

SOUTH



AUSTRALIA.

PLANNING AND DEVELOPMENT OF TOWNS AND CITIES IN SOUTH AUSTRALIA.

REPORT BY THE GOVERNMENT TOWN PLANNER

(CHARLES C. READE, Associate Town Planning Institute of Great Britain; Member of the American City Planning Institute; late Assistant Secretary, Garden Cities and Town Planning Association of Great Britain; Hon. Lecturer and Organiser, Australasian Town Planning Tour; and Hon. Organising Director, First Australian Town Planning Conference and Exhibition)

To the Attorney-General and Minister in control of Town Planning (Hon. H. N. Barwell, M.P.) upon existing conditions and defects and the need for Town Planning legislation relating thereto in conformity with the provisions of—

THE TOWN PLANNING AND DEVELOPMENT BILL, 1919.

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BY AUTHORITY: R. E. E. ROGERS, GOVERNMENT PRINTER, NORTH TERRACE.

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“ MODERN TOWN PLANNING MAY APPEAR TO BE A NEW SCIENCE TO SOUTH AUSTRALIA, BUT IT HAS A DISTINGUISHED PRECEDENT IN THE WORK OF HER PIONEERS.

“ IN URGING UPON PARLIAMENT AND PUBLIC ITS INDISPENSABILITY TO CIVIC LIFE, THE TOWN PLANNERS ARE MERELY ASKING FOR THE REHABILITATION OF THE EARLIER SYSTEM ADAPTED TO MEET THE URGENT NEEDS AS WELL AS THE FUTURE REQUIREMENTS OF THE TOWNS AND CITIES OF SOUTH AUSTRALIA FOREVER ASSOCIATED WITH THE NAME AND PRESTIGE OF COLONEL LIGHT.

“ WHAT FINER MONUMENT IS THERE TO THE MEMORY OF GENIUS THAN THE LOGICAL CONTINUATION OF ITS GREAT AND IMPERISHABLE WORK ? ”

(First Australian Town Planning Conference and Exhibition, Adelaide, 1917—Official Volume, page 87).

PIONEER TOWN PLANNERS OF AUSTRALIAN CITIES.



No. 1.—COLONEL WILLIAM LIGHT.

Born at Penang (Malay Peninsula) about 1785. He passed through the Peninsula War, and had travelled widely before coming to South Australia in 1836 as first Surveyor-General, where, in accordance with the instructions of the South Australian Company, he fixed the site and planned the City of Adelaide. He was regarded by some as the "town planning crank" of his time, and suffered much from the personal animosity and prejudices of others, which undoubtedly hastened his death in 1839 at the age of 54 years.



No. 2.—GOVERNOR MACQUARIE.

Governor of New South Wales, under whose direction in 1810-11 the City of Hobart received its first town plan (laid out by Surveyor General Meehan and Evans) and who also imposed building regulations securing a greater width between the houses than that of the street itself both in Hobart and Sydney.



No. 3.—ROBERT HODDLE.

Born at Westminster (London) in 1794, and arrived in New South Wales in 1823, where he became Assistant Surveyor. In 1837 he laid out the City of Melbourne on a site previously surveyed by Robert Russell. He also planned several country towns in New South Wales. His plans were all characterised by streets varying from $1\frac{1}{2}$ to 3 chains in width at a time when 66ft. was regarded as the correct standard.



No. 4.—WILLIAM STANLEY SHARLAND.

Born in 1801 at Ellesmere (Shropshire). In 1823 he was appointed Assistant Surveyor in Tasmania, where he planned the City of Launceston, extensions of the City of Hobart, New Norfolk, and other towns in which liberal provision was made for squares, crescents, public reserves, &c. Subsequently, he entered public life, but the examples illustrated by his work were not followed by his successors.

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Report by the Government Town Planner to the Attorney-General and Minister
in control of Town Planning (Hon. H. N. Barwell, M.P.) upon existing conditions
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CONTENTS.

	PAGE.
PART I.—INTRODUCTORY : TOWN PLANNING AND DEVELOPMENT OF EXISTING TOWNS AND CITIES AND THE NEED FOR LEGISLATION	11
PART II.—NEW TOWNS OR TOWN EXTENSIONS PLANNED BY THE STATE	19
PART III.—CONTROL (EXISTING AND PROPOSED) OF SUBDIVISIONS AND RESUBDIVISIONS.....	31
PART IV.—EXPLANATION AND SYNOPSIS OF THE PRINCIPAL PROVISIONS OF THE TOWN PLANNING AND DEVELOPMENT BILL, 1919.....	36

SUMMARY.

PART I.—EXISTING TOWNS AND CITIES.

There is urgent need for legislation enabling councils and public bodies concerned to exercise town planning powers and supervision in dealing with existing towns or their extensions throughout the State of South Australia.

Town planning is not only "desirable," but necessary, if only to prevent existing conditions going, so to speak, "from bad to worse."

Town planning powers are no new thing. They have been used by the State from pioneer days, but cease to be operative immediately land is alienated from the Crown. To remedy this omission an extension of similar powers in local government is proposed.

