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Planning reform means planning WITH people, not FOR people
Why creativity is important for cities
Planning for progress and sustainability in difficult times
Adelaide’s growth and city congestion
Planning in a time of austerity - foreign correspondent’s report
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EDITORS NOTE:
PIA gratefully acknowledges South Australia’s Expert Panel for Planning Reform for the use of the cartoons as published in OUR IDEAS FOR REFORM. In particular we thank Ross Bateup for his wonderful illustrations.
Congratulations to Brian Hayes QC and his team on the release of the “Our Ideas for Reform” report.

What an exciting time to be involved with planning in South Australia. I am particularly interested in the “ideas” relating to our rural and regional areas – and the potential benefits that can be delivered through Regional Planning Boards, demystifying rules and regulations with clearer pathways, Regional Planning Schemes, a State Planning Code and funding of community infrastructure.

Our rural and regional areas underpin our state and national economy with the production of food, tourism, mineral resources, energy, natural resources and provide a broad range of value-adding industries, manufacturing, transport/logistics, service and community sector businesses - any reform (be it planning, social or economic) that assists these areas will be welcomed and be critical to the success of South Australia.

Our rural and regional communities endure many challenges – whether it be commodity prices (eg: grain, milk/dairy, fruit, vegetables, wine, meat, fish, wool or timber), global competition, labour supply, proximity to markets, access to health and community services, drought, bushfire, frost, storm and a changing climate. Climate change and reduced rainfall alone are predicted to have significant impact on many farming districts (Source: Australian National University) – exacerbating quite serious social wellbeing and economic challenges.

While South Australia has experienced recent economic misfortune, it is part of a strong national economy that we can build upon. In particular I note an article by financial reporter David Koch, in which he spoke about Australia not being in economic crisis. He referred to 22 years without a recession; an economy out-performing advanced overseas economies; a Triple-A credit rating; strong infrastructure; an enviable quality of life backed up by the OECD Better Life Index; and strong job market prospects.

Planning can play a stronger role in (and also give heightened understanding to) fulfilling the needs of and issues facing rural and regional South Australia and the people in those communities - the planning system is well placed to not only respond to these challenges, but to prepare for them.

Planning and economic reform has an important role to play to assist South Australia on a positive path to growth, employment creation and sustaining community health and wellbeing.

I look forward with much interest to the Ideas for Planning Reform progressing and to PIA and our industry remaining actively involved during the review and implementation phase.

David Altmann, MPIA, CPP
Managing Director
Development Answers Pty Ltd

A prominent South Australian planning professional who became the state’s Planner of the Year in 2013 has been named the Australian Planner of the Year 2014.

Alexander Rix, who oversees the redevelopment of Adelaide’s Riverbank precinct, has taken the honour at the Planning Institute of Australia’s (PIA) Annual Awards for Planning Excellence.

Sandy, as he is known in the profession, was judged beside entries from Queensland and New South Wales and was awarded the title at a gala dinner in Sydney.

Naming the Australian Planner of the Year, the judges noted that Sandy’s list of achievements demonstrated the diverse array of projects and roles planning professionals can become involved in.

The judges said that this in turn reflects Sandy’s background and skills in planning and economic development, his experience in both the public and private sectors and the different positions he has held over many years, particularly in South Australia.
A message from the Executive Officer

Since the Expert Panel on Planning Reform handed down its Ideas For Reform, barely a day has gone by without column inches of newsprint or commentary online about how vital planning reform will be to securing South Australia’s future. That future is clouded; worry builds on the back of a tough but compromised Federal Budget, and politicking between the State and Federal Governments threatens our vaunted defence-led recovery. Simultaneously the countdown to Holden’s closure seems to be ticking ever louder, and there’s no clear sign of an economic saviour on the horizon.

Meanwhile, the recent US recession has shown us beyond any doubt that cities can and do decline. We’re in a post-growth era, and that’s frightening for many of us who have never experienced urban decline before. Earlier global recessions didn’t seem to result in negative population and housing growth, so what we’re seeing in the States is new and frightening. The implications of these macro trends for planners and planning are significant.

While Australia has been spared the worst impacts of the global financial crunch, South Australia’s economic recovery is lagging much of the nation. In that context, much has made of the need for planning reform to ‘unlock’ economic growth. Indeed, that has been part of the Expert Panel’s remit. But our future planning system must do much more than just deliver financial prosperity. It must and it will have a central role in maintaining South Australia’s enviable way of life. Planners must embrace this challenge and contribute to the creation of a new legislative framework that ensures the state’s economic, social and environmental viability. This edition of SA Planner is dedicated to that cause; PIA and its members represent those that will use the new Act into the future. That means we need to be certain beyond a shadow of a doubt that it’s the right system to guide our state’s future. It is incumbent on all planners – PIA members or otherwise – to have a robust voice in the final stages of this critical process.

The Expert Panel now embarks on the challenging journey of advocating its reforms to Government. PIA will support the journey towards a system that better delivers what we know to be good planning.

George Inglis
Executive Officer(South Australia and Strategic Communications)
Planning Institute Australia (SA Division)
Planning reform means planning WITH people, not FOR people

By the time SA Planner reaches you, the South Australian Expert Panel on Planning Reform will be considering feedback on its second stage report Our Ideas for Reform. This follow-up to the initial consultation summary What We Have Heard includes 27 proposed reforms to the planning system that aim to ‘ensure that South Australia has an effective, efficient and enabling planning system’. The Expert Panel’s next challenge is cobbling together the no-doubt divergent views on how to achieve this and putting a series of recommendations to Government. It’s a daunting challenge, and not the first in this Herculean reform task.

When he released the Ideas for Reform document earlier this year, panel chair Brian Hayes said he would be disappointed if the report didn’t generate controversy.

There’s little chance he’ll have been disappointed: controversy is often part of urban and regional planning and land development, because they can be emotional issues which affect how we live, work and play, and how our children will do the same.

One of the key recommendations – reducing local influence over development assessment decisions through greater use of regional panels and “experts” – generated more controversy than the rest of the proposed reforms.

It triggered a robust discussion about the role of local councillors in development assessment, a discussion we need to continue even as the Expert Panel considers its final report to Government.

There’s no question that assessing the suitability of proposed housing, commercial buildings or industrial development is a tough and specialised job. It’s at times demanding work that requires a broad knowledge of the built and natural environments and a finely-honed capacity for objective judgment.

The Expert Panel would have heard during its listening and scoping phase that it’s unreasonable to expect grass-roots elected members to have all of these skills.

Following this argument to its conclusion, it’s also unreasonable to ask councillors to separate their role of representing the interests of their electorates from their participation on a Development Assessment Panel (DAP), where decisions must be made based only on consistency with the local Development Plan.

Therein lies the conundrum.

How can we have a planning system that offers certainty to the development sector and the community, if you are looking to potentially reduce their representative’s participation in it?

One means of tackling this paradox is to develop a planning system that empowers councillors and communities to have a far greater role in the longer-term strategic planning of towns and suburbs.

This would require a quantum leap in communities’ participation in planning for what they want their neighbourhoods to look like in the future.

It means shifting the planning system’s focus from planning for people to planning with people.

Planning with people requires a mindset that invites and encourages communities to have a key role, at the beginning of the process, in solving the emerging problems that the planning system seeks to address.

It will require governments and planners to work closely with communities to define long-term aspirations and plan to achieve them.

The planning system is engaged in almost all the land-use issues that affect the way we live: housing affordability and choice, economic development, environmental sustainability, employment generation, healthy living, community safety, transport, heritage conservation and infrastructure provision. The list goes on.

Often, planning processes get bogged down in the perceived conflicts between these broad issues when, in practice, they all fit together to shape the way in which we live.

Groups in conflict over specific developments can generally agree on guiding principles that should underpin the development of our city and our state.

For example, we all generally want Adelaide to be a place that is economically and environmentally sustainable, where we and our children can have challenging and rewarding employment set in an environment that is valued and preserved.

If the Expert Panel’s recommended model focuses on our shared ambitions for the state and delivers planning system to plan with people, not just for people, we’ll more readily find consensus on the processes and practices that drive us towards those goals – even if they do cause controversy along the way.
Why Creativity is important for cities

By PIA SA President Darren Starr MPIA CPP

The twenty-first century has been a time of rapid global change and it shapes to be the most urban century we have ever known. Already half of the world’s population lives in urban centres with this predicatated to rise to 70 per cent by 2050. As we urbanise existing cities will expand and new cities will be planned and developed. This increased urbanisation will create new urban problems or exacerbate existing ones which will require new and integrated solutions.

City design and functionality will be critical for the success of regional economies as well as managing the social and environmental impacts of the growing urban footprint. How we live in our cities will impact on the health and quality of life of billions of people. While cities have always changed and evolved, the rapid rate of change, where the ease of movement around the globe of people, goods and capital is unprecedented, has caught some cities and regions by surprise. Times of rapid change require creative solutions to emerging problems as rarely can new problems be solved with existing thinking. As Albert Einstein noted “We can’t solve problems by using the same kind of thinking we used when we created them.”

The role of creativity in city development and competitiveness has been discussed in recent years by two notable advocates in Richard Florida and Charles Landry. Both have spoken widely on the role of creativity in developing economic resilience and refining a sense of place and community. But what does it mean to be a ‘creative city’?

Broadly, to be creative involves considering or producing something in a new way. A new thought, product, solution or response to an existing or emerging issue is created through a creative process that could be as simple as a ‘light bulb moment’ or a detailed process where new solutions are sought and developed. The creative capacity of cities is now being measured by the creativity of its citizens, the creative environment it provides, support for creative thinking, permission to try (and fail) and ability for creative people to meet and collaborate.

Edward de Bono described creativity as ‘breaking out of established patterns in order to look at things in a different way’. Creativity in cities involves both developing creative solutions to urban problems and being innovative in the way in which we all carry out our daily tasks. Creativity is not the sole prerogative of ‘creative types’ or a ‘creative class’; innovative solutions to managing storm water, consulting communities, manufacturing goods or providing services are just as important as cultural activities and art to a truly creative city. Harnessing the latent creativity in each place will assist in developing local solutions to local problems.

