

## Special Residential Character Areas Development Plan Amendment (DPA)

### FREQUENTLY ASKED QUESTIONS

These frequently asked questions are to be read in conjunction with the information on the Special Residential Character Areas DPA web-page at [www.mitchamcouncil.sa.gov.au/draftdpa](http://www.mitchamcouncil.sa.gov.au/draftdpa)

Questions	Answers
Does this DPA have anything to do with heritage	<p>This DPA is not linked to heritage.</p> <p>It is important to recognise that there is a distinction between character and heritage. This DPA does not affect Council's established heritage areas.</p>
What is the distinction between heritage and character	<p>The following useful descriptions have been extracted from State Government guidance documents:</p> <p><b>Heritage</b> has an established frame of reference (ICOMOS / Burra Charter) and is about how a place represents history and evolution of an area and its people and activities that have taken place. Heritage and cultural significance is embodied in the fabric and setting of a place.</p> <p><b>Character</b> is a value-neutral concept that captures the distinctive interrelationship between built form, vegetation and topography in the public and private domain that distinguishes one place from another. The concept of character is broader than just architectural style or the era of development. It is about buildings and spaces and the features around them, and how they relate to each other.</p> <p><b>Heritage Areas</b> should comprise and demonstrate:</p> <ul style="list-style-type: none"><li>• significant built form composed of historic elements that contribute to the character of the streetscape;</li><li>• physical character including natural and cultural landscapes and land division patterns which relate to historic development of the local area; and unified, consistent physical form in the public realm with an identifiable historic, economic or social theme associated with an earlier era of development.</li></ul> <p><b>Character Areas</b> are local areas that exhibit desirable character attributes that give a community its identity. Not to be confused with heritage areas, Character Areas do not necessarily represent a specific cultural legacy or history, but rather capture a desired visual appearance. Unlike heritage, character can be enhanced by new development that strengthens desired character traits.</p>

<p>Will this DPA impact the development potential of individual properties</p>	<p>It is not the intent of this DPA to impact the development potential of individual properties above and beyond the controls currently in place in Council’s Development Plan. This includes matters such as demolition; minimum allotment sizes; site coverage; building heights and building setbacks.</p>
<p>Will this DPA mean that I cannot demolish my house if I want to</p>	<p>Council currently has no control over demolition of buildings in these areas. Demolition (unless a local or state heritage place) within these areas is complying development under the state’s planning legislation.</p> <p>The DPA does not alter this position.</p>
<p>What is a Development Plan</p>	<p>A Development Plan is a statutory document that guides development by providing zones, maps and policies to assess development applications.</p> <p>The current Mitcham (City) Development Plan can be viewed at Council’s Civic Centre, Blackwood library, Mitcham Memorial Library or online at <a href="http://www.mitchamcouncil.sa.gov.au">www.mitchamcouncil.sa.gov.au</a></p>
<p>How does Council’s current Development Plan address character in residential zones</p>	<p>Council’s Development Plan has ‘desired character statements’ embedded in residential zones and policy areas. Desired character statements provide important guidance when preparing and assessing applications for development.</p> <p>As it currently stands, these desired character statements will not be carried over into the Planning and Design Code.</p>
<p>What is a Development Plan Amendment (DPA)</p>	<p>Councils can amend and change policies contained within a Development Plan by undertaking a process called a Development Plan Amendment. A DPA process includes preliminary investigations, consultation with government and non-government agencies as well as public consultation. Final approval of any DPA rests with the Minister for Planning.</p>
<p>Why is Council losing its current Development Plan and what impact will this have</p>	<p>The South Australian Planning System is currently undergoing significant change. These changes are likely to impact Council and our community in several ways, including how development applications are processed and assessed; how the community participates in the planning system; and how local issues are addressed in a system that will be weighted more in favour of a one-policy-fits-all approach.</p> <p>It is anticipated that changes to the planning system in Metropolitan Adelaide will take effect in the first half of</p>