Whilst the more effective control of plans of subdivisions is admitted, it does not appear to be generally realised that such control, in itself, is not sufficient or practicable for dealing with the problems at issue. In spite of such control, suburban disorder, or owners' difficulties in seeking to subdivide small areas of land individually, will assuredly result in the repetition of old mistakes in new areas without the council has—

- (1) power to prepare (in co-operation with other bodies, and with the assistance of qualified experts) town plans which lay down and prescribe on paper beforehand the general scheme of development for these areas ; and*
- (2) power to require, in addition, that subdivisions within such areas are made in conformity with the plan once it has been approved by the Governor, after owners and others concerned have been properly consulted and their objections settled by agreement or arbitration.*

Parliament is now asked to make such town planning powers immediately operative in this State. The alternative is to permit metropolitan areas (existing or potential) to be overtaken with costly errors and difficulties due to haphazard development in towns and cities. Adelaide and suburbs are already threatened with a repetition of the civic disasters that in recent years have befallen metropolitan Sydney (amongst other modern cities) notwithstanding that more effective control of subdivisions is exercised in New South Wales than in South Australia. The Government of New South Wales (apart from the enormous sums spent in seeking to eradicate the worst of widespread slum conditions) is now called upon to expend several additional millions in order to provide metropolitan Sydney with arterial roads to relieve traffic congestion in the new as well as the older suburban districts.

Adelaide, at present, has a remarkable opportunity to profit by the experience of Sydney and other modern cities in both new and old countries where town planning has not been operative.

This opportunity will never be repeated. The choice is either prevention now at the minimum of cost, or later muddling with cure at the maximum of expenditure.

The functions of a Town Planning and Development Act should not be confused or intermingled with a Building Act, either of which is not opposed but complementary to the other. Both are essential, the one for anticipating and controlling what takes place on the ground, and the other for what occurs above the ground. This being so, it follows logically that town planning should precede building legislation. Otherwise we shall be merely repeating anew mistakes of a past generation both in this and other countries—that is, building towns before they are planned instead of accepting the modern dictum that we need first to apply to our towns that process of ordered forethought which we habitually apply to individual buildings.

PART II.—SUBDIVISIONS AND RESUBDIVISIONS.

The Control of Subdivision of Land Act, 1917, notwithstanding, it has been found in practice that the existing law and system are defective in dealing with subdivisions or resubdivisions. This statement is corroborated by the opinion of the Crown Solicitor, and the representations made to the Government by the Railways Commissioner, the Surveyor-General, as well as by councils and others concerned. There is every need for instituting some effective control of resubdivisions of existing allotments or parcels of land as well as subdivisions of larger areas which propose the opening of any road, street, or right-of-way. Resubdivisions being essentially a local matter, it is proposed to vest the council of the area concerned with powers to approve or disapprove plans, subject to the right of appeal to the Minister by the owner against the decision of the council

Plans

Plans of subdivisions so affect public bodies as well as councils, and involve town planning requirements that it is necessary that different authorities should be consulted and their requirements ascertained before proposals for subdividing land are approved. This is not done at present, and, in consequence, has caused serious difficulties and complaints. In addition to survey essentials, co-ordination of the different requirements of councils or public bodies is necessary. Co-ordination is the function of the Department of Town Planning, which, given powers of supervision, can effect considerable improvements in plans with benefit to the owners as well as the community. In other words the substitution of "Planning" for "Subdividing" is eminently desirable.

Therefore, pending the preparation of any town planning by-laws or schemes under Part II. for dealing with difficulties that cannot be met under Part III. of the Bill, control of subdivisions will be vested in the Government Town Planner, acting in co-operation with the Surveyor-General, the council, and other bodies whose property or functions are affected.

In justice to adjoining owners and the public, land should not be dealt with either for subdivisional or re-subdivisional purposes except in accordance with a plan (or any modification thereof) duly approved and deposited in manner provided by Part III. of the proposed Act.

But Part III. in itself is insufficient to overcome serious technical difficulties due to awkward or arbitrary nature of owner's boundaries. To enable owners, as well as councils or others, to secure the planning and development of new districts without repetition of old errors, the exercise of town planning powers is necessary in manner suggested.

PART III.—NEW TOWNS OR TOWN EXTENSIONS PLANNED BY THE STATE.

The existing system under which new towns on Crown lands are planned by the State dates back to Colonel Light. In pioneer days private owners, as well as the State, were obliged to make much more liberal provision for public requirements, open spaces, &c., than they are required to do at present. This came to be replaced by a more restricted and less enlightened view.

New towns laid out by the State have usually been ruled out on paper beforehand, in accordance with a standardised design which admitted of little or no variation, irrespective of the physical features of the site or the character or possible future of the town. Many difficulties and problems have resulted. Lands adjoining new towns have been surveyed into rural allotments, the measurements of which offer considerable obstacles to private owners when subdividing such lands for town purposes. Much suburban disorder has followed.