Modern economic markets value knowledge workers (highly educated and mobile individuals) and companies and business are increasingly being forced to compete to recruit and retain high value employees. Cities that foster creativity attract talented and educated individuals, which in turn assist cities to establish competitive advantages in a global competition for financial and human capital. In his book The Creative Cities: A Toolkit for Urban Innovators Charles Landry outlined that ‘The portability of skills and mobility of people force cities to compete through the quality of their amenities, services, public realm and entertainment’. Cities have traditionally been creative places where a mixing of cultures, peoples and ideas occurs. Harnessing and developing the creativity of communities can be an economic driver as highly skilled individuals are attracted to cities that offer them good employment prospects and desirable lifestyles. Cities that can’t attract or retain capital are likely to enter a period of decline with higher unemployment and falling populations as their best and brightest move to cities with greater opportunities. In future, the success or failure of regions will increasingly come down to the capacity of their major cities to generate income and function as attractive places to live, interact and innovate.

As well as needing to embrace creativity, cities need to develop mechanisms for implementation of creative thinking which provide a framework for creative ideas to be developed, tested and implemented. Partnerships between creative and implementation focused individuals, organisations or communities stand the best chance of having ideas created, developed, refined, agreed and implemented. A creative city will support its entrepreneurs and government leaders to try new solutions and not be unduly critical when some of those solutions prove to not be the right fit for a local environment. Knowledge sharing outside traditional professional or discipline structures can unlock new solutions as what is common practice in one field may be groundbreaking in another.

For cities to continue to evolve as creative places they must be planned and developed with urban form and function that contributes to the creativity of all residents (current, future and prospective) and provides constant opportunities for interaction. Cities that foster and support creativity and creative endeavour will be well placed to retain talented individuals and companies, and by developing the inherent creativity of their citizens, these cities will ensure they are desirable locations to live, work, invest and visit, well into the twenty-first century.

Darren Starr is resident of the SA Division of Town Planners. Darren is also undertaking a PhD at UNISA focused on the role that urban planning can play in developing creative and innovative cities in Australia and the Asia Pacific.
Planning for progress and sustainability in difficult times

The world is going through some difficult times. Difficult times, economically and difficult times environmentally. Our future planning, therefore, has to have regard to not only the future of our living styles but also how those styles would be affected by the effects of climate change on our lives in the years to come.

At the World Economic Forum in Davos early this year, the experts called for a rapid shift to cleaner energy for healthier living as well as climate change. Now the question arising from this statement is what could the planners and the architects do to achieve this objective? If we took the necessary measures at this early stage, the solutions would be much more economical than if left until a later date.

According to Angel Gurria, the Secretary-General of the OECD, “our planet is warming dangerously” and we need to act now “to avoid catastrophe.” The United Nations Climate chief, Christiana Figueres maintains that global warming means “the world economy is at risk”. The former UN boss, Kofi Annan, claims “not curbing global warming now is a terrible gamble with the future of the planet and with life itself.” Both Annan and Gurria cited to the Typhoon Haiyan in the Philippines last November, as increased climate change-related damage. The cost to repair the damage caused is likely to be phenomenal.

Australia’s previous Labor government had introduced a Carbon Tax, as Australia’s contribution to the world’s efforts to minimize the effect of the emissions. Though there was no target announced by the Government, it was assumed that this step would be likely to reduce the emissions by around five per cent over an approximate ten-year period. Let us not forget that as a nation we are responsible for the highest per capita emissions in the world. Now, the current Government has succeeded in removing the carbon tax legislation.

This “come what may” attitude should become obvious to others around the world at the G20 meeting in November this year in Brisbane. No doubt the leading nations of the world, having taken measures to reduce the carbon emissions, might take Australia to task most probably led by our Prime Minister’s newly-found friend, President Obama. The high point of our Prime Minister’s recent meeting with the US President in Washington, was his agreement on our national security and Iraq. Conversely, the low point was their disagreement over the effects of climate change, and it showed in their body language. On climate change they agreed to disagree. By contrast, the Obama Administration has just announced a 30 per cent cut in carbon emissions, whereas Australia is trying to wriggle out of the legislative measures introduced by the previous government.

Still in the US, the use of smarter technological solutions, such as shale-energy, have replaced the use of high pollutant coal with cheaper and cleaner natural gas. This has already delivered a cut of around 300 million tonnes of US emissions. That is more than the world’s solar and wind power combined. This no doubt has also profited the Americans to the tune of $US100 billion in energy costs.

According to the International Energy Agency, China accounted for almost 60 per cent of the global increase in coal consumption from 2012 to 2014. Yet China, the largest polluter population-wise, has commenced measures to reduce their carbon emissions.

The country housing the world’s second largest population, India, is not far behind in steps to reduce emissions. A visit to some of the larger cities such as New Delhi and Mumbai over a twoday period showed clear evidence of the steps the country has taken to improve the environment. An example is where the Federal Government in New Delhi has given financial grants to taxis and autos to convert to gas instead of petrol. The public transport vehicles are now gas and diesel-powered.

In the long run, it is estimated that the current investment in green research and development will help drive the price of future renewable energy below that of the current fossil fuels. This would enable the choice between the use of fossil fuels and renewable energy sources being both environmentally and economically sound.

At the end of the day, the money saved should lift billions of people out of poverty and disease. This result would be intrinsically good and also make societies economically stronger and resilient to be able to better withstand the extreme weather conditions.

Planners and architects should keep in mind design solutions which mitigate or overcome conditions planned for and built in extreme weather-prone areas as a result of climate change conditions. At the end of the day, we all need to come out winners in these difficult and troubled times for planet earth and its residents.

Dr Satish Gupta

Dr Satish Gupta holds a Doctor of Science degree in the field of Environment and Planning. He is also an author with one novel published and another soon to be released.
AJ_Layer 1.png

George Giannakodakis, Managing Director of InfraPlan, an established Adelaide and Melbourne based urban and transport planning consultancy has weighed in on the current debate about traffic congestion, bikes and bus lanes, parking taxes and traffic speeds. George’s experience spans some 25 years across the private sector and State Government roles that included metropolitan planning, urban development and transport strategy.

Mr Giannakodakis notes that input from transport and urban planning professionals in relation to this debate has been conspicuously absent. His paper demonstrates that a current view to wind back some of the recent initiatives, including bike and bus lanes, policies to increase the number of city car parks, remove right turns and return city speed limits to 60 km/hr will be a disaster for the city economy and social well-being of its residents over time. “It is akin to the highways engineering approach of the 1960s inspired by car dominated US cities that lost their downtown identity”.

Adelaide's CBD supports a heavily car dependent metropolitan workforce, in fact one of the most car dependent in the western world. This is largely driven by it having some of the cheapest and most plentiful car parking (70,000) compared to other cities (Adelaide's is up to 300 per cent cheaper and has 300 per cent more parks per 1000 employees when compared to Sydney). This may explain also why it is also the most resistant to change, demonstrated by the shift to other modes over the last decade compared to all other Australian cities. Most of the city's congestion is caused by 120,000 workers converging on the city every day, nearly 50 per cent of whom are in their cars. Most of the 88,000 students who arrive throughout the morning are in buses, on bikes and walk. If they also drove the city experience would experience significant traffic congestion.

Transport planning 101 the world over tells us that as a city congests you either widen roads and build freeways or find more efficient ways of moving the same amount of people (mass transit systems). Or a bit of both. For example, one bus can replace up to 30-40 cars and one tram up to 150-300 cars. Indeed, the primary reason for bus lanes on Currie /Grenfell Street was the need to move people more efficiently. Before the bus lane was introduced, transport planners observed that the corridor catered for up to 85 per cent of its traffic in cars, which effectively only moved 25 per cent of the people who drove it. They also noticed that the other 12 per cent of traffic (buses) moved up to 75 per cent of the people. It showed that road space was not efficiently being allocated “to maximise the movement of people”. Thus the bus lane was implemented on Currie Street.

Swanston Street in Melbourne supports 119 trams per hour during the peak hour (theoretically moving some 17,000 people per hour, assuming full trams during the peak hour, and 150 people per hour on single lanes which could only possibly move 1,900 cars at the most). Streets still open to traffic, such as Spencer and Collins, support up to 82 movements per hour or 700 per cent more than Adelaide’s tram lane. Adelaide introduced just 11 tram movements on a 6 lane boulevard, King William Street, and the reaction from critics and the motoring community was overwhelming at the time.

Up to 25 trams per hour through the city would be required to cater for the exciting PortLink light rail /tram to Port Adelaide, Outer Harbour and eventually West Lakes Project, which is very achievable. Twenty routes that cross the parklands cater for around 220,000 vehicle trips every day that move in and out of the city. Analysis shows that about a quarter of these vehicle trips (55,000 cars) are ‘through’ traffic that use the city as a convenient short cut. There are various measures to remove this ‘short cut’ traffic including strengthening the ring road around the parklands or making it more difficult to get through the city (slowing speeds, reducing road space on ‘through routes’ and devoting this to local car trips, pedestrians, bikes, trams and buses), or a bit of both. There are also various other ways including tweaking Adelaide’s coordinated traffic system and less-known systems such as George Giannakodakis, Managing Director of InfraPlan, an established Adelaide and Melbourne based urban and transport planning consultancy has weighed in on the current debate about traffic congestion, bikes and bus lanes, parking taxes and traffic speeds. George’s experience spans some 25 years across the private sector and State Government roles that included metropolitan planning, urban development and transport strategy.

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Adelaide’s growth and city congestion Cont.

congestion charging and high occupancy vehicle lanes.

Trying to ‘funnel’ even more cars into the city does not work and has the effect of traffic banking up on main streets, such as: Unley Road, King William Road, The Parade, Magill Road, Prospect Road, Goodwood Road, Glen Osmond Road, Henley Beach Road, Melbourne Street, O’Connell Street and Hutt Street. Fewer cars and more public transport along with cycling and walking is the answer and therefore road space has to be provided for these modes. More cycling from inner city suburbs has been the largest change recently.

There is overwhelming research that shows the seriousness and occurrence of pedestrian accidents decreases as you lower speed limits (from 60 to 40 km/hr. the risk of a fatality decreases by 65 per cent); beyond which it becomes marginal. Restoring the speed limit to 60 km/hr would make little difference to local city travel times given that intersections dictate delays most of the time. In fact it may promote more unwanted ‘through’ traffic in the city.