	<p>2021. More information on the planning reform process can be found at <a href="http://www.plan.sa.gov.au">www.plan.sa.gov.au</a></p>
<p>Why is Council making changes to its Development Plan if it is soon to be made redundant</p>	<p>Council has a limited window of opportunity to make changes to its existing Development Plan before it is transitioned into the Planning and Design Code. Any changes that Council proposes must gain the agreement of the Minister for Planning at the beginning and end of the change process, with no guarantee of success.</p> <p>There are several reasons why the pursuit of change now may prove beneficial to Council and the community, including:</p> <ul style="list-style-type: none"> <li>• to aid the translation of Council’s Development Plan into the new Planning and Design Code;</li> <li>• to update Council’s Development Plan to better reflect the community’s expectations;</li> <li>• to proactively address apparent anomalies in Council’s existing Development Plan and/or new Planning and Design Code, which may if ignored have a long-term impact on heritage and/or character in the City.</li> </ul>
<p>What is the Planning and Design Code</p>	<p>The Planning and Design Code will replace all development plans to become the single source of planning policy for assessing development applications across South Australia.</p> <p>More information on the Planning and Design Code can be found at <a href="http://www.plan.sa.gov.au">www.plan.sa.gov.au</a></p>
<p>How will The Planning and Design Code address character in residential zones</p>	<p>The Planning and Design Code includes an instrument called a ‘Character Area Overlay’. These may:</p> <ul style="list-style-type: none"> <li>• Facilitate performance assessment of alterations and additions; and</li> <li>• Require a contextual analysis to ensure that existing character is maintained or enhanced.</li> </ul> <p>The only areas to be granted this Character Area Overlay in the transition to the Planning and Design Code will be those that are currently covered by a Streetscape or Residential Character Zone. Council’s existing Development Plan has neither of these zones.</p> <p>More information on the Planning and Design Code can be found at <a href="http://www.plan.sa.gov.au">www.plan.sa.gov.au</a></p>
<p>What is Council’s Spatial Vision</p>	<p>The assent of the <i>Planning, Development and Infrastructure Act 2016</i> and an update to the 30-Year Plan for Greater Adelaide (2017) prompted Council to review the spatial application of its Strategic Management Plan.</p>

	<p>This review involved intensive stakeholder workshops and wide-reaching community engagement, which informed the 'Spatial Vision' map endorsed by Council on 26 February 2019.</p> <p>Council's Spatial Vision identifies:</p> <ul style="list-style-type: none"> <li>• areas where opportunities for significant change should be investigated;</li> <li>• strategic outcomes for these precincts;</li> <li>• key strategic connections and movement corridors;</li> <li>• areas where small-scale, incremental change is anticipated; and</li> <li>• areas where no change is anticipated.</li> </ul> <p>A copy of the Spatial Vision can be found in the DPA document. More information on the Spatial Vision exercise can be found on Council's website at <a href="http://www.mitcamcouncil.sa.gov.au">www.mitcamcouncil.sa.gov.au</a></p>
<p>Were Special Residential Character Areas identified in the Spatial Vision</p>	<p>Yes. Nine areas were identified in the Spatial Vision and were included in the community consultation exercise for this project. The consultation exercise ran in late 2018 and was branded 'Shape Your Place'.</p> <p>A copy of the Shape Your Place consultation brochure can be found at <a href="http://www.mitcamcouncil.sa.gov.au/draftdpa">www.mitcamcouncil.sa.gov.au/draftdpa</a></p>
<p>What criteria were used to identify Special Residential Character Areas in the Spatial Vision</p>	<p>The following areas were immediately ruled out as they were unlikely to be granted Character Area Overlay status in the Planning and Design Code:</p> <ul style="list-style-type: none"> <li>• where the Residential Development Code for new houses currently applies;</li> <li>• heritage areas;</li> <li>• the hills face zone;</li> <li>• institutional zones; and</li> <li>• industry / commerce zones</li> </ul> <p>Investigations to inform the Spatial Vision were not of an overly technical nature. Recommendations were made on the basis of an interpretation of subjective criteria rather than ranking under a strict scorecard-style approach.</p> <p>The current DPA has sought to address the technical side of this concept.</p>
<p>What feedback did Council received from the community in relation to proposed special</p>	<p>On the whole, respondents supported the areas nominated as Special Character Areas. The key messages included:-</p>