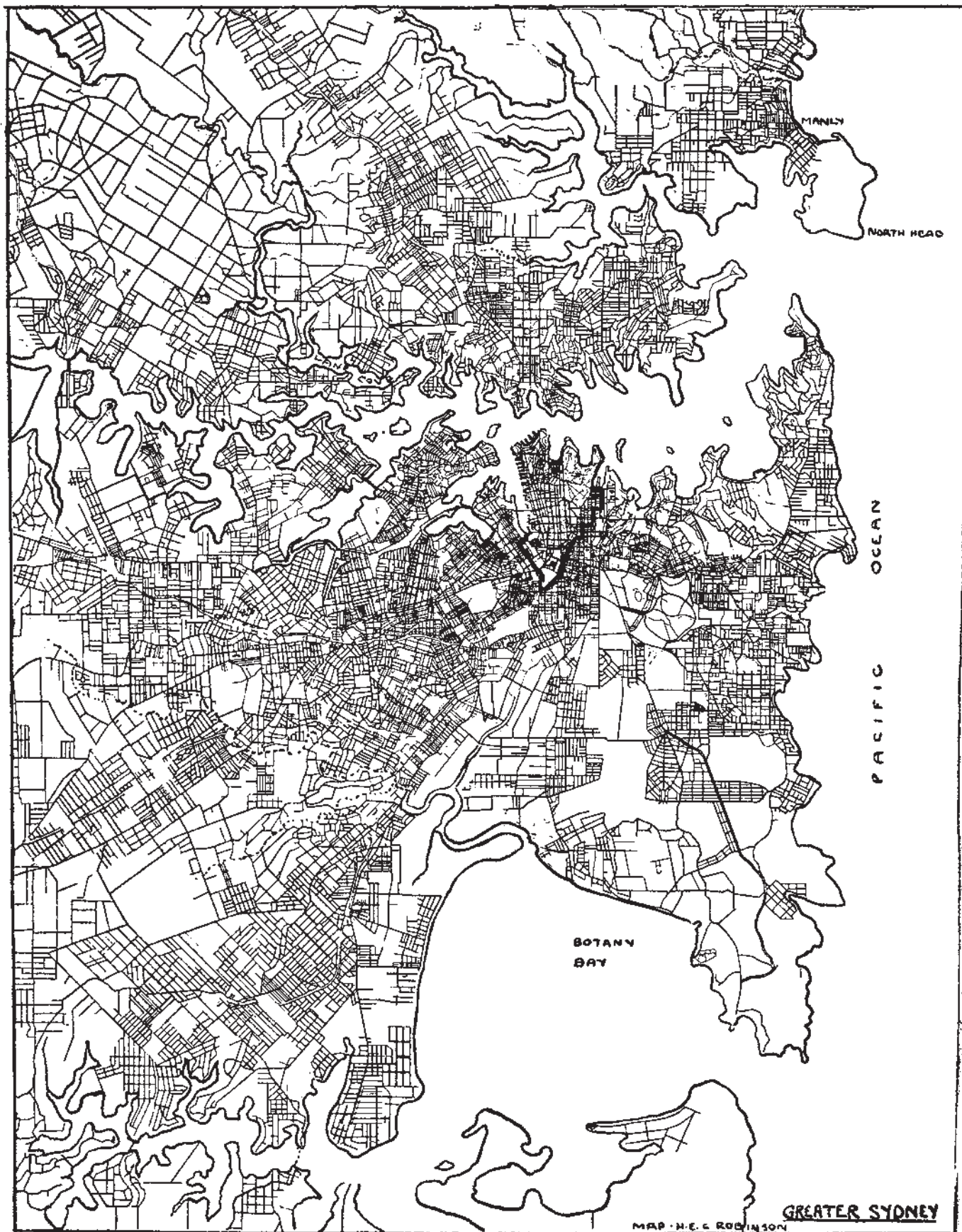
New towns require to be laid out in accordance with modern town-planning principles. Provision is necessary to meet the requirements of a small town or village struggling into existence, which later on may become a larger community, increasing in ratio to national development and prosperity. One method of accomplishing this is illustrated and explained.

Under an existing arrangement approved by Cabinet all new towns (or their extensions) are to be designed by the Department of Town Planning in co-operation with all authorities concerned. This arrangement is embodied in Part III. of the present Bill.

PART IV.—SUMMARY OF PROPOSED LEGISLATION AS CONTAINED HEREIN.

(See page 42.)

SYDNEY AND SUBURBS.—A METROPOLITAN CITY WITHOUT A METROPOLITAN TOWN PLAN.



No. 5.—THE CITY AND ENVIRONS OF SYDNEY, SHOWING THE DISASTROUS RESULTS OF MANY RECENT SUBDIVISIONS MADE HAPHAZARDLY OVER UNDULATING SITES IN ACCORDANCE WITH THE BOUNDARIES OF INDIVIDUAL OWNERSHIPS WITHOUT PROPER CO-ORDINATION BEFOREHAND UNDER TOWN PLANNING.

Map of street network of Sydney and suburbs in 1914. The area built upon in 1862 is enclosed by the thick black line. The map shows the effect of modern transit and speculation in suburban land values, proceeding without town planning control, and necessitating subsequent "improvements" by way of arterial roads, sites for public purposes, &c. The Royal Commission of the Improvement of Sydney recommended the cutting of new arterial roads through the existing suburban districts at a cost of several millions in order to relieve existing traffic congestion and inconvenience. In addition the State expects to spend £18,000,000 in providing for underground railways and reorganizing the existing system to meet the ordinary everyday problems of transportation. Adelaide has every opportunity to profit under town planning where Sydney has failed.

MODERN MUNICIPAL TOWN PLANNING IN EUROPEAN CITIES.
Metropolitan Town Plan for the City and Suburbs of Milan (Italy).



No. 6.—THE CITY AND ENVIRONS OF MILAN (ITALY), SHOWING FUTURE AREAS TOWN PLANNED IN ANTICIPATION OF GROWTH AS WELL AS PROJECTED IMPROVEMENTS WITHIN THE EXISTING CITY.

