

31 May 2012

Presiding Member
Development Policy Advisory Committee
GPO Box 1815
ADELAIDE SA 5001

Dear Sir / Madam

CAPITAL CITY DPA: REPRESENTATION

The Urban Development Institute of Australia (SA) [UDIA] congratulates the Government on its introduction of the Capital City DPA. This is the most significant policy shift yet delivered by the State and is to be thoroughly commended for its vision and foresight and for the potential stimulation it will give to the development of the City.

In particular, we commend the following:

- The uplift in building heights and, hence, development capacity;
- The introduction of catalyst sites and over height provisions for special circumstances;
- The improved clarity regarding upper level building setbacks to streets;
- Revision of the apartment size criteria;
- Improved public notification criteria;
- Clarity of heritage site setbacks; and
- The permissive zoning approach, which gives industry the incentive to pursue innovative design, while the mandated new design review process (by means of a referral to the Government Architect) provides a mechanism to support collaborative quality design outcomes.

We acknowledge the substantial achievements of this DPA and offer our continuing support to the Minister of Planning and the Government in respect of this policy initiative.

Notwithstanding this ardent support, there are some specific suggestions we would make that would improve the document even further. These are arranged as follows:

- Comments on procedural issues;
- Affordable housing overlay;
- Council wide issues; and
- Zone specific issues.

Procedural Issues

We make the following points:

- That Government adequately resource the design review process so that it does not slow down the overall process of preparing and lodging applications; and
- That the Capital City Development Assessment Committee (to be established as a sub-Committee of the Development Assessment Commission) include industry representation and that it not include Council representation.

Affordable Housing Overlay

The Affordable Housing overlay is a blunt instrument that does not sit comfortably within the City of Adelaide. The building costs and land values in the City are such that the only market delivered product falling within the current affordability threshold (\$288,000) is a studio / student apartment and in some developments and some parts of the City, it is not appropriate to demand such lower cost housing forms anyway. This fails to deliver housing at prices suitable for key worker groups (eg. nurses, police, teachers etc), which might typically be seeking 2 or 3 bedroom accommodation to meet the needs of partners and / or families. The City cannot deliver such housing at the threshold affordable housing price. Rather than imposing an unrealistic demand on the market, the UDIA suggests as an alternative that the affordable housing overlay be removed and replaced with a combination of the following:

- Policy adjustments that encourage rather than mandate affordable housing through development bonuses, especially in the Residential Zones;
- Government direct subsidies towards affordable housing provision; and
- Government rental subsidies to encourage investors to re-engage in this market.

These initiatives could deliver a more appropriate mix of affordable housing within parts of the City at a low cost to the Government.

Council Wide Provisions

PDCs 14-44 Low Scale Residential

Low Scale Residential Objectives and PDCs are unlikely to deliver affordable housing outcomes. In particular, dispensations would be required in respect of densities, setbacks, private open space provision and car parking standards.

PDC 72 Minimum Unit Sizes

Because of the value that balconies provide in the delivery of usable space and outlook for apartments, it would be appropriate to attribute up to 50% of the area of a balcony towards the floor area calculation of the associated apartment in the calculation of minimum unit sizes required by PDC 72, but where such an allowance does not exceed a maximum of 10% of the area of the apartment itself. This would permit 1 bedroom apartments with the

minimum balcony area of 8 m² to comprise 46 m² floorspace plus 8 m² balcony (x 50%), 2 bedroom apartments with the minimum balcony area of 11 m² to comprise 59.5 m² floorspace plus 11 m² balcony (x 50%) and 3 bedroom apartments with the minimum balcony area of 15 m² to comprise 72.5 m² floorspace plus 15 m² balcony (x 50%). This change could be achieved by a wording change to the note at the bottom of PDC 72.

PDC 107 Contamination Sites

It should be made clear that Note (d) should not be required as part of a development application, rather where investigations conducted as part of Note (c) reveal remediation is warranted, then Note (d) is required prior to the issuing of a Certificate of Occupancy. It should also be made clear that the progression through Note (a) to Note (c) should only be where the expressed pre-conditions are met, ie. there is reasonable suspicion of contamination to proceed with a site history report required by Note (a), where the site history report reveals that contamination is suspected or identified, then the detailed site assessment report required by Note (b) would occur, and where remediation is warranted as determined by the detailed site assessment, a remediation and / or management strategy is prepared in accordance with Note (c).

