking:

Parking has become an issue in many suburbs because developments are not encouraged to stick to the parking conditions in the development plans which means that businesses clog up the area with cars parked on the streets, making it difficult for visitors. This is a problem with the present regulations, but will not be addressed by any new conditions if developers and ministers continue to ignore them.

Sustainable living:

The government persists in planning for continual growth instead of sustainable living. Adelaide is different from other capital cities in Australia and this is a large part of its attraction for tourism. If we become just like other cities we lose this advantage as well as the title of being one of the most liveable cities in the world. Adelaide could become a world leader in sustainability - something that is going to be absolutely vital if our grandchildren (and your grandchildren) are to have a future, encouraging locals to stay in South Australia and make use of their knowledge here. Many overseas, interstate and intrastate visitors have commented that the heritage buildings and their contributing surroundings are what bring them to Adelaide's city, suburbs and country areas.

One of the items in the new planning system states:

Design in Urban Areas DO 1 Development that is: (a) contextual – by considering, recognising and carefully responding to its natural surroundings and positively contributing to the character of the immediate area; (b) durable – fit for purpose, adaptable and long lasting; (c) inclusive – by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and also promote the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors alike; and (d) sustainable – by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

This, like many other sections of the plan, sounds as if it is good policy, but there is little solid information and it seems that any rules can be set aside by the minister. If developers had to prove that their structures fulfilled these conditions and their plans not accepted until they did so and the conditions were made more definite we may get better developments. Long-lasting needs defining. We have many heritage places because they were made to last, constructed of materials which do not showed age excessively and which do not need excessive heating and cooling. Encouraging retainment of these places is far more efficient than bulldozing them, causing excessive landfill, pollution, and wasted energy. Often the materials needed to renovate an older building do not involve the reliance on overseas products. The document on the new planning system states that decisions will be made by people who are trained to be experts, but there is no mention of any heritage or historical expertise being involved. Local knowledge is vital in local decisions and it is impossible for any minister to be across all the different aspects connected to every area.

Local ownership and involvement builds up care for the area

Councils have often been blamed for decisions on development plans, but the development assessment panels have only one Council member and other spaces are filled with non-locals, often working to their own ends, who have little knowledge of the history or feelings of people in the vicinity of the development. The locals have to put up with development without having any say in it. And to say that this new planning system invites local input is totally untrue. It is difficult to follow and does not give any idea of what new development may be suggested. Locals need to know when proposals are in hand so that they know what they are dealing with before they can make meaningful representations for or against a development. This new plan does not inform locals of what is about to happen. Many locals care about the neighbourhood, but if they are deprived of any real sense of ownership, they will not have same sense of contributing to the upkeep of the area.

Democracy?:

A democracy is government by the people for the people and governments are elected to carry out the will of the people. Most Councils, residents groups, Civic Trust, historical societies and many individuals who have been able to look into the plan do not think it is a suitable replacement for the current system, but it seems that developers, politicians and money count for more than the general public. The public has much more respect for a local area in which they have some say and have some ownership and this is notable in the amount of graffiti and damage of public property, the interest in caring for roadside trees and the local parks. You are preventing the public and local Councils from having any say in the future about their neighbourhood and therefore fostering a "don't care" attitude which is detrimental to all areas.

We want our city to stay cooler than most, to be attractive, to be different from other cities. This does not mean nothing modern but it does mean not demolishing areas that have their own character and therefore appeal. Mental health has emerged as something that it is important to preserve, and green areas, water and space are vital to achieve this.

Yours sincerely,
Elaine Dyson.