The municipal town plan of 1914, providing for, or controlling, the growth of streets, open spaces, parks, railways, factory areas, &c., in anticipation of developments of the next 30 years, is shown in solid black. The areas planned and built up under municipal town planning since 1865 are indicated immediately inside the future areas.

The plan provides and secures :—(a) Roads and streets ; (b) public squares and open spaces ; (c) recreation areas ; (d) regulation of building density, height, &c. ; (e) zoning or classification of districts for residential, commercial, or other purposes ; (f) control of subdivisions and resubdivisions ; (g) replanning of earlier subdivisions ; (h) improvements to existing city ; (i) provision for new railways, canals, and harbors ; (j) factory and industrial areas ; (k) residential suburbs for all classes, &c.

Owners are paid compensation for all lands taken, whilst those benefiting pay betterment. In practice, it is found that the betterment rate pays the cost of carrying out the plan. Owners in Italy often combine and bring pressure on the council to secure the carrying out of town planning schemes so as to facilitate development.

[To face page 6.

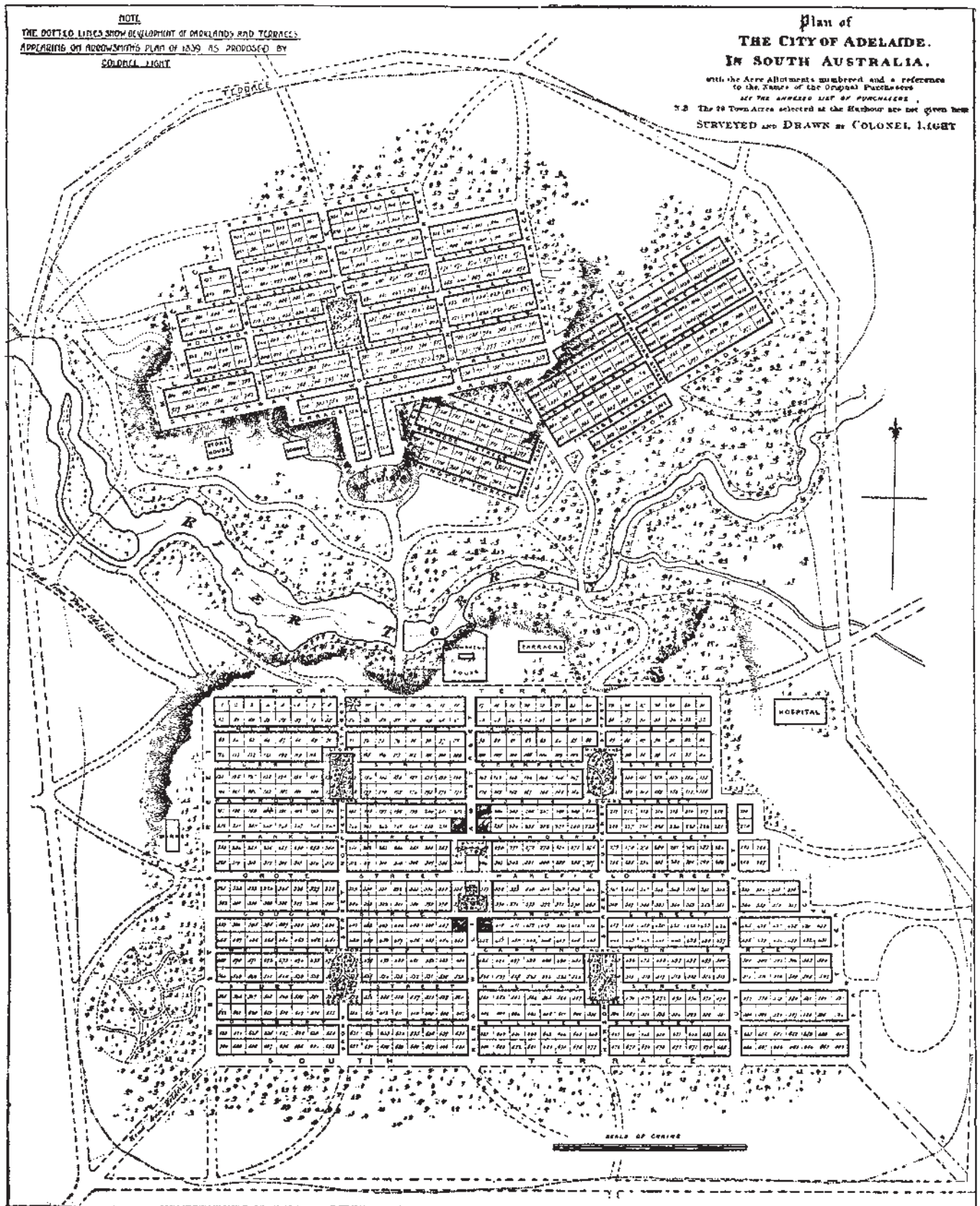


NO. 7.—THE CITY OF ADELAIDE TO-DAY, SHOWING NARROW STREETS AND BACK LANES ADDED SINCE COLONEL LIGHT'S DAY.

Modern plan showing the number of narrow streets, lanes, &c., cut into the original building blocks off the framework of wide streets as originally planned by Colonel Light in 1836-7; also subsequent alienations of park lands for building or other purposes. (Compare with illustration No. 8.)

Within these narrow lanes and blind alleys are to be found some of the worst conditions of housing and overcrowding in the City of Adelaide, which call for impartial investigation and remedial measures in accordance with modern practice. The rectification of these departures from the original plan, as well as the provision of fresh arteries to meet the requirements of modern traffic and city improvements generally, will, sooner or later, necessitate the City of Adelaide being included in the provisions of the Town Planning and Development Bill.