The State Government’s 30 Year Plan for Greater Adelaide flags the City as the pre-eminent ‘transit oriented development’ set to accommodate an additional 50,000 workers and 27,300 residents by 2038. The property sector will not be able to realise the 750,000 square metres of office floor space required to support these additional workers through more car parking because there is simply no room left for that much car parking in Adelaide, or road space for the 80,000 or so employee based car trips that will be generated every day. Add to that student, recreation and tourism growth (in all about 200,000 more trips by 2038) and the city will be driven to gridlock enduring longer peak periods with repercussions felt as far as inner suburban main streets that in the 1970s and 80’s were designated for widening. This may become the case again.

Research shows that most Australian cities are changing their Development Plans to replace car parking for employees with bike parking. Council could also change its Development Plan to put an end to requiring developers to build car parks for new employee-based offices (in all zones). It should be an option not a requirement (as it is in the southern city wards driving more traffic into local residential streets). Removing these constraints will drive economic development and free up non-heritage areas for development to accommodate this future growth. However, a moratorium on building more car parks inside the Capital City Zone should be considered.

Planning and investment needs to shift towards developing a transport network that will cater for an increased number of ‘people movements’ (mass transit transport such as buses, trams and trains). Private car travel has a significantly greater infrastructure impact on cities in comparison to buses, bicycles and pedestrians as it requires more road space (widening of roads) to move a smaller number of people (as most car trips to the city are single occupant). Promoting roads for vehicle traffic only, is a one dimensional approach.

A holistic and multi-modal approach to transport planning is required to meet future travel demands as well as current travel habits. Furthermore, this has to sit within an integrated transport and land use framework and the city vision for economic growth and social development.
The Adelaide City Council Smart Move Transport and Movement Strategy, summarises the importance of achieving a balanced transport network and states ‘if we only plan for cars, all we will get is a City with cars. If more people used public transport, changed to bikes and carpooled, there would be less traffic on the roads and that makes your driving experience better. It’s a logical transition…’. This is a transition that will require measured and professional implementation, and not unconsidered reaction to individual projects or policies. Car parking supply and pricing, bus services and bike lanes, traffic controls and speed limits can be better managed and targeted to achieve the objectives outlined. The State Government’s Integrated Transport and Land Use Plan provides a strong vision to improve public transport into and within the city in line with corridor growth. It also proposes to address the problems associated with Adelaide’s ring road around the outer-edge of the parklands and supports more cycling, buses and trams into the city.

To read further, the discussion paper, Adelaide’s Traffic Congestion; Trams, Bike and Buses, So What’s The Solution? Can be found on the infraPlan website: http://www.infraplan.com.au/

George Giannakodakis
Principal
infraPlan (SA) Pty Ltd

Many will already be aware that Jon Kellett has moved from his position as Head of Urban & Regional Planning at UniSA to take up a new appointment as Professor of Planning and Property at the University of Adelaide. Jon moved in March to his new position in the School of Architecture and Built Environment, which is headed by another former long-standing UniSA staff member, Professor George Zillante. As an architect planner with a lifetime of experience in South Australia, George is making his vision for the University of Adelaide Architecture School very clear.

“The School of Architecture and Built Environment is a strong design-focused School. Our mission is to translate that strength into design professionals who have the appropriate mix of skills to shape our future environment”

Jon shares the view that planning education must combine the best of both theory and practice. Today’s planners need to understand why they are in planning and be prepared to question what they are doing, but they also need to have a firm grasp of the nuts and bolts of planning practice. A good grounding in the essentials of planning law, policy, public consultation and professional ethics is critical to success in the workplace for planning graduates. Together George and Jon are striving to make the Adelaide Master of Planning and the Master of Planning (Urban Design) the first choice destination for would-be planners at the graduate studies level. Complementing this ambition, the design dimension has been reinforced by the recent appointment of Dr Julian Worrall as Associate Professor of Architecture and Urban Design. Educated in Adelaide, the US, and Japan, Julian brings a wealth of international experience to the Adelaide students, having spent more than a decade in research and practice based in Tokyo, including working on urban-scale projects in Europe and the Middle East with the Office for Metropolitan Architecture in Rotterdam.

The School of Architecture and Built Environment has a long track record in teaching high-level design skills. Many of the state’s top architects and landscape professionals are graduates of the School. Complementing those skills with a solid appreciation of planning practice and the written and oral presentation and negotiation skills that distinguish high performing planners, is Jon’s immediate aim. As an increasing emphasis is placed on the quality of our built environment and place-making becomes the natural accompaniment to development, Adelaide’s future graduates are well placed to play a key role in raising the bar in planning and design in South Australia.
HOLDEN’s exit is an opportunity to repurpose former automotive manufacturing sites

By Michael Bosio AssocDipB (Marketing), DipPS, MPlan, MPIA
Member, SA Division Committee

Repurposing sites from their former use demands commitment and creativity. The stakeholders concerned from owner, redeveloper, financier to local government-must work together towards a common goal for the transition to succeed. A different adaptive category of use requires vision, an entrepreneurial approach, and a well-developed understanding of local markets and economic redevelopment plans.

The American automotive industry has changed dramatically over the last decade with midwestern communities in the states of Indiana, Michigan and Wisconsin experiencing 112 automotive plant closures. However, communities have been successful in reappointing nearly half of the closed plants.

Unfortunately when these factories close, the impact on the local community is severe with decreased economic output and significant job losses which lead to serious long term adverse consequences.

Given the nature of automotive manufacturing there are a significant number of workers needed for an assembly plant. The new use of the site rarely complements its automotive use and employs significantly fewer workers. The best outcome for a community is to make every effort to keep the automotive facility operating, however when this is not possible it presents communities with challenges and opportunities to reinvent themselves by finding new and productive uses for the site.

Research on repurposing former automotive manufacturing sites in the North American midwestern region found a strong economy was important for redevelopment of the sites. However this alone is not enough. Communities must work regionally, engage community residents, embrace local politics, streamline local and state policies and regulations capitalise on the community assets. In communities that have high unemployment and declining populations, repurposing automotive manufacturing sites is especially challenging.

The research reveals where community leaders from both private and public sectors genuinely cared about the affected community they will generate the necessary energy and ideas to transition the site. Through an entrepreneurial and innovative visionary process community leaders can capitalise on the assets in the community and create a market that utilises them.

One of the key functions of the newly established Automotive Transformation Taskforce, chaired by Hon Greg Combet AM, is to work with GM Holden on the future of the Elizabeth manufacturing plant. This significant economic asset covering 124 hectares offers potential for the attraction of alternative investors to generate new productive activity and employment in Adelaide’s north, subject to agreement from GM Holden and their plans for the site.

A range of options for the alternative use of the Elizabeth site and associated infrastructure will be assessed by the State Government, in consultation with GM Holden, covering automotive and non-automotive uses. There are a range of possible uses in automotive, defence, mining and other sectors.

The planning function contributes to the repurposing of the former automotive site by understanding the regional systems and linkages by mapping the regional assets resources that can be utilised to support development initiatives. Asset mapping combines knowledge that may be scattered or held by a few individuals and makes it available to conceive new ways of leveraging the automotive assets. This enhances stakeholder understanding of the regional asset base and improves the potential impact of development initiatives. The visual representation of the assets builds collective understanding of, and demonstrates to stakeholders how regional assets interact with one another and entities outside the region.

When a plant closes the key priority to move the communities forward is to capitalise on the existing asset base and linkages, including its skilled workforce, technological assets, educational infrastructure and surrounding economic activity. Planners are key players and must be part of the repurposing process. Through asset mapping and an understanding of the synergies of existing talent in a region, repurposed manufacturing plants can be moved to the next level of manufacturing - advanced manufacturing. This approach was applied to the NUMMI (New United Motor Manufacturing Inc.) an automobile manufacturing plant in Fremont, California, which following its closure in 2010, was reopened by the new generation car manufacturer Tesla.

Tesla saw the advantage in reopening the plant which was established in 1984 by General Motors and Toyota. By using existing facilities and local talent, Tesla now employs 6,000 workers manufacturing the new generation all-electric vehicle.

Michael Bosio is a committee member of the SA Division of PIA and is currently working on development assessment in local government. Michael has had successful careers in the manufacturing and construction industries, including undertaking business development with automotive and defence sectors. This diverse experience contributes to a well informed economic and commercial perspective in his urban planning roles.

Source: Centre for Automotive Research (www.car group.org)
Planning in a time of austerity - foreign correspondents report

by Sandy Rix

The observations filed in this report, stimulated by recent travels to selected European cities, identify three areas Adelaide’s planners might focus on to make a more resilient city in tough times. These areas are: transport modes and opportunities; promotion of the tourism sector of our city economy to make our city more accessible both physically and economically; and some brief comments on how our profession might continue to improve. Nothing I’m reporting is new but what I have observed reinforces some priorities in a list of (policy) desirables we all talk about often.

I use ‘austerity’ here to mean frugality, more often than not by government, brought on by reduced revenues in the foreseeable future, leading to reduced investment and spending, job losses, widespread individual belt-tightening and economic hardship for more in the community.

TRANSPORT MODES AND OPPORTUNITIES

Berlin must be just about the easiest city in which to move around. In a city of some 3.4 million, it is a breeze, especially in the central three or four kilometre radius. There are buses, trams, city wide trains and a central area underground, all with an integrated ticket system. But the standout system is the bike paths and lanes. They are everywhere and heavily used. (Berlin is very flat like most of Adelaide). The bike paths/bikeways are separated from vehicular traffic and delineated by colour or surface treatment from the adjoining footpath areas. They are safe, smooth and are used by all sorts of people of all ages. A privatised bike hire system exists for visitors but obviously the residents use it a lot with their own bikes. In times of austerity constructing these paths must surely be a relatively inexpensive infrastructure stimulus which would provide an equitable system of transport for a majority of our city population. And it wouldn’t be just for the Adelaide city centre; just like Berlin, systems can be planned, installed and promoted to lead to the major regional /employment centres throughout Adelaide like Elizabeth and Salisbury, Modbury, Port Adelaide, Marion and Noarlunga. They need the characteristics described above, particularly the separation and safety element. This is not entirely new I know and is being gradually implemented in a patchy way now. Well done Lord Mayor Young!