<p>residential character areas during the engagement exercise for the Spatial Vision (2018)</p>	<ul style="list-style-type: none"> <li>• the character of our suburbs is highly valued and respondents strongly support the protection of the character of the nominated areas;</li> <li>• new development should preserve streetscape character, not only the building but also elements such as front gardens and fencing;</li> <li>• a number of additional areas were suggested as Special Character Areas by respondents including Netherby, Kingswood (the area not included in the Historic Conservation Zone), Lower Mitcham, Panorama, all of the Hills suburbs (some named individually and otherwise nominated as a whole), areas of special environmental importance (e.g. Grey Box Grassy Woodland areas) and Wittunga Botanic Garden;</li> <li>• some respondents did not agree with areas nominated as Special Character Areas particularly with Cumberland Park and Westbourne Park which respondents felt have similar characteristics to other suburbs (Lynton, Panorama and Pasadena named), or are not as important as other areas (hills areas named);</li> <li>• mature trees form part of the character of the areas and should be retained. Council should ensure that street tree selection and replanting maintain the character</li> </ul>
<p>If nine areas were identified in the Spatial Vision as displaying Special Residential Character, why are there only seven areas listed in the DPA</p>	<p>The Spatial Vision is a high-level document that was prepared without the benefit of in-depth investigations. Part of the DPA process has included detailed investigations of concepts contained in the Spatial Vision. These investigations have demonstrated that there is not sufficient technical justification for the two of the proposed special residential character areas, so these have been removed from the DPA.</p>
<p>We recently provided comment on Council's Growth Areas DPA. Is this also linked to the Spatial Vision and where is that project at</p>	<p>Both the Growth Areas DPA and the Special Residential Character Areas DPA are products of the Spatial Vision exercise. When put together, these two DPAs provide some balance and seek to ensure that opportunities for significant growth are appropriately located and tempered with suitable policy across the remainder of Council.</p> <p>Council's Growth Areas DPA was recently approved by the Minister for Planning and has been consolidated into the Mitcham (City) Development Plan. More information on this DPA can be found at <a href="http://www.mitчамcouncil.sa.gov.au">www.mitчамcouncil.sa.gov.au</a></p>
<p>There are no open days listed for this community consultation exercise. Why is this and how can we talk to someone to find out more.</p>	<p>Ordinarily, community consultation exercises run by Council might include open days or drop-in sessions at Council and/or libraries and community facilities.</p>

	<p>To address Covid-19 limitations including the fluid / uncertain nature of restrictions relating to public gatherings, no open days or drop-in sessions have been scheduled for this DPA.</p> <p>Council is instead offering a more flexible and bespoke approach for this DPA consultation exercise. One-on-one or small group face-to-face meetings can be arranged if requested. Facilities are available for Council staff to meet virtually if that is preferred, via Microsoft Teams or Zoom.</p> <p>Please contact Ben Hignett on 0419 711 417 or 8372 8888 to discuss the DPA and meeting arrangements.</p>
<p>Where can we find more detailed information on this DPA</p>	<p>Visit the dedicated 'Special Residential Character DPA' webpage via <a href="http://www.mitcamcouncil.sa.gov.au/draftdpa">www.mitcamcouncil.sa.gov.au/draftdpa</a></p>
<p>How can we provide feedback</p>	<p>Share your views on the draft DPA with us by:</p> <ul style="list-style-type: none"> <li>• completing an on-line feedback form at <a href="http://www.mitcamcouncil.sa.gov.au/draftdpa">www.mitcamcouncil.sa.gov.au/draftdpa</a> (paper copies will also be available)</li> <li>• write to us at PO Box 21, Mitcham Shopping Centre, Torrens Park, SA, 5062</li> <li>• email us – <a href="mailto:mitcam@mitcamcouncil.sa.gov.au">mitcam@mitcamcouncil.sa.gov.au</a></li> </ul> <p><b>WRITTEN SUBMISSIONS MUST BE RECEIVED AT COUNCIL BY 5PM ON FRIDAY 13 NOVEMBER 2020</b></p> <p><i>All written submissions will be available for public viewing as required by legislation</i></p> <p>You are also welcome to register your interest to make a verbal submission at the public meeting to be held at the City of Mitcham Civic Centre (131 Belair Road Torrens Park) on Tuesday 17 November 2020 at 7pm. Please register prior to 5pm 13 November 2020 as this meeting will not be held if nobody registers to speak</p>
<p>Which legislation requires Council to make written submissions available for public viewing</p>	<p>Section 11A (Public Consultation) of the <i>SA Development Regulations 2008</i> requires Council to make a copy of each written submission available for inspection by any interested person (at a place specified by Council) from the end of the consultation period until the conclusion of the public meeting.</p> <p>For the purposes of this DPA the end of consultation is at 5pm on Friday 13 November 2020 and the Public meeting is scheduled to be held from 7pm on Tuesday 17 November 2020.</p>

	<p>The place specified by Council as the viewing location is Council's Civic centre at 131 Belair Road Torrens Park SA 5062. Opening hours at the Civic Centre are Monday to Friday 9am to 5pm.</p>
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The SA *Development Regulations 2008* can be accessed [here](#)