PDC 177 Maximum Dwelling Density

Dwelling unit factors are an unnecessary and inappropriate limit on the achievement of dwelling numbers sought for the City of Adelaide and should be scrapped. They also work against the delivery of affordable housing and a housing mix by effectively requiring the construction of larger rather than smaller dwellings. Given the sensitivity of the North Adelaide Historic (Conservation) Zone, it is recommended that 'Residential Zones' only be deleted from the ambit of PDC 177. This has the consequence of requiring deletion of reference to a dwelling unit factor in each of the following Zones:

- RA1 Residential (East Terrace) Zone
- RA2 Residential (St John's) Zone
- RA3 Residential (Waverly) Zone
- RA4 Residential (Hurtle East) Zone
- RA6 Residential (Hurtle West) Zone
- RA8 Residential (Whitmore East) Zone
- RA11 Residential (Whitmore West) Zone

Zone Specific Provisions

RA1, RA2, RA3, RA4, RA6, RA8, RA11 Residential Zones

Apart from the very welcome introduction of catalyst sites, these Residential Zones have been largely ignored by the Capital City DPA. While we recognise that these areas are intended to be the subject of a second DPA to be prepared by the Adelaide City Council, the UDIA has little confidence regarding the likely direction of this future work. We believe that the Minister should at least take responsibility for setting the tone of this work by introducing some minor amendments that do not change the character of these zones but do introduce marginally greater flexibility for development. In particular, we believe that plot ratios, height limits, dwelling unit factors and non-compliance criteria should be addressed. Dwelling unit

factors should be omitted as an inappropriate criteria for the Development Plan as they unreasonably limit dwelling numbers and affordability, both of which are key foci of this DPA. We believe that the non-compliance triggers for plot ratio and height should be removed so that there is some design flexibility around the height and plot ratio targets contained in the relevant PDCs for each Zone. As for the applicable plot ratios and heights, we suggest the following for each zone:

Zone	Basic Plot Ratio	Height in Storeys	Height to Ceiling in metres
RA1	3.0	6	22
RA2	1.5	3	11
RA3	3.0	6	22
RA4 – not along Halifax St.	1.5	3	11
– along Halifax St.	2.0	4	15
RA6	3.0	6	22
RA8	3.0	6	22
RA11 – not along Sturt St.	1.5	3	11
– along Sturt St.	2.0	4	15

Capital City Zone

The UDIA is concerned that the requirement in PDC 7 that “development should have a minimum building height of no less than half the maximum building height” and that “in the Central Business Policy Area 13, development should have a minimum building height no less than 28 metres measured about natural ground level,” may have a detrimental effect on the delivery of a number of future projects, which for a range of legitimate reasons, will not meet these minimum height criteria. For example, it cannot be expected that landowners and investors will be motivated to build beyond that which the market place is willing to absorb at a given point in time. Equally, for small sites, it may not be practical to build a tall building because of the space requirements of elevators, stairwells and vertical ducting and, where required, in the delivery of adequate car parking. Accordingly, the UDIA would prefer a less definitive principle, which might be worded along the following lines:

“Development should seek to optimise the height opportunities provided within this zone and, generally, will achieve a minimum built form edge to major streets of 4 storeys”.

PDC8 should be amended to delete reference to the Hindley and Rundle Main Street Policy Area east of Frome Road. The issue in this Policy Area is how buildings address and set back from the street, not whether a taller element is located in the centre or rear of a site. The required manner of addressing the street in this Policy Area is already well documented in the Hindley and Rundle Mall Street Policy Area 13 and doesn’t need to be addressed in Zone PDC8.

PDC 8 should also be amended to include the following:

“(iv) within 200m of a future tram route, once such a route has been defined and funding provision has been made in the State or Federal Budget.”

Hindley and Rundle Street Main Street Policy Area

The treatment of Rundle Street is inconsistent with the approach adopted elsewhere in the City. The final paragraph in the Desired Character should state:

“Development will include a street wall height of around 2-3 storeys with an upper level setback of building elements above 6 storeys.”

Main Street (O’Connell) Zone

The Main Street (O’Connell) Zone should be extended to include the area bounded by Tynte Street, Cambridge Street, Archer Street and Tower Street South. This area abuts the North Adelaide Village Car Park, is held in large ownerships and should be encouraged to be redeveloped.

A number of sites within the Main Street (O’Connell) Zone but north of Tynte Street are of a scale and configuration warranting redevelopment (examples include the south-western and north-eastern corners of O’Connell Street and Gover Street). This area should be included in the 6 storey (22m) height area rather than being limited to 3 storeys (11m).

I1 Institution (Riverbank) Zone

The I1 Institution (Riverbank) Zone should be extended to include the small rectangle of land east of Montefiore Road (Morphett Street Bridge) and the area west of this road not already covered by the I4 Institution (Metropolitan Hospital) Zone. The success of the Riverbank Precinct will rely in part upon creating a critical mass of activity along the waterfront. Inclusion of the aforementioned parcels in the I1 Zone will provide scope to deliver future development outcomes that might otherwise be restricted by the currently proposed Park Lands zoning over these areas.

Conclusions

We assure the Minister of UDIA’s support for this DPA and look forward to the new approach being rolled out in inner suburban areas via the release of the inner-metro structure plan and accompanying DPAs.

We do not wish to be heard in respect of this representation at the forthcoming public meeting.

Yours sincerely

Terry Walsh
Executive Director