Accelerating the rollout of such a system would not only bring the benefits we know about such as reduced fossil fuel use and improved health, but in austere times such a system would provide mobility for people without a car or people without a lot more. And it can take the time pressure off building the really costly capital intensive public systems like trams and undergrounds. It’s quite possible that Adelaide will never be able to afford an underground and may not even be able to afford comprehensive extensions to our tram/light rail system. Within the current planning horizon we should be firmly focused on promoting and integrating the current train/tram and bus networks, particularly for timetabling, frequency, quality and safety - and overlaying a sophisticated cycling network. And like Berlin, no helmets please, given the improved safety levels that come with a separated network!

Tourism is part of Adelaide’s economic future. We are all part of the global system of capital - it increasingly doesn’t look or feel like a global village or global community - and austerity is becoming a universal part of this system. Despite this people will still travel and tourists will continue to come to Adelaide. Observations in Berlin and Venice suggest there are some key moves we could plan for and implement to ensure we increase our attraction for tourists in such times. They would have to include more authentic, engaging, attractive (city) destinations to complement our range of regional beauties (places like Berlin and Venice are mostly impossible to replicate); and they would have to be accompanied by updated and engaging public realm AND a connecting transport network as described above. But three of the elements these two European cities have in abundance are: an absolutely deep and rich arts and cultural scene; great food to suit all budgets; and great accommodation to suit all budgets.

All sorts of small and spartan places exist in both Venice and Berlin where healthy and traditional food is available at low cost. The Italians obviously do it more stylishly with a broader offer but there’s plenty of choice in Berlin beyond the schnitzel and the sausage! Have we got this range and price point in Adelaide? We certainly have the range - we are justifiably proud of our great local food - and we probably have the price point but it needs promotion and strengthening and more availability. Similarly with accommodation, especially top of the
range and budget, our Adelaide offer can appear tired and stagnant. The number of new hotels under construction will no doubt remedy this, at least partially. If planners in Adelaide know this, maybe we could help by making it more straightforward for investors to get such food and accommodation offers approved and built, giving Adelaide a greater competitive advantage over other potential tourist destinations for both local and visiting tourists.

Adelaide has reason to be proud of its arts and cultural calendar and its history in these areas. The number, type and frequency of arts events in all their forms in Venice and Berlin is breathtaking especially in summer. We overlook maintenance and improvement of our own offer in these areas at our peril, both as an increasingly important part of our economy and as part of explaining who we are to ourselves and others. The Venice Architecture Biennale is one such major event, occurring every two years in the past 28 years. More than 70 countries exhibit, including Australia, though government support for our exhibition is apparently not strong. A significant amount of planning is evident on a city, precinct and site scale, as well as the built form design presentations you would expect. Broader artistic forms of expression such as dance and music are increasingly incorporated into the Architecture Biennale which is so large that it is impossible to see it all in a few days.

The message here is that in times of austerity, elements of the ‘new economies’ of thriving cities must be recognised and need to be nurtured. Tourism in its many forms whether it be cultural, health or food is one such sector of the economy, likely to flourish despite local and international downturns. Adelaide is so fortunate to have the “raw ingredients” to produce better offers in these areas and must build on what we have.

A STRONGER PROFESSION

The Venice Biennale provides a good segue to highlight how we need to remain responsive as a profession to the needs of our communities. Young architects are struggling to find work in Adelaide, just like young planners. Smaller firms of practitioners may be more vulnerable than larger more corporate operations. For our profession to thrive in times of austerity we should review our every day practices and consider how we can:

- be more conscious of the context and time frames in which we interpret policies and regulations;
- be more strategic and anticipatory about how we can facilitate the implementation of quality development;
- be more aware of who in the community is bearing the brunt of government cutbacks to activities and support program;
- Make sure the community knows the value planning adds to a community beyond the regulatory technician role;
- make sure we are informed and educated to remain relevant and capable of facilitating and leading Adelaide’s development and future planning.

If we don’t someone else or some other profession will.

In summary, this ‘correspondents report’ offers some recent international observations and their potential application to Adelaide in times of austerity - in terms of transport and tourism and planners’ outlooks. They are but a few of the necessary conditions for a successful and resilient future Adelaide.
I was sitting (shivering) in the Lucindale Football club running an engagement process on the Draft Naracoorte Structure Plan, chatting with the locals from the Padthway and Lucindale footy club (Padthaway blitzed Lucindale). We were exploring their aspirations for the future of their much-loved local town.

As an engagement practitioner, I am very used to the plethora of community responses being typically along the lines of “we want better pavements so we don’t trip up”; “we need more carparks”; and “we don’t want any of those terrible dog boxes they call housing”. However, as we collectively warmed our hands over our polystyrene pea and ham soup cups, the common response from Lucindaleites was world’s apart from that typical commentary. “Well, looking into the future, we really would just like our community to actually still have a town”.

People shared with me the need to find ways to retain some semblance of a vibrant community. I heard stories about towns fighting hard to retain their youth who are moving in droves in year 6 to Adelaide (noting with the introduction of middle schools in our education system, the earlier flight of youth to cities for schooling is a newer phenomenon, it used to be much later in year 11/12 or to attend university). Some mothers found this early flight of their children to the city particularly challenging and difficult to adjust to, suddenly left home alone, needing to redefine their role and find new interests. Other stories were told to me about under 13 footy teams having to merge with other towns (the competition!) in order to get the team numbers up, about how to retain a visiting GP to achieve at least a weekly visit, about the generosity of the community purse in donating to local causes, and about how to find ways to enable people to live as well as work in the region. There was a fear that Lucindale might just become a commuter town to Naracoorte, rather than a thriving and energetic community in its own right.

My Lucindale weekend reminded me that the economic focus of our planning conversations needs to resist the pull into the ever-present ‘growth, financial security, and job creation’ discussions – and instead we should work hard to bring energy to conversations about the place itself. The link between place and economic prosperity is clear – attractive, energetic, competitive places compete favourably again other destinations to live and work because they offer a better quality-of-life and more economic opportunity. As identified at a recent Main Street Conference in Gawler, a quick analysis of the areas that are gaining population, retaining youth and becoming innovation hot spots shows that the “place” itself is becoming an increasingly important economic development driver. Deliberate framing of questions that contemplate “place” rather than probing the economic context of high vacancy rates, low housing affordability or poor employment prospects is a more palatable engagement approach and encourages communities to focus on strengths and opportunities rather than deficits. What makes a town “tick”? What makes a town can be attractive to others? What does a town look and feel like when people feel happy, safe and energised?

A couple of stimulating ideas that identify pathways to attract, nurture and retain communities through attention to “place” have recently come to my attention. It’s noted that these ideas are also pathways that link directly to sustaining local economies – but none of them stem from the typical palette of planning phrases such as growth, economic sustainability, setbacks, densities, development plan amendments, structure plans or approval processes!

Start with this proposition (adapted from Rich Karlgaard, publisher of Forbes magazine in the United States). One of the most valuable natural resource in the twenty first century is youth with spirit, creativity, and a preparedness to embrace risk in their endeavours to create a great future. These kinds of people tend to be mobile. Watch where they go! Because where they go, robust economic activity will follow!

What does a town look and feel like when people feel happy, safe and energised?
Soup kitchens, Argo Café, farm fresh food and Lucindale Footy Club cont.

Argo and Flash Mobs
Adelaide’s own Daniel Milky from Argo’s on the Parade in Norwood is an inspiring example of this new creative and youthful citizen that our planning and governance systems should embrace.

Opera flash mobs, café window panes come interactive play station spaces, and delving deeply into understanding local communities that have bred an innovative marketing campaign highlight Daniel’s approach.

1,000 Nights
The 1,000 Nights concept is a little gimmicky, but I like it. It is a gauge for how competitive your community is in attracting and retaining talented young people (think of the previously quoted Lucindale example – but equally applicable to Adelaide metropolitan areas and many other country towns). It works like this: a young person graduates university at 22 years old. She immediately sets her sights on a place where she wants to live, one that provides a fun and spirited environment for her and her friends, since young people nowadays often travel together. Since she won’t be getting married until she is 32, unlike her parents who married much earlier, she will be looking for lots to do in the coming ten years. Things like cultural offerings, recreation, parties, urban explorations, adult learning experiences will be at the top of her list.

10 Years x 2 Nights of Fun per week x 50 weeks per year = 1,000 Nights.
This is what she is looking for and what a place needs to offer. Does Adelaide make the grade for her? If not, she probably won’t stay. And if she stays but she gets to 200 nights and runs out of options, then she will most likely move on.

Finding 1,000 nights requires us to move from a focus on the built form and move to a model that nurtures creative, flexible and spirited activity that can take place within, around, on top of or underneath our built form. We have defined this deliberate contemplation of associated “place” activities and spaces “placemaking” – and it is mostly now treated as a function/skill set in its own right. Arguably, placemaking should not be a separate consideration outside the planning arena, but should be absolutely intrinsic to our consideration of the context of the places we plan for and with.

However, sadly, planning tends to knock the creativity out of even the most spirited planner – so working more closely with allied professionals where creativity and thinking outside the square is valued, has become a necessity.

The Hub
Look at Adelaide’s own Hub in Peel Street for innovative ways in how to use space for mobile communities who recognise that the need for office space is not only about the built form, but also about connections, feeling part of a broader community, and sharing resources.

Detroit Soup Kitchen
Which is why I like the idea of the Detroit Soup Kitchen (our connotation of soup kitchens is different to the aims of this project which has its origins in Detroit, United States). It is a creative approach to planning and embracing community-led ideas and is a monthly dinner that celebrates and supports creative projects that build and support community. It could easily be applied in South Australia – we have been exploring ways of introducing the notion to Christie Downs as part of the Christie Downs Masterplan.

