

## **Subject: Submission on the new Planning & Design Code - Carol D. Bailey**

To Whom It May Concern

### **SUBMISSION ON PLANNING & DESIGN CODE – PHASE 3**

Thank you for the opportunity to comment on the new Planning & Design Code and also for the number of meetings which have been held attended by both or either DPTI staff, members of the State Planning Commission and very occasionally Planning Minister Knoll.

Despite recognition of the number of meetings and the frequency with which I have attended any planning meeting open to the public (or councillors) I admit to becoming increasingly alarmed (as well as confused) as information has not always been consistent, correct (or in the case of overlay information for our district) available. It is impossible to attempt to do 'mock' development applications when the information has not been available on-line right up to this evening and the close of submissions.

#### **Residential Areas**

Currently in many residential areas (or those of district townships) a number of uses are non-complying (e.g. shops, offices, educational centres) but in the new Code such uses are permitted, thus utterly changing the form and character of townships and suburbs. This appears to be 'development at any cost', not good planning.

Noticeably, the size of building allotments will decrease and setbacks decrease - further minimising open space and potential for any garden and thus impacting further on biodiversity loss. It is noteworthy that State Government (both Labor and Liberal) has had too much of a 'free hand' in the rezoning and subsequent subdivision of 1300ha of once prime farmland in Mount Barker – to the extent that on a main 'Heysen Boulevard' connector road (which is yet to connect, despite arterial roads being now blocked off !!) there are dwellings and other built construction set back only 20cm (8 inches!) from the public path or roadway.

Allotment density increases although with lack of information available for the overlays for our district it is difficult to ascertain the envisaged allotment yield. What is very clear is smaller allotments, higher rise (up to 6 storeys in all residential zones) and higher density living. What thought has been given to the fact that ALL of our Council is in a high bushfire risk zone? The fire roaring down Woodside Road toward Nairne and Mount Barker East/Mount Barker Springs on December 20 was stopped by a sudden change of wind in the late afternoon, not due to the State Government's lunacy in crossing out 'high fire risk' and replacing it with 'medium fire risk'!! Mount Barker District Council would never have taken such a reckless action. So will State Government accept the future responsibility for what is most likely to happen - and almost did on December 20, 2019?

#### **Historic Area Overlay**

The decision to jettison all Contributory Items is ill conceived, will not provide "greater certainty" but paves the way for demolition on an ad hoc basis. It is the collective contribution of Contributory items which enables retention of character zones where only a

few major buildings have State Heritage protection. Loss of current listing of Contributory Items paves the way for incremental creep of any development type. With regard to this I was concerned to hear Michael Lennon's statement on ABC radio "**Contributory items have the same controls over demolition as they do now**" and "there is no change to the demolition control applying to those dwellings now compared to the future. Everything in that sense will stay the same". How does this work when contributory items do not have protection from demolition, but at least being on a list alerted all to the fact that they were of importance? This is very misleading. Then in the Adelaide Review (June, 2019) 'Let me reassure you that there is no truth to claims that all contributory items will lose their protection under the new planning system". Then in the letter sent by the Planning Commission to (?50,000 residential landowners) "**It is important to note that properties within a Historic Area Overlay will continue to be protected as they currently are**" – yet Mount Barker Council planners could not find any 'historic overlay' protecting Hahndorf.

It must be acknowledged that all councils have towns and suburbs with their own unique character, history and heritage and perhaps the best way to protect these is to sequester this information from individual Council Development Plans into 'overlays' as indeed many people were led to believe was to happen. Why is this any more difficult than inclusion of watershed, flood plain mapping and other relevant information that one would expect to find in the overlays (but again was not possible for me to find up to this time)?

Our Council planners for Mount Barker were very concerned to learn that the Historic Zones and precincts applied by our Council to protect historic areas in Hahndorf (especially the Strassendorf and Hoofendorf original land survey areas) and the historic property of artist Sir Hans Heysen, 'The Cedars'.

What benefit can be derived from this? In fact the more one looks at the long term effects of the new Code the more one has to conclude that it not only is designed to speed up and 'streamline' development but make subdivision by developers much easier. How does this in any way deliver good planning outcomes for our communities?

### **Commercial Centres**

It would appear that large scale development and more intensive land use is to become the 'norm'.

This makes no sense at all and will destroy the character and heritage fabric of all of our small towns.