PIONEER TOWN PLANNING.—CITY OF ADELAIDE.

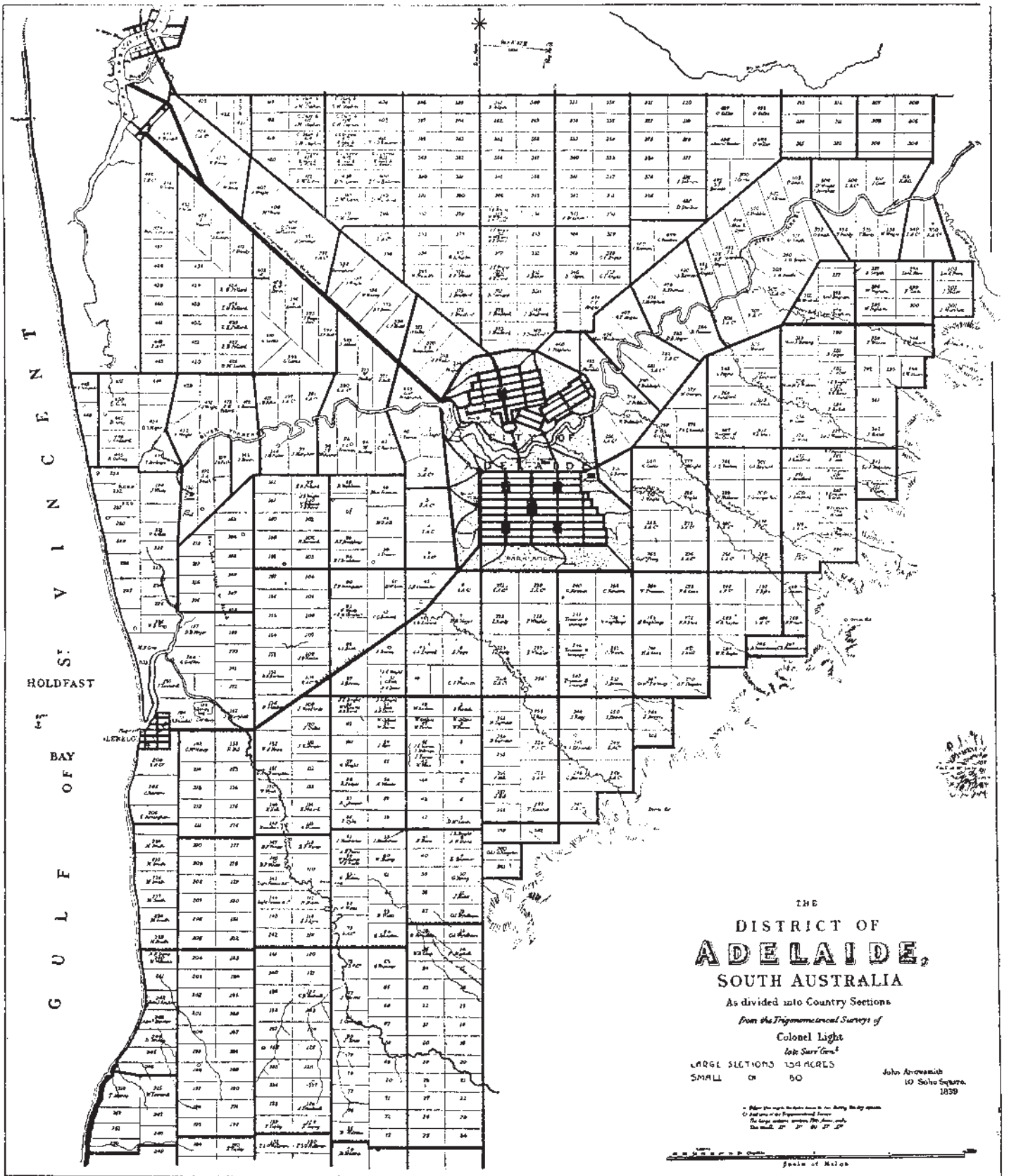


No. 8.—COLONEL LIGHT'S PLAN OF THE CITY OF ADELAIDE AND BELT OF PARK LANDS, PREPARED IN 1836-7.

Colonel Light's original plan of the City of Adelaide and its park lands, showing the original design for the City (or South) and North Adelaide and belt of park lands; also the outer terraces which he added subsequently when planning the rural areas adjoining. The disparity between the number of streets running north and south and those passing east and west has never been satisfactorily explained, although it is attributed to the influence of hot, northerly winds in summer. The serrations of East Terrace and changes of streets directions in North Adelaide were due to the topography of the site.

Area of City (South Adelaide), 700 acres; area of North Adelaide, 342 acres; area of park lands in 1907 controlled by City Council, 1,900 acres; original area of park lands (before alienations), 2,300 acres.

PIONEER TOWN PLANNING.