How does it work? Residents and supporters donate $5 at the door, four people working on small, low cost project ideas that benefit the community present their proposals to the group. Examples of project ideas identified by Christie Downs residents include a regular junk clearing day to remove the unsightly rubbish from front gardens from high turnover rental properties, using underutilised council
facilities as a small business incubator space, and supporting a skate park facility design competition led by youth. Over dinner, diners cast their vote for the project they want to help fund. The winning project goes home with all of the money raised in the evening and come back to a future SOUP dinner to tell us about how the project went! The idea is that local government is involved only by being the host of the party, not the life of the party – ideas come from the community and is supported from within the community. The ideas don’t even need to be congruent with Council’s community plan or the State’s 30 year plan!

Farm Fresh Food

To add another idea into the melting pot, what sorts of ingredients do thought leaders say that our cities need to become the most resilient, nurturing, sustainable places?

The United States Fast Company provides interesting commentary on this issue. The company transcends the boundaries of normal, everyday conventions and processes and showcases individuals and companies who impact the world through creative ingenuity. They focus on innovation, design and sustainability – and have offered what they see as the top ten city ingredients.

Again curiously – no mention of densities, character or carparking! But farm fresh food, zero emission public transit, venture capital mind set and incentivized teachers are high on the list.

The Virginia Horticulture Framework I’ve been involved with highlights the social and economic value of our food bowl. An independent review of the project recommendations by Trevor Budge, a leading commentator on fringe planning and food security, widely praised the recommendations but noted that a major impediment to achieving them is that the enormous value of this rural urban fringe landscape for fresh food production (which he argued is amongst the top three in Australia) is not recognised or supported through clear and firm state policy directions.

We should ask ourselves how well Adelaide is faring in relation to these ingredients? Protecting landscapes to grow farm fresh food? Supporting youthful creativity? Offering 1,000 nights and supporting community led project briefs? Looking at our towns and cities through a different “place” lens might help us to focus on the strengths and opportunities rather than the rationalist, economic-led deficits.
Jennifer Keesmaat came to the City of Churches and left us with inspiration and hope about our own Planning system in South Australia.

Jennifer’s got a bit of a reputation as a planning rock star after two Ted talks, 14,500 Twitter followers and for the name she’s making for herself, Planning and The City of Toronto.

Once a city that went ‘out’ through greenfield development, the City of Toronto has transformed itself thanks to the community who have empowered themselves to own their city and embrace going ‘up,’ largely thanks to an initiative by Chief Planner, Jennifer Keesmaat.

Toronto had previously made a sweeping decision to cease greenfield development.

After an exhaustive period of consultation and engagement, the case for Toronto to grow through consolidation rather than expansion came to be understood in terms of protecting the city’s critical watershed, its principle water source. With this as their cause, the citizens of Toronto became the fiercest advocates of a city that went up, not out.

Conclusions like this became possible after literally years of work by the city actively stimulating a ‘city-building conversation’ among the public and the bureaucracy alike. Once this conversation was established, the debate around growth shifted from ‘why?’ to ‘how?’ Under Jennifer’s watchful eye, the City of Toronto then rolled out a series of projects that helped trigger a leap in the community’s participation in the future shape of the city.

One of her trump cards has been a series of Chief Planner Roundtables “Civic leaders and industry professionals meet, review challenges and identify paths towards resolution”, Jennifer says. “Residents and members of the public are encouraged to participate by attending the sessions in person or watching them live-streamed on the internet, and by submitting comments and questions by Twitter or comment card”. She’s made herself visible while making conversation. Like our own Lord Mayor, Jennifer Keesmaat is a social media nut – at last count she had tweeted 5,558 times.

Jennifer’s visit to Adelaide threw open the doors to a whole raft of exciting new conversations about the future of our city, and of our planning system. We formed some strong bonds. Meetings between Jennifer and Planning Minister John Rau, Lord Mayor Stephen Yarwood and senior members of the Department of Planning, Transport and Infrastructure - yielded an enthusiastic commitments to a similar discussion here in South Australia.

It’s now up to planners in this state to seize this challenge and begin leading the city building challenge. This work demands all kinds of collaborations, great leadership and high-level tough decisions.

Jennifer left us with inspiration and hope about our own planning system.
Jennifer Keesmaat - Online Q&A session

OUR NEW ONLINE Q&A SYSTEM GOT A HEALTHY DISCUSSION UNDERWAY WITH A RECORD NUMBER OF QUESTIONS FROM THE AUDIENCE.

From left: Victoria Shute, Greg Vann, Jennifer Keesmaat and Lucinda Hartley. The Session was facilitated by Kylie Fergusen.

HOW DO YOU PERSUADE LOCAL GOVERNMENT TO PAY FOR WHAT THEY SEE AS A “SHORT TERM FIX?”

Lucinda: What might be viewed as a short term fix by local government is often viewed as immediate action by the local community. It helps build support, engagement and the sense that “something is happening”. The challenge of only looking at long term planning, from a community perspective, is that there is often a very long delay between consultation and action. This leads to a sense that nothing is happening, which can create opposition which just slows things down. Short term fixes help to speed up long term change by building stakeholder support. If this can save time on the overall implementation timeframe then that makes the early investment worthwhile.

Greg: Not sure if this one was for me, but I’d point them to experience in New York and other cities where short term fixes have shown the way to long term change (Broadway, High Line etc)

Victoria: Councils are accountable to their communities for their expenditure and are subject to many legal obligations in this regard. In this context, councils need tangible evidence which supports the ongoing benefit of short term fixes. “Place-making” in the modern sense is a relatively new phenomenon and for a while the evidence that it works was simply not available. I believe that such solutions will become much more commonplace now that the evidence exists to prove that they have long term benefits.

Kylie: Firstly, councils need to demonstrate compelling reasons to spend money. So presenting the benefits of the short term action is imperative – and presenting them in a meaningful, engaging and positive manner – bring the elected members and council staff along the journey of the short term wins also! Secondly, the benefits need to be described not only in terms of physical benefits, but also in terms of the less tangible but equally important benefits. These might include improving community moral, rebuilding sometimes cynical relationships based on the view that “nothing ever happens”, demonstration of council’s value of community champions (who might be given the job of implementing the short term action), demonstrating to the community that council is listening, and willing to respond. Thirdly, link the benefits of the short term action to what council is trying to achieve through its other (often strongly resourced) branding and communication activities. There is often overlap! And lastly, it is often the case that there is a bit of money left over in council budgets some time before the end of the financial year which needs to be spent – so use this an opportunity to utilise some small parcels of left over funding in a timely way before the new financial year starts.

IS IT SOMETIMES BETTER IN PLANNING TO ASK FOR FORGIVENESS THAN SEEK PERMISSION?”

Lucinda: In a word - yes. And this works two ways - sometimes communities need to be prepared to create the change they want to see in neighbourhoods, and sometimes governments need to be prepared to make bold decisions.

Greg: Some people think this is true of life as well as planning, but I’ve always believed in sticking to the script; and if it is not working, to change it.

Victoria: Yes. Trying and failing is better than not trying at all. Unfortunately however local government and other statutory entities who are responsible for public places operate in an environment where legal claims and complaints to oversight bodies are frequent. This then leads to a very risk-averse culture where decision-makers are afraid of making an unpopular decision. I believe that our politicians at Federal, State and Local Government levels (and who are ultimately responsible for the departments and authorities that they administer) need to take the lead, be brave and allow new ideas to be tested and be prepared to defend decisions that are not as successful as first hoped for.

Continued page 26
Background & Introduction

After nearly two years the ambitious Planning Improvement Project ‘Think, Design, Deliver’ has reached its penultimate phase, when Brian Hayes and his Expert Panel on Planning Reform will hand its recommendations to the Planning Minister.

This process began in February 2013 when Minister for Planning John Rau announced that “an independent expert panel will take the lead on a project to update South Australia’s 20-year old planning legislation and help maintain the State’s reputation as a leader in planning reform.”

This triggered the most significant reform process since the state’s planning and development legislation was last overhauled in the early 1990s, which saw Development Act 1993 replacing the Planning Act 1982.

The Minister said his intent was for the review to modernise planning processes, allow for an exhaustive and community driven review of the State’s planning system and support Adelaide’s transformation into one of the world’s great small cities.

Among other things, the Expert Panel was required to review legislation relating to planning, urban design and urban renewal, including the Development Act 1993 and the Housing and Urban Development (Administrative Arrangements) Act 1995, as well as all other legislation that impacts the planning system.

The Minister required that the Panel’s recommendations be directed towards realising the vision of a vibrant inner city for Adelaide; liveable, affordable and healthy neighbourhoods; and thriving, sustainable regional communities, as outlined in the 30-Year Plan for Greater Adelaide and new strategic plans for regional areas.

The Expert Panel was charged with reporting to the State Government by December 2014. However, the it chose to present its ‘Ideas for Reform’ as one package, rather than a series of options, eliminating a stage from the original process. It was also expected to provide early advice on targeted legislative reforms that can be progressed during this year.

While the Expert Panel is no longer taking submissions, this article is deliberately provocative in order to stimulate more debate about which ideas for change the Government should adopt in this once-in-a-lifetime opportunity to improve the State’s planning system.

Having worked in 5 countries around the world (namely South Africa, Swaziland, England, Canada and now Australia), I consider that although the South Australian system is very comprehensive, it is absolutely over-regulated. Everything is controlled: colours and materials, building design, landscaping, tree removal, hours of operation of businesses, etc. The development assessment process is essentially about issue identification and issue mitigation, but it is well worth asking whether it has gone too far? For those who have had the privilege to travel to other cities around the world, it seems clear that they all contain the same essential elements – buildings, infrastructure, roads, open space (passive & active), etc. However, the planning and development systems applied to achieve these outcomes are quite different. In my view there are better ways of achieving good planning outcomes in a more efficient and effective way.

There are countless frustrations on both sides of the process. Applicants and developers see the process as bogged down in red tape, resulting in sometimes lengthy processing times and additional costs. Landowners adjoining development often feel left out of the assessment process by not being given an opportunity to comment. Those who are given the opportunity to make comments often feel disenfranchised when their issues are not addressed in the final approval decision.

Local government planners frequently find themselves caught between expectations of applicants, representors and elected members which too often results in unnecessary conflict. The key question is what elements would make for an improved planning system which provides equity and certainty for all parties?