### **Land Division**

Why have land division controls (for various zones) been removed from most council areas? Over the past decade there has been a continuum of 'cost-shifting' and responsibility from State Government to local Government – yet in planning, while it cannot be denied that no body knows as much about its local area as local government and its elected members - there is a clear move to disconnect and disempower Councils from planning their own towns and suburbs in consultation with their own communities. Why?

### **Climate Change and Biodiversity Loss Climate**

No consideration has been given to ensuring that housing and built construction is designed to fit the local climate conditions and over the last 20 years dwellings have increasingly been

built to a profit formula rather than to provide low energy, well designed and orientated, truly sustainable homes. How is this good planning? Yet State Government maintains that our top planners have been engaged in this new Planning & Design Code? Where is the evidence to support this? Appallingly designed and constructed dwellings are popping up all over the nation where air conditions will run 24/7 for the necessary survival of the occupants - but how is this good planning?

The 30 Year Plan (Mark II – hastily drawn up because under 30 Year Plan Mark I Mount Barker should not have been inflicted with massive rezoning – more cars, no local employment, loss of food land) calls for an increase in tree canopy – but the new Code works directly against this by facilitating larger developments, easier removal of trees (both significant and regulated) on private and public land. This can only result in a massive reduction in canopy cover, habitat loss and no opportunity for resilience in the fact of human accelerated climate change.

### **Other major issues**

**Flood Plain Mapping** - This is already an issue for many councils and the problem will only increase in the future with likely unpredictable, extreme events and reduced resources and funding to deal with such situations - I was unable to find any overlay for this, even when using address of other Council areas.

The Code is near impossible to navigate, it is difficult to identify errors from changes (and assumptions might prove disastrous), our current Council Development Plan is easier by far to navigate and a mere less than 400 pages (including Tables, plus maps). A far cry from the ridiculous 72,000 pages often mentioned to members of the public at meetings - yet no person in Mount Barker making a development application is ever likely to refer to the DP for Port Augusta, Coober Pedy or Port Lincoln – so the concept is ludicrous to say the least, not to mention misleading.

It has been a most interesting exercise observing the many different councils and Residents' Associations which have sought help from Community Alliance SA. This is noteworthy to say the least – because if our planning system was working well, effectively and for the benefit of communities (not merely developers and the building construction industry) the organisation would not even exist.

I have noted concern by many about removal of greenery/trees and habitat along transport corridors (road, rail, tramways, cycle paths) and again draw attention to the 30 Year Plan, high level Strategic Plans for the State (whatever happened to “no species loss”?) and those of individual Councils with regard to climate change, biodiversity loss and accelerating species extinction in this State.

Everyone is aware of the enormity of this task - the greatest change to planning in South Australia in a generation or more – **so it is imperative to get it right** than merely continue to roll out and enforce something full of errors, incomplete and which very negatively affects those of the 68 Councils (or 72 areas) which have done due diligence and spent more than a decade industriously (and at considerable cost) writing and consulting with communities on town plans for their Council areas. Mount Barker Council has been working on this for over

ten years and has plans completed, consulted upon and under way for many of our towns. This certainly was not taken into account in the least by State Government – no more than the impact of suddenly rezoning 1300ha of the last remaining good farmland – where no infrastructure existed, no mains water, sewerage, roads, power or employment.

There have been a great many meetings on 'The Code' – and I have attended most of them – hosted by DPTI, Community Alliance SA, the Shadow Minister, Vicki Chapman (Bragg) at Burnside Council Ballroom, National Trust, Adelaide Town Hall and Norwood Town Hall – but I was most appalled at a meeting held at Holdfast Bay Bowling Club where Minister Knoll spent his time running down local government and his Canadian offsider from Business SA offered redundant advice on enlivening the business sector (neither of them were around in the 1960s and 1970s when Adelaide boasted hundreds of manufacturing industries, none of which got State Government assistance to remain in business when challenged by 'cheap O/S workers'. How ignorant, and how embarrassing that a (mostly elderly) audience were forced to listen to such rot.

Finally I restate the obvious in that despite the amount of time already allocated to this new Planning Code (system), the importance of delivering a correct, complete and workable Code far outweighs the need to meet currently State Government imposed deadlines. And please, if the word 'Design' is to remain can every possible effort be made to ensure that 'building design' is climate appropriate and that I no longer will stand in a new development in Mount Barker and not be able to distinguish whether I am in South Australia or a new suburb of Mackay, Qld. Built construction (and prevailing weather) could not be more different in Mount Barker and coastal north Qld, but I have photos where the building type is identical. Is this good design? Is this good planning?

Thank you again for the opportunity to make a submission.

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