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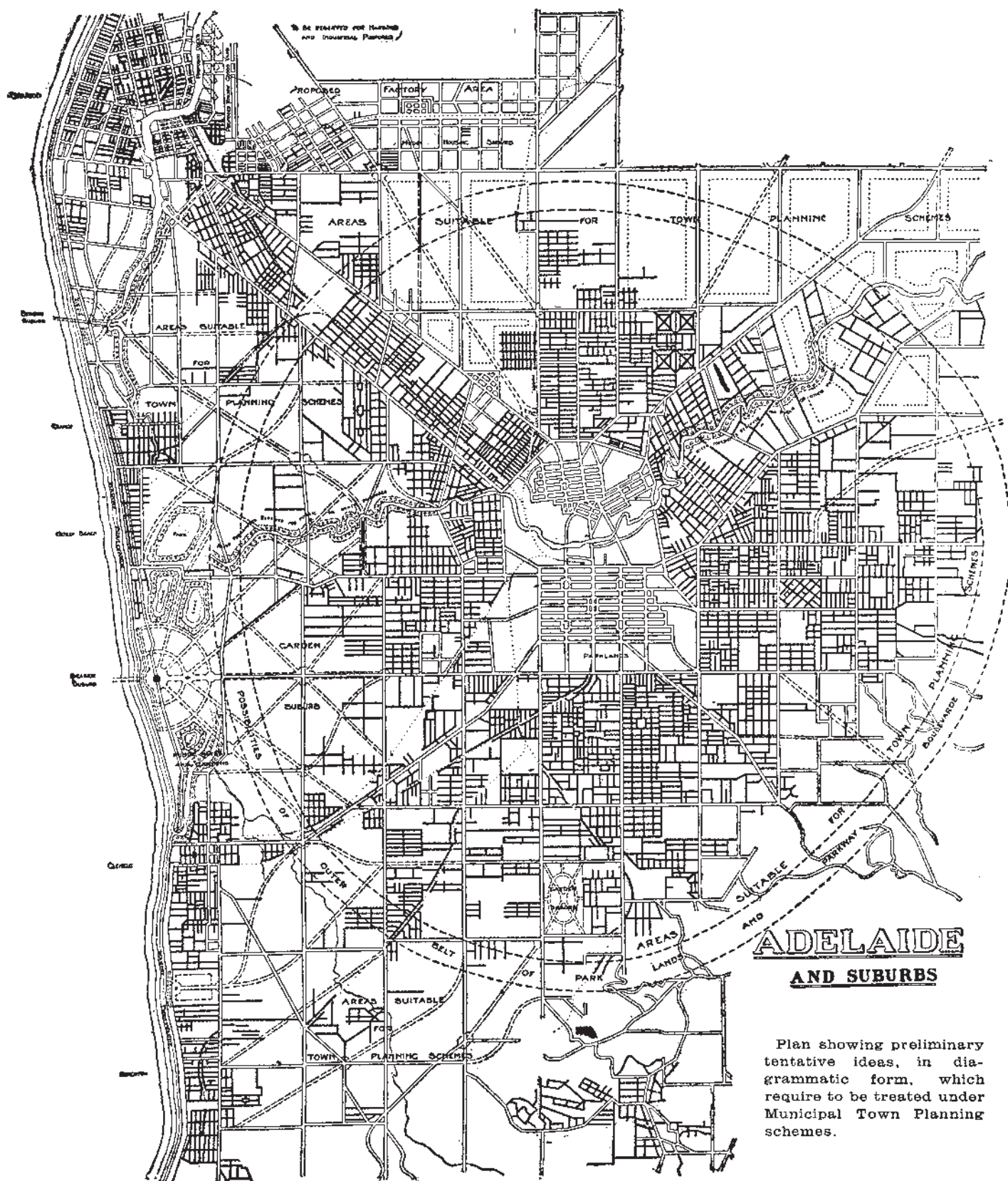
London: Published and Sold by John Arrowsmith, 10, South Square.

Printed by John Arrowsmith & Co.

No. 9.—THE CITY AND ENVIRONS OF ADELAIDE AS PLANNED BY COLONEL LIGHT.

The plan shows the framework of "country roads," one chain wide, laid out by Colonel Light in 1837, when subdividing the environs into farms varying from 80 to 134 acres each. These country roads have subsequently become the main arterial and secondary road system of the suburbs of Adelaide, together with the Bay Road (two chains), also the Port Road (three and a half chains), originally set aside by Colonel Light for a canal. The foreshore reservation, 99ft. wide, is also shown. (Compare with illustration No. 10.)

MODERN TOWN PLANNING.—METROPOLITAN ADELAIDE'S UNIQUE OPPORTUNITY.