Click here to download Marc’s full article
Regrettably, the last line doesn't really scan. Nevertheless this slightly butchered nursery rhyme illustrates an issue that I have found most interesting and curious over the years. And although it starts with landscaping, it really concerns all non-development, exempt development, and building rules consent only (BRCO) development, and (probably) complying development.

Much development in South Australia – perhaps the majority – is approved subject to provision of adequate landscaping. This might be shown on a landscaping plan forming part of the application documents. Or it might be required by a condition of development plan consent. Commonly, development is approved subject to a condition that the approved landscaping be established within a particular period. Almost as commonly, a condition is imposed along the following lines:

The approved landscaping must be maintained in a healthy condition and nurtured at all times to the satisfaction of the Council. If any of the landscaping dies or become diseased, it shall be replaced forthwith with the same species to the satisfaction of the Council.

Against this background, it is something of a wonder that recreational gardening continues to be enjoyed by many, particularly in newly established residential areas.

I say that for this reason. As explained below, where development is approved all the parts of that development whether or not comprising development in their own right are effectively frozen in the approved form and cannot be lawfully changed without varying the relevant development approval. This includes landscaping. So how is it that councils are not swamped with applications to vary landscaping plans in order that a little Sunday gardening be carried out?

I think I know the practical answer to that question.

At a practical level, if landscaping has been established, and looks reasonably presentable and isn’t drawing complaint, then all councils have rather more pressing issues than auditing whether landscaping has been kept in its approved form. This, combined with the popular misconception – often repeated by council officers – that mere gardening requires no approval (so long as you’re not affecting a regulated tree), means that by and large people are free to engage in gardening to their hearts’ content.

The fact that doing so might constitute a criminal offence with a maximum penalty of $120,000 seems to be of no concern.

When Exempt Development Isn’t

It is not just gardening and other non-development activities that effectively get a free pass. It seems to be a common belief that acts and activities listed in Schedule 3 of the Development Regulations 2008 can be carried out “as of right” and without further consideration or authorisation under the Development Act 1993.

BRCO development seems to sit in the same boat. For example, where a BRCO carport is approved that takes up land shown on a previously-approved landscaping plan as containing a tree, there seems to be an assumption that the approved landscaping “gives way” to the new approval. Perhaps it has been assumed that such approval implicitly varies the prior approval, but that assumption would now seem to be incorrect: Parabanks Shopping Centre Pty Ltd v City of Salisbury (2013) 197 LGERA 336.

Complying development is more difficult to analyse and I avoid doing so in this article.

Returning to an original approval, the inescapable conclusion is that where the approval includes standard Condition 1 (development must be undertaken in accordance with the approved plans) – and possibly even without Condition 1 – Section 44(3) and (4) operate to effectively freeze the approved plans so that they cannot be changed without a formal variation application being approved.

Therefore non-development, exempt development, and BRCO development cannot be undertaken without also (separately) varying the original approval to permit them to occur. The position is probably the same in relation to complying development.

So far as I am aware, this has not been tested in South Australia.

However, similar questions were considered in two recent Victorian cases, Benedetti v Moonee Valley City Council [2005] VSC 434 and Box v Moreland City Council [2014] VCAT 246.

In Benedetti the Victorian Supreme Court had to consider whether an extension to a dwelling which ordinarily would have been permissible as of right (complying or BRCO, in SA terms) was prevented by two conditions of the original 1994 planning permit. Those conditions were:

1. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plan, shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or By-law or for any other reason) without the consent of the Responsible Authority.

2. No new buildings or works shall be erected or constructed and no existing buildings shall be enlarged, rebuilt or extended (whether or not to comply with any Statute, Statutory Rule or By-law or for any other reason) without the consent of the Responsible Authority.

The combined effect of the two conditions is similar to – perhaps more restrictive than – the effect of Section 44(3) and the usual SA Condition 1.

Each condition adverted to the possibility of further consents granted pursuant the condition itself. In Victorian planning speak such consents are called “secondary consents”.

As a side note, SA planning law has long held such conditions to be invalid (see City of Unley v Claude Neon Ltd (1983) 32 SASR 329) primarily because of the lack of finality that a secondary consent regime would give rise to. The position is evidently different in Victoria. The difference in regimes matters little because Section 39(6) of the Development Act 1993 (SA) expressly provides for variations of approvals; this is essentially equivalent to the Victorian secondary consents regime.

As a side note to the side note, in Scott v Wollongong City Council (1992) 75 LGRA 112 the NSW Court of Appeal doubted (at p. 117) that Claude Neon’s case was correctly decided insofar as it held that all secondary consents offended the rule against finality. That accords with modern day planning practice in SA where it is entirely common that landscaping, stormwater disposal, and
sometimes other details, are left by condition to be, effectively, the subject of a secondary consent.

The Victorian Supreme Court held that Condition 1 was not spent upon completion of the works envisaged by the planning permit, but endured indefinitely for so long as someone took the benefit of the planning permit, unless or until the works were demolished or (curiously) the works were reduced so as to themselves be rendered complying or exempt development (presumably under the planning scheme then-applying).

The Court endorsed the anterior observations of the Victorian Civil and Administrative Tribunal (my emphasis):

"It is quite common for conditions to regulate matters on a development site such as fences, landscaping, trees and the like which viewed in themselves and in the absence of the permitted development could be erected, demolished, altered or enlarged ‘as of right’. Once one accepts that these conditions are not ‘spent’ on completion of the development, they operate as an indefinite constraint on what could otherwise be dealt with ‘as of right’ under the relevant Scheme. To hold otherwise would entail the view that items such as landscaping and so forth can be immediately reversed or demolished forthwith upon completion of the development[,] a view of things which would reduce the planning permit process whether at the Responsible Authority level or the Tribunal level to a solemn farce."

The Court held that Condition 2 was valid and had a proper planning purpose. It was not invalid because regulated matters which would otherwise be permissible as of right:

Permit conditions often regulate matters such as the preservation of landscaping and fences which are not the subject of direct planning control. In so doing, they enable resolution of urban design issues at a higher degree of detail than the planning scheme provisions would otherwise allow. In turn such conditions by better defining the terms of consent, facilitate outcomes which are potentially in the interest of the permit applicant, the responsible authority, persons directly affected by the proposed development and the public generally. The utility of such outcomes supports a broad construction of the power [to impose conditions].

In the 2014 Box case the Tribunal had to consider whether the approved plans for a pair of dwellings prevented later variations carried out in the construction of one of those dwellings including:

- a Colorbond rear fence in lieu of a timber paling fencing;
- a 2.0 m high rendered masonry fence;
- a new staircase and an increase in the size of a deck area;
- an extension to the deck area in order to accommodate the staircase;
- inclusion of a roofed area over the deck area;
- obscure glazing in lieu of timber battens to screen the deck area;
- doorway access from the setback along the western side of the dwelling;
- an external doorway leading to the basement; and
- minor amendments to the landscape plan.

The applicant claimed all the changes could be made as of right, and no amendment of the previously approved plans was necessary. The analogy with the SA exemptions for certain internal and external building works is obvious.

At the time the two dwellings were approved (2008), such works required a planning permit. The underlying land was subsequently divided, and constructing or extending a single dwelling on each new allotment no longer required a planning permit. The applicant argued that the previous permit had run its course and no longer operated to control development of his land.

Condition 2 of the 2008 planning permit is sadly not reproduced in the judgment but is apparently similar to Condition 1 in Benedetti’s case (the layout of the site and size of proposed buildings and works shall not be altered without consent).

The Tribunal held the condition to be valid, and determinative of the situation. Notwithstanding that the works in question could be carried out as of right if the allotment was vacant, the fact that the original planning permit had been implemented meant that Condition 2 endured and a secondary consent was required for the alterations and additions. In SA terms, a variation under Section 39(6) was required.

In my view the reasoning of the Victorian Supreme Court in Benedetti is persuasive. The application of Benedetti in Box’s case seems correct. I expect that the same conclusions would be reached in relation to the Development Act (except for the qualification in Benedetti that if on-site works were converted to as-of-right development, conditions would cease to apply – that appears unsupported by the text and structure of the Development Act).

In summary, in my view, the popular belief that non-development, exempt development and BRCD development can all be undertaken as of right, and without reference to any preceding approvals, is wrong. In all such cases the preceding approval(s) are of critical importance and should be considered carefully to ascertain whether a variation application is required.

Just don’t tell my green-thumbed mother-in-law.
The Environment, Resources and Development Court recently considered an appeal brought by Weeroona Holdings Pty Ltd (Weeroona), the lessee of a site used as a BP service station.

Weeroona was served with a Site Remediation Order (SRO) by the EPA pursuant to Section 103J(1) of the Environment Protection Act 1993 (EP Act). The SRO required Weeroona to remediate the land which had been contaminated as a result of an underground pipe leaking petrol.

Weeroona appealed against the SRO on the basis that it was not an ‘appropriate person’ to receive an SRO issued by the EPA. Under the EP Act a person who ‘causes’ site contamination is an ‘appropriate person’ and can be issued with a SRO.

Causation is a broad concept under the EPA Act. It extends to a person who occupies or has a right to occupy a site when the relevant act which caused or contributed site contamination occurred. It also includes a person who has the ‘operational control’ of a tank, pipeline, works or structure that is installed on, or traverses land and is used to store or convey any chemical.

There was no dispute that Weeroona was the lessee of the site and the pipe from which the petrol leaked was part of the land it leased. However, Weeroona disputed that it had ‘caused’ contamination to the land and was not an ‘appropriate person’ to receive an SRO for the purposes of the Act.

The Court held that as an occupier of the land where petrol was pumped through a leaking pipe, Weeroona was clearly to be taken to have ‘caused’ contamination pursuant to the Act. As a result, Weeroona was an ‘appropriate person’ to receive the SRO.

Despite its finding, the Court went on to consider whether Weeroona had ‘operational control’ over the pipe, by reason of it having authority to implement environmental, health and safety policies or any other operational policies. If Weeroona had ‘operational control’ it would be considered an occupier, and therefore would have ‘caused’ site contamination. The Court found Weeroona had the authority and a duty to introduce and implement operating policies over the premises and the pipe. Such ‘operational control’ by Weeroona meant that it was considered the occupier of the land when the petrol leaked.

