



Draft Planning & Design Code Phase 3 Submission 2020

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About 5049 Coastal Community <https://www.5049coastalcommunity.com/>

The 5049 Coastal Community Association communicates and consults with residents of over 2300 homes in the 5049 postal code area (Marino, Kingston Park and Seacliff). We represent their aspirations for our community to Local, State and Federal Governments, other organisations and agencies. We actively work to promote, preserve and enhance the desirable historical, social and cultural aspects of our community as we deal with inevitable change and progress.

We are politically unaligned. Our focus is communication, public engagement and advocacy. We are recognised as one of Adelaide's best-run community associations.

Our Submission on the Draft Planning and Design Code Phase 3:

Preface

The Association has engaged regularly with our members on Development control issues over the past 2 years including local proposed DPAs, eg Marion Housing Diversity DPA and Seacliff Park DPA. As a result we have a very clear picture of what is important to our local community in development terms. We have kept our community well informed on the whole process of the new Planning and Design Code including our reservations and earlier submission.

This submission has been prepared by, and is the opinion of, our Association's Steering Committee based on our local knowledge and expertise; as well as researching independent reviews and analysis of the impacts by our local councils the City of Marion and the City of Holdfast Bay; the Community Alliance SA (CASA); and other assessments.

We are also pro-development, recognising the need for our suburbs to grow and adapt, subject to high standards of design thinking, sustainability and quality controls.

Recommendations

Despite the short period for consultation and complexity of the task we have reviewed the potential impact of the draft Code on our community. **To say the least, we are horrified at what this draft Code could mean for our community.**

We are supportive of the aspirations of the reforms and the potential benefits from those aspirations in addressing some of the shortcomings in the current system. However, we do not believe the current process or proposed system is even close to meeting those aspirations and will adversely impact on our community.

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We strongly urge that:

- The State Planning Commission extends the period for consultation on the draft Code to the end of 2020, as a minimum, to allow for proper informed consultation, feedback and participation from the community.
- DPTI do not introduce the draft Code until the State Planning and Commission has engaged further with Councils and the community to address the errors, omissions and inconsistencies identified during the current consultation period.
- DPTI undertake a comprehensive review of the cumulative impacts of infill development to meet the following objectives: reduce urban sprawl; enable young and less affluent buyers to enter the housing market; reduce traffic and associated impacts on the environment; and value those diverse, lively communities that are often associated with more intensive development, as long as it addresses the negative impacts of the current and propose planning and design framework
- DPTI ensure that all existing Conservation Zones and Heritage Contributory Items transition into the Code.
- DPTI support a rigorous, empirical study of Marino residents to assess and quantify their views re allotment size, gradients, frontages and design. This is particularly important given that there are diverse views within the community.

Detailed comments on the draft Code

General observations

There are clearly many aspects of the draft Code and the accompanying on-line portal that are impenetrable, incoherent and flawed. The consultation process has been far too short for such a major reform, and it has also been flawed. It appears to have been more about informing than listening to the knowledge and experience of the professionals and the public alike.

This Planning Reform was promoted as delivering a fairer, more open, transparent and better planning system. Instead we have 3,000 on-line pages which few have been able to navigate. The draft Code is still riddled with errors and omissions despite the publication of a very large number of corrections two days before Christmas.

What we appear to be getting is a planning system which is less fair, less certain, more opaque and more open to potential corruption. Many of the provisions in the draft Code are vague generalized statements. These are replacing our Councils' Development Plans, which have comprehensive detailed provisions which set out guidelines for planners and developers alike on how to deliver good quality development outcomes; to meet the specific needs of our local areas.

It's just not good enough. South Australians, and our local community, deserve better.

The policy vacuum created by the draft Code's unclear and generic language will result in more disputes and potentially more appeals as planners and panels disagree with developers and there is no detailed policy to guide either party. Sub-standard development will be built, downgrading our local community.

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Specific observations and concerns

- The draft Code is hard to access for the community. It is incomplete and inaccurate with ongoing additions and modifications. Full comprehension and proper feedback is impossible and the 'consultation' process has been flawed.
- The inaccessibility of the draft Code is a direct and major breach of the Community Engagement Charter mandated under the *Planning, Development and Infrastructure Act* (2016).
- The draft Code is not 'policy neutral' as claimed by the State Planning Commission. It is full of new, or altered, policies, new nomenclature and confusing and ambiguous implementation recommendations.
- The draft Code threatens the rights and responsibilities of Councils, communities and individuals to influence their lived environment, rather than enhance the opportunities for communities to have a say. We already know that the responses of some Councils do not accurately reflect community views. For example, Marion Council have not undertaken a thorough analysis of community views regarding their response showing that Marino residents south of Jervois Tce cannot effectively sub divide their allotments because of Council imposed gradients and or frontage constraints.
- The proposed e-planning platform is unique in Australia; it is not yet, and may struggle to be functional. The implementation of the draft Code is totally dependent on this electronic tool.
- The draft Code contains many policy provisions and implications that are detrimental to character and amenity in both urban areas and in historic towns.
- The protection of all heritage places, both state and local will be weakened if this draft Code is implemented. Defining statements for heritage and demolition criteria are absent, vague and ambiguous, and are open to interpretation and challenge by developers and their lawyers, private planning consultants and private certifiers. The draft Code will make it easier to gain approval for demolition of state heritage areas.
- Despite being recognized as issues in the 2016 Act, sustainability, biodiversity, open space, greening and climate change have received little attention in the draft Code. It is all about bricks and mortar, and the construction and development industries.
- The overall 'tree policy' in the draft Code means that there will be diminished protections for trees. And more trees will be lost as crowded urban infill is implemented
- There will be less protection from demolition of our important Contributory Items which contribute so much to our historical and character areas.
- If implemented the draft Code will remove local input to decision making on heritage listing and development of heritage places. It will diminish the rights of owners and neighbours to be consulted on and appeal development proposals.

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- Under the draft Code, new developments will become predominant in urban streetscapes. This will impact seriously on the visual amenity of adjacent neighbours, creating community conflict and disruption.
- There appears to be no obligation on Councils and other authorities to develop and protect streetscapes. Some of the “tree-less and barren” criticisms of the draft Code might be mitigated if those authorities were expected to more actively landscape verges and median strips.
- Side and rear setbacks do not exist in the draft Code. Potentially some streets could become a series of row housing.
- In some proposed zones, current 2 for 1 infill developments could extend to 4 to 1 or greater. In areas such as these the population density could increase by 50% without accompanying improvements in infrastructure.
- New multi-storey and infill developments will be under-resourced for on-site parking. There is ample evidence of this already with narrow streets cluttered with overflow off-site parking, causing problems with neighbourhood congestion, traffic flows and dangerous inhibition of emergency vehicle access.