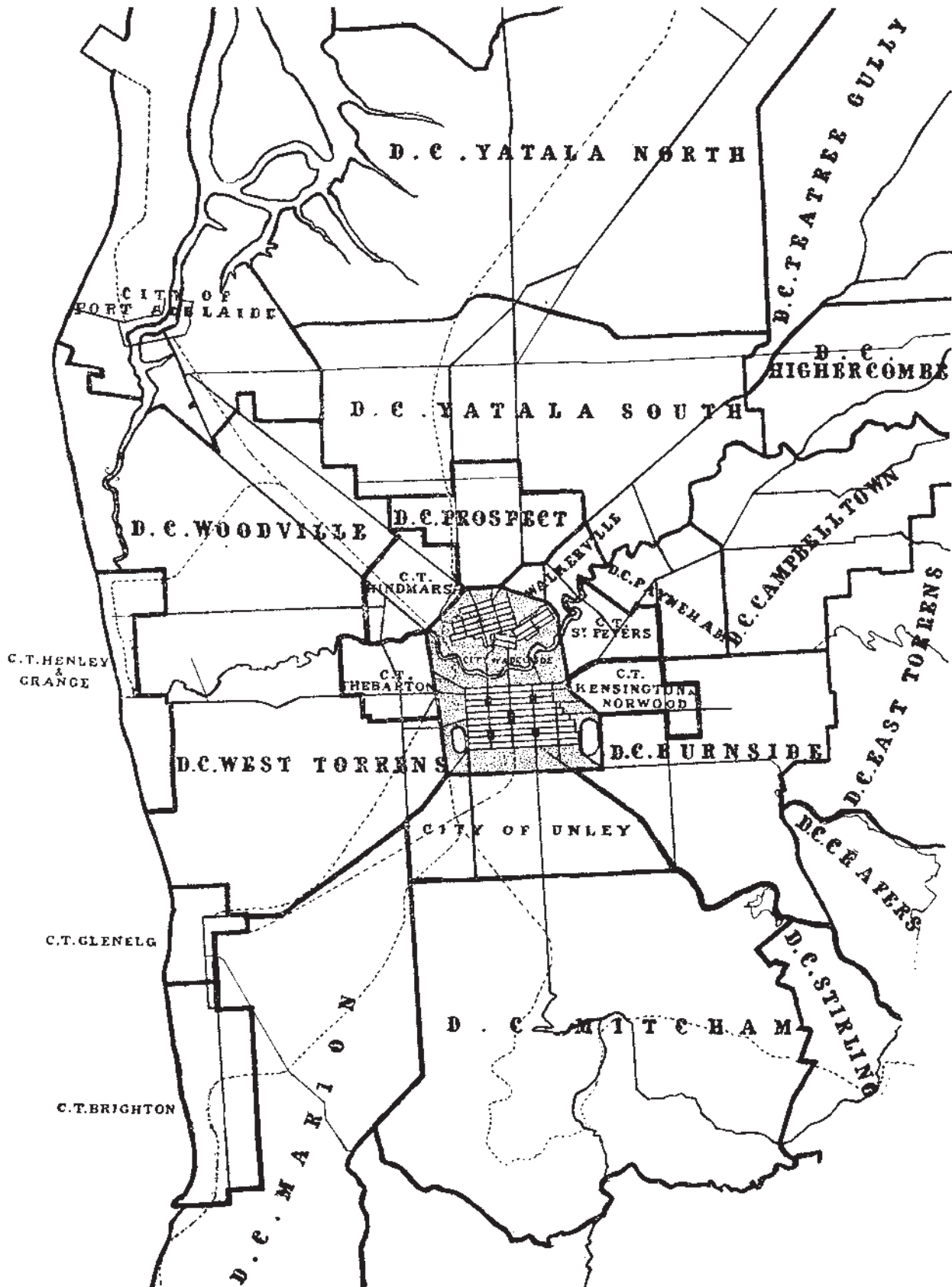


No. 10.—THE CITY AND ENVIRONS OF ADELAIDE TO-DAY, AND THE IMMEDIATE OPPORTUNITIES FOR COUNCILS AND OTHER BODIES TO APPLY MODERN TOWN PLANNING PRACTICE THERETO.

The plan shows :—(1) The original city, belt of park lands, and system of "country roads" (double lines) laid out by first the Government; (2) the subsequent subdivisional roads (solid black lines), the wholesale disconnection between such roads, the haphazard development of suburban areas, resulting from the influence of modern transit, speculation in suburban lands, and finally the general need for the immediate application of town planning by-laws for the purpose of regulating further developments or resubdivisions therein; (3) preliminary and tentative ideas shown diagrammatically for the purpose of suggesting the possibilities of town planning the further suburban extensions of the metropolitan area on paper beforehand in anticipation of new development, thereby obviating the old mistakes in new areas, and making adequate provision for present as well as future requirements. These ideas are merely suggested as "possibilities" which councils and public bodies concerned would consider, from year to year, when preparing town planning schemes for approval by the Governor under Part II, of the Town Planning and Development Bill, according as the growth and expansion of the metropolitan area requires.

METROPOLITAN ADELAIDE AND TOWN PLANNING.

Map showing the boundaries and districts of the metropolitan local bodies.



No. 11.—METROPOLITAN ADELAIDE AND DIVISION OF CONTROL IN LOCAL GOVERNMENT WHICH REQUIRES TO BE MET BY UNITY OF ACTION BEFORE TOWN PLANNING PROPOSALS BECOME OPERATIVE.

Metropolitan Adelaide is controlled by—(1) Three city corporations; (2) six municipal corporations; (3) 16 district councils; in addition to which public bodies concerned with town planning works include—(4) South Australian Railways Commissioner; (5) South Australian Harbors Board; (6) the Municipal Tramways Trust; (7) the Hydraulic Engineer, &c.

Recognition of the practical need for overcoming this division of control without curtailing individual liberty or initiative was given by the Australian Town Planning Conference and Exhibition, when it unanimously agreed by resolution to the governing principles of legislation set out in the first appendix to this report.

With a view to overcoming the difficulties due to division of control provision is made under the Town Planning and Development Bill for the appointment of joint authorities, comprising representatives of councils, public bodies, &c. (See page 14, paragraph 6).

PART I.

Introductory : Town Planning and Development of Existing Towns and Cities in South Australia and the Need for Legislation.

PIONEER TOWN PLANNING SYSTEM.