The Court rejected Weeroona’s arguments that the time for compliance with the SRO could not be complied with and that the SRO was invalid because it extended to land beyond the site. The Court commented that the terms of the SRO were not as clear as they could have been but in any event it was prepared to vary the SRO to make its intentions clearer and amend the date for compliance.

LESSONS FOR COUNCILS

The Weeroona decision serves as a timely reminder to Councils that the obligations under the EP Act have equal application to them as to other occupiers of land.

In recent times in South Australia and New South Wales, the EPA has successfully prosecuted several Councils for environmental offences, including the operation of waste facilities without a licence and unlawfully depositing sewage onto land within a Council’s area.

The common theme to these recent prosecutions was that each case involved facilities which had been operated by Council for numerous years prior to the introduction of the relevant environmental legislation or policies. The offences arose as a result of their failure to adapt to the introduction of the legislative and policy changes.

These decisions are a reminder to Councils that the EPA has recently been successful in prosecuting Councils for breaches of environmental legislation.
Most Courts in Australia have an inherent or statutory power to award costs in respect of each and every matter before it. The general rule is that costs follow the event – i.e. that the unsuccessful party usually pays the legal costs of the successful party.

An award of costs does not generally indemnify the successful party against each and every dollar spent on legal fees throughout the course of litigation. Generally, costs are awarded on a “party-party” basis. This means that the award of costs is limited to the actual costs of conducting the relevant litigation (i.e. Court attendances, preparation of Court documents, etc) and are awarded on the basis of a scale set by the Court. The scale set by the Court is generally much lower than market rates for legal services.

Where a “special and unusual feature” in a case arises, it is possible for a party to obtain an order for solicitor/client costs, which is a costs order based on the actual rate charged by a solicitor to a client, and not the scale rates. Such costs orders are only awarded in special or unusual circumstances.

The ERD Court is commonly understood to be a “no-cost” jurisdiction; unlike most other Courts, the ERD Court has a limited costs jurisdiction and can only award costs where specifically authorised by legislation.

In enforcement matters, the ERD Court generally has the power to award costs. In appeals against planning decisions, heritage decisions and other similar merits decisions, the Court can only award costs if the Court:
- dismisses or determine any proceedings that appear to be frivolous or vexatious, or to have been instituted or prosecuted for the purpose of delay or obstruction, or for some other improper purpose;
- after hearing the applicant in the proceedings, finds in favour of the respondent without hearing the respondent;
- gives summary judgement against a party who obstructs or unnecessarily delays the proceedings, who appears to be continuing to participate in the proceedings for the purpose of delay or obstruction, or for some other improper purpose; or
- who fails to attend any proceedings or fails to comply with a regulation, or a rule or order of the Court,
- pursuant to section 17 of the Environment, Resources and Development Court Act 1993.

In the case of Hamilton Hill Pty Ltd & Anor v Minister for Environment & Conservation (No 3) [2013] SAERDC 54, the Minister had obtained a summary judgement against the appellant. This judgement was issued after the appellant, who had appealed a Protection Order issued by the Minister, transferred the property the subject of the Order to a company registered in Panama during the proceedings without ensuring that access to the land would be provided for the purposes of the appeal. The Court was satisfied on this basis that the proceedings were continued only for the purposes of obstruction as the appellant no longer had an interest in the land and dismissed the appeal under section 17 of the ERD Court Act.

The Minister then sought costs on a solicitor/client basis. The Court, in awarding costs on this basis, noted that the transfer of the land, without the retention of a right of access, frustrated the appellant’s own appeal, making it impossible for the Minister to prepare a case on a proper basis, and impossible for the court to adjudicate the appeal. This, and the fact that the appellant had resisted the Minister’s application to have their appeal dismissed, were held to constitute a special and unusual feature which justified the award of solicitor/client costs.

This case has relevance to appeals against enforcement notices and emergency orders issued under the Development Act 1993 which may be similarly appealed to the ERD Court and in other circumstances where proceedings are dismissed for abuse of process or other similar circumstances.
Kelledy Jones Lawyers - Case law update

SERVICE OF DOCUMENTS

by Claudia Molina,
Lawyer, KelledyJones

Councils across the State are reporting significant increases in the need to issue enforcement notices and orders and to undertake enforcement litigation in respect of breaches of the Development Act 1993.

Each of the enforcement procedures under the Development Act 1993 require service of a notice, order, summons or complaint upon a person who is alleged to have breached the Act.

What is often not appreciated is that service can be effected by various methods and that a relevant authority may decide which method of service to use, depending on the facts and circumstances of each case.

Where a notice or order is issued under the Act, service is governed by Regulation 94 of the Development Regulations 2008. There are various means by which service can be effected, including, but not limited to:

- personal service on the person or agent of the person;
- leaving it for the person at his or her usual or last known place of residence or business, or at any address for the service of notices;
- with a person apparently over the age of 16 years; or
- by placing it in a letter box, or in a conspicuous place; or
- by posting it in an envelope addressed to the person at his or her usual or last know place of residence or business, or at any address for the service of notices or documents;
- by faxing it to a fax number known to be used by the person (in which case the notice or document will be taken to have been given or served at the time of transmission).

In most circumstances, service by post is appropriate. However, if letters have previously been sent to a person and have been returned unopened, personal service of an notice or order or postage to an alternative address may be required.

In circumstances where a person does not answer their door, or cannot be located for personal service, service by leaving the relevant documents in a letterbox or in a conspicuous place may occur. Where service occurs by this method, photographs should be taken to record where the documents were placed and when. It is often the case that this information is relevant to subsequent litigation in the ERD Court.

The Environment, Resources and Development Court Rules govern the service of summonses issued in section 85 enforcement proceedings. The rules also allow service by various means, including personal service, service by post and service by facsimile. Again, the most appropriate method of service depends upon the facts and circumstances of a particular matter.

Where service fails, it is possible to apply to the ERD Court for an order for substituted service. Such an order allows service to be effected in a manner which departs from the ERD Court Rules.

In circumstances where service is effected for ERD Court proceedings, an affidavit of proof of service needs to be filed in the Court to demonstrate when, where and how service occurred.

If service occurs and the party who has been served with the documents does not respond to the proceedings, the affidavit of proof of service then forms the basis for an application to have the proceedings determined in the absence of that party. In this way, the enforcement proceedings are not compromised by the actions of parties to proceedings and can still be advanced to their conclusion.

1 ERD Court rule Part 12.1.1(c)(i).
With vigor returning to housing market, and a noticeable increase in medium and high density developments throughout metropolitan Adelaide, issues concerning regulated trees are increasing in number.

The commencement of the Development (Regulated Trees) Amendment Act 2009 and the Development (Regulated Trees) Variation Regulations 2011 (“the Amending Legislation”) in November 2011 represented a significant shift in the manner in which damage to, or removal of, certain trees was controlled under the Development Act 1993 (“the Act”) and the Development Regulations 2008 (“the Regulations”).

Two classes of controlled trees were created within Metropolitan Adelaide and other urban areas¹, being regulated trees² and significant trees³.

Exceptions contained in Regulation 6A(5) of the Regulations exclude trees of certain species or in certain locations from being defined as regulated or significant trees. For instance, certain trees which are located within 10 metres from an existing dwelling or swimming pool are excluded from these definitions, despite the circumference of their trunks.

Further, clause 17 of Schedule 3 to the Regulations was inserted to exclude the undertaking of tree-damaging activity in relation to certain significant or regulated trees from constituting an act of “development”.

On first glance, these two classes of exceptions appear the same. This is because the practical effect of both is that trees that would otherwise be classified as significant or regulated are able to be removed or otherwise the subject of “tree-damaging activity” without development authorisation being required from the Council.

However, on closer inspection a significant distinction emerges. This is that while trees to which the Regulation 6A(5) exception applies cease to be classed as regulated or significant trees, those trees to which the Schedule 3 clause 17 exception applies remain classified regulated or significant even though the undertaking of tree-damaging activity in relation to them is not defined as an act of “development”.

This means that where a tree to which the Schedule 3 clause 17 exception applies is included in a development application for another form of development, such as a dwelling addition or a land division, the tree arguably can and should be considered in the assessment of that application.

Clearly, the weight that can be attached to the preservation of a regulated or significant tree to which this exception applies differs significantly from a tree to which the exemption does not apply.

There needs to be recognition that this tree may be pruned or removed in the future, and the impact of future development on root systems is therefore, not critical.

However, like fences, outbuildings and other “exempt” developments which may be depicted on plans and details lodged with a development application, regulated and significant trees to which the clause 17 exemption applies do have some relevance to the assessment of a development application, if only to assess the suitability of the proposed development in light of what exists presently on the subject land.

¹ As set out in Regulation 3 of the Regulations.
² Being trees which have a trunk circumference of two metres of more (or multiple trunk circumferences with an average circumference of 625mm and a total circumference of two metres or more) measured at a point one metre above natural ground level, as set out in Section 4(a) of the Act and Regulation 6A(1) of the Regulations.
³ Being (1): regulated trees with a trunk circumference of two metres of more (or multiple trunk circumferences with an average circumference of 625mm and a total circumference of two metres or more) measured at a point one metre above natural ground level, as set out in Section 4(a) of the Act and Regulation 6A(2) of the Regulations, or (2): trees which are declared to be significant trees, or trees within a stand of trees declared to be significant trees, by a Development Plan, as set out in Section 4(b) of the Act.
Planning Institute of Australia - UNISA student awards

UNDERGRADUATE STUDENT PRIZE

This prize is awarded to the student who on completion of the Bachelor of Urban and Regional Planning at the University of South Australia has achieved the best performance in the final year of the program.

Presented to - Daniel Jellings

POSTGRADUATE STUDENT PRIZE

This prize is awarded to the student with the best performance each year on completion of the Graduate Diploma in Urban and Regional Planning or Master of Urban and Regional Planning at UNISA.

Presented to - John Reschke

SA DIVISION COMMITTEE AND OFFICE BEARERS.

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You can now follow the Planning Institute of Australia online to keep up to date with events, information and share with peers. Click below on the links to sign up now.
Kylie: I think increasingly we are understanding that “personalising” a message and response is an important way of engaging communities. Increasingly, councils are presenting themselves as accessible and in touch with community needs. They aren’t untouchable, faceless, cold ivory towers – they are made up of committed staff and elected members who sometimes get it wrong. The most important part about acknowledging that we got it wrong is communicating what we learnt from our mistakes, and how this learning transfers to the next process or project.

Lucinda: When you want to engage with people effectively - you need to meet them where they are at. That could be in a physical location such as a public space, or a virtual location. The average Australian social media user spends 8 hours a week on facebook. If you want to reach people, you are probably more likely to find them online. Social media adds a new way to mobilise impact, and at a scale that we have not seen before. This is a great advantage. Social media should not be used along for community engagement, but combined with other strategies it allows us to reach people who may never have otherwise participated.

Greg: Not in my experience. At least part of the cynicism I reckon comes from those who don’t use it – the “who wants to know what you had for lunch” school! Social media provides for very powerful, immediate and interactive engagement if used effectively. Brisbane City Council has led the way in Qld with their engagement about the City Centre Master Plan.

Victoria: I do not believe that social media is to blame – it is the way in which it is used. Reliance on social media alone is a lazy. True and meaningful engagement uses social media as a tool for a particular part of that process.

Kylie: Its just one of many tools – I think the cynicism is valid when social media is treated as the only or primary engagement tool. Understanding that we all learn, are motivated, and engaged in different ways (through conversation, visually, through social media, through observation, through reflection, through emotion, through research and so on) – and this means that an engagement approach should always use a variety of tools. As I am often facilitating engagement events around issues on density and growth, I frequently observe that it is older retirees who attend, and generally (although of course not always) these participants are a bit suspicious of social media. Sometimes social media can actually alienate people who are reluctant to immerse themselves in “new technology”. So this is important to consider also.
“ARE WE SAYING THAT CONSULTATION IS NOT JUST THE JOB OF THE COMMUNICATIONS MANAGER OR COMMUNITY TEAM. CONSULTATION STARTS WITH PLANNERS?”

Lucinda: Absolutely! It is vital to have a two way conversation with the public about planning, and by planners. This helps planners to plan better - because they know and understand who they are designing for. It also helps communities to become more active in shaping their neighbourhoods - improving their understanding of the possibilities in their neighbourhood, and taking shared responsibility for change.

Greg: I’d agree with that. Have always thought that being able to explain a planning idea or strategy in a way that promotes understanding and resonates with a reasonable lay person is an important part of a planners job.

Victoria: Yes. Planners need to speak to the community more. Many members of the community simply do not appreciate the important role that planners have in ensuring that our cities develop in a sustainable way.

Kylie: Should consultation just be the job of the communications team? Absolutely not. Just as issues about movement and transport shouldn’t suit totally within the guise of traffic engineers, and issues about built form design should suit only with architects or urban designers. Should it start with planners? It’s a good place – as planners often have a better appreciation of the spectrum of issues and the relationships between them. But I don’t think there is a “beginning” or an “end”...consultation should not just be tied to a project or process which has a start and end point (after all, communities are constantly changing, and whilst engaging we are thinking both of past cultures and rich stories, as well as our future children and grandchildren...). Effective engagement is really about ongoing conversations – at different times and places – in school yards, in staff rooms, in families, in council chambers and so on. Embracing a culture of valuing engagement means re thinking how we engage – and moving away from starting and ending points...

“CAN YOU SEE A TIME WHEN COMMUNITIES ARE TRULY EMPowered TO MANAGE THE FUTURE OF THEIR OWN PLACES?”

Lucinda: Our work at CoDesign is trying to work towards a future where places are co-created with communities and professionals. Its not a case of one or the other, but the pendulum has swung too far towards the professional such that the opportunity for communities to be involved is very limited. We sometimes have a strange idea that communities can’t manage their own places, but evidence would suggest otherwise. In the UK, a number of parks are managed by community groups, with great results and money saving for local government. We can also look at informal settlements or refugee camps - these environments are not planned, but they are highly organised and functional.

Greg: Yes, but it is horseshoes for courses; and I’m sure others involved here would be able to point to some great examples. It is also about context – local communities don’t exist in isolation, they have a role in the city or region, so starting with agreement about that will help provide a basis on which communities can work out how that would look for them.

Victoria: Evidence from the UK shows that this is becoming the new “norm” for new housing developments and I believe that the taxation pressures of the future in Australia and the inability for government to fund public spaces in the future will see this become the norm here too. I think it is a great idea.

Kylie: I think there are many great examples of community empowerment now – Lucinda gave some great examples of her work in Cambodia. One of the biggest learning experiences for me of my work with communities following natural disasters in Banda Aceh, in the Philippines and in Cambodia was also how, in the face of minimal government support and unimaginable obstacles, vibrant and resilient communities emerge. For me, the lesson is often that a domination of planning systems, bureaucracies, rules and hierarchical governance works against empowerment. It says “we don’t trust you to manage yourselves, so we will do it for you”...(we have all seen Maslow’s (1943) Hierarchy of Human Needs which states that our main need in life is self-actualisation – the ability to realise our own potential and fulfilment!). So, yes, I do believe true empowerment is achievable, and if you look deeply into your own community (try exploring some community gardens or community development activities run out of community centres for example), you will see plenty of examples!

“IS THERE A METRIC THAT MEASURES ‘HAPPINESS’ IN CONTRAST TO THE VAMPIRE INDEX? HOW COULD SUCH A MEASURE SUPPORT EVIDENCE-BASED PLANNING?”

Lucinda: There are a number of wellbeing indexes, which include health and happiness, that have been established and this is becoming a more important indicator for good planning. Australia has some of the best developed planning controls in the world, but we not ranked as one of the happiest nations. There is a lot we could learn about measuring national happiness, and using this as an indicator in planning.

Greg: The field of happiness is now well documented, in fact, there is a branch of psychology now called happiness psychology. The mostly widely accepted Australian measure of happiness is the Australian Unity Wellbeing Index. There are also some great books that help understand happiness. Some I’ve read recently include The Science of Happiness by Stefan Klein, The Happy Economist by Ross Gittins, and a landmark published last year that connects the dots between planning and happiness, The Happy City by Charles Montgomery from Vancouver. Essentially from my reading, it comes down to this: good city planning and design makes us happier and healthier. Cities that promote exercise, particularly by promoting transport other than the car, reduce the travel distance between home and work and our “third place”, create places that facilitate social engagement, give us connection to nature, and design streets for people and to a human scale - these are all basic building blocks to happier communities. Oh, and changing the emphasis of our economic policy from maximizing the quantity of consumption (by using GDP as the measure of progress) to the quality of life would be a great help too, but that’s another story!

Kylie: Love the idea of using a happiness indicator as another input into understanding vibrancy, resiliency and health of communities. There are plenty out there. This idea generated a lot of conversation in the session!
**INDIVIDUALLY DIRECTED QUESTIONS**

**PLACEMAKING, SURELY IT’S AS SIMPLE AS ‘BUILD IT AND THEY WILL COME?’”**

Lucinda: It would depend on how you build it. The process of how we create something is often as important as the final results. When places are co-created with communities, there is usually a strong sense of shared responsibility and ownership - in this case, yes they would come. With a more traditional plan-and-design approach, we cannot guarantee this outcome. We need to consider both bottom-up and top-down planning approaches to create great places.

Greg: Only part of the story I think. That is about the “hardware” of how a place looks, but placemaking is also about the “software” how the community relates to and uses a place.

Victoria: Not if the building is considered ugly, impractical or in the wrong space. For place-making to work, the community must be involved and take ownership of the place.

**ARE YOUR COMPLETE COMMUNITIES ‘NEW’ OR ARE YOU BUILDING UPON THE EXISTING PLACE LEGACY?”**

Lucinda: Place Legacy is an important factor. But we have also seen places with a great place legacy like Baltimore or Detroit in the United States become completely desolate. Planning and policy has a lot to do with maintaining and reinvigorating places. In the case of Detroit, a new set of policies that deregulated processes and encouraged start-ups has put a bankrupt city on the pathway to growth again.

Greg: There are two answers here. Major new greenfield developments create the opportunity to plan for complete communities, but existing places, particularly where they have good “DNA” (the grid suburbs with a mixture of building stock) provide a strong foundation to plan for more complete communities.

**“WHAT HAVE YOU HEARD IN QLD ABOUT ADELAIDE’S EFFORTS IN “PLANNING FOR GREAT PLACES” GREG ?”**

Greg: Been coming here and leading tours through our Green Shoe Travel brand looking at your initiatives over the last decade or so. My outsider’s perspective: Adelaide has a rich history of urban design going back to Colonel Light’s plan - this gives it both good DNA and a culture of promoting quality places and streets; and I am a big fan of the initiatives of Adelaide City Council under Stephen Yarwood’s leadership to make the city more livable, together with major new initiatives like Bowden Village TOD, Lightsview, Playford Alive and the Delfin legacy as seen in their latest finished community at Mawson Lakes etc. There are lessons for others to be learnt here!

**“GREG IS PLACE PLANNING TOP DOWN OR BOTTOM UP OR BOTH?”**

Greg: Both. Major rethinking of how we understand and plan for our communities requires leadership but also community engagement and support. As someone pointed out to me on Twitter recently, top down leadership can result in big change in a short time, but for that change to endure over time requires bottom up support. I think this contrast can be seen between the Bogota experience and New York. Bogota under Enrique Penalosa changed rapidly, but some of those gains have been lost since, I understand; whereas the NY changes under Michael Bloomberg seem set to endure because the community there get it.

**“GREG, HAS THE FORM BASED CODE APPROACH RESULTED IN BETTER QUALITY BUILDINGS BEING CONSTRUCTED AND WHAT HAS BEEN COMMUNITY REACTION TO PROJECTS?”**

Greg: Too early to say. I expect it will, because the codes are constructed around housing types that have been refined through experimentation in major greenfield developments in SEQ over the last decade plus. Ultimately, though the Next Generation Planning form based codes are deliberately targeted to regulating urban design outcomes and steer clear of regulating architectural style and detail.