Town planning and development in this or other States of the Commonwealth is no new thing. To designate the subject as a "fad" is to overlook the fact that it was the early system of town planning and development founded and practised by our pioneers that gave to the central areas of capital cities and other towns, both in Australia and New Zealand, logically designed communities, equipped with wide thoroughfares and amplitude of public sites, park belts, or other open spaces. This system also provided important extensions to such central areas wherein public requirements were laid out and provided by the State in anticipation of development. These early cities and town extensions were planned by our pioneers on lines truly spacious and far seeing. Although the system still survives in South Australia (as elsewhere) in respect to new towns laid out by Government departments, the methods of design do not include similar generous provision for squares, open spaces, &c. Moreover it ceases to exercise any influence upon land directly it is alienated from the Crown.

The cardinal error in respect to our towns and cities arose with the introduction of local government when the powers possessed by the State were not handed on to the council. Extensions to or development of existing towns and cities were left to individual owners, subject only to ineffective safeguards by statute. Under the influence of normal increase in population, transit, prosperity, real estate operations, speculation, and other contributory factors these extensions from the central city or area originally town planned by the State have spread in recent years with great rapidity. The irregular and haphazard nature of suburban growth, whether in metropolitan Adelaide or important country centres like Port Pirie or Murray Bridge, has left many deficiencies, absence of proper arterial routes along selected grades, shortage in open spaces, uneconomic, inconvenient, and unsightly networks of streets, inadequate provision for public purposes and facilities, &c. With the absence of similar town planning powers to those possessed by the State it is easy to understand how the forces of local government (divided as they are with numerous and separate units within metropolitan areas) cannot prevent or efficiently regulate the suburban disorder that contrasts so strongly with the logical design of the pre-planned central areas.

Unfortunately, the mistakes are still going on. With the continuance of the system, increase of population and absence of efficient powers, as was stated last year by the Right Honorable Lord Mayor of Melbourne (Councillor Frank Stapley), in an official publication urging the claims of "town planning," our difficulties will assuredly increase.

THE NEED FOR A TOWN PLANNING POLICY.

There are numerous instances in South Australia which show that had the advice of a town planner been available much expenditure due to bad subdivisional planning might have been saved. The District Council of Prospect in recent years paid to connect or widen existing roads the sum of £1,413. Within the same period (1913-19) similar errors in this and other parts of metropolitan Adelaide were repeated in new subdivisions. Notwithstanding that the Prospect council was obliged to remedy these errors at the cost of the ratepayers, its powers were inadequate to prevent the repetition thereof in other parts of its district. This expenditure is apart from the costly necessity with which the council now finds itself in having to widen Prospect Road, the width of which is wholly inadequate for the requirements of modern traffic.

These subdivisional errors are not confined to the capital cities. Port Pirie, Murray Bridge, Jamestown, Victor Harbor, and Port Augusta are amongst the more important country towns that require immediate town planning powers to rectify these mistakes, as well as to prevent their further repetition. Defective planning, either in respect to new subdivisions or new towns, is costly for the State as well as for the council.

The town of Berri is an instance which shows how the Government was directly penalised in a few years by absence of town planning. Berri was laid out in 1909 on an awkward site in a series of building blocks with insufficient regard to topographical and other features. After the allotments and adjoining land had been alienated from the Crown in the usual way, the Government had to resume a farm block immediately adjoining the town in order to provide a pumping reserve, the need for which was not foreseen. The reserve having been deducted, the land was resold. The Government subsequently found it was obliged to resume the same block a second time in order to provide and plan an extension of the town which could not expand owing to lack of foresight in choosing the site or planning the area. The second resumption cost the Government £2,900. All this occurred within eight years after the town was originally laid out by the Crown.

Other instances can be named where the plans of new towns situated upon undulating ground appear to have been surveyed into building blocks without sufficient regard to topographical features or public necessities. The consequence is, not only are roads steep, but development and maintenance generally are costly, quite apart from the inconvenience to the community at large. It

It was the recognition of these defects which had led to the existing arrangement that all new towns on Crown lands are to be planned by the Government Town Planner, acting in co-operation with any department or departments affected, and subjected to Ministerial approval in the usual way. This arrangement is submitted to Parliament in common with other provisions seeking to render town planning applicable to all parts of the State.

THE DANGER THREATENING ADELAIDE.

The fact that this country was at war during 1914-1919 did not prevent over 300 subdivisional plans being deposited with the Registrar-General within that period. "Torrens Park" is one instance where a magnificent and historic estate has been "grid-ironed" during war time, and its amenities threatened with destruction through had "subdividing." The application of town planning design and methods to this area could not only have saved the amenities, but modified certain defects in the district that affect the safety of existing street traffic. The substitution of "planning" for "subdividing" might also have benefited both owner and community. (See Part II. hereof, "Planning" v. "Subdividing.")

There remain between the hills and sea many more lands that, in the course of the next 10 or 15 years, will pass into subdivision. If the rate of increase during the past 10 years is maintained the population of Adelaide and suburbs (220,000) will double itself in less than 30 years, and within 50 years the metropolitan area will contain over half a million inhabitants. The choice rests with Parliament to say now whether the city and suburban extensions, which are going on from week to week, shall be allowed to proceed as hitherto, or whether that growth shall be scientifically organized in conformity with a prearranged plan anticipating normal requirements in traffic, convenience, industry, production, public health, amenity, or welfare generally.

EXAMPLE OF SYDNEY.

The alternative to a proper policy of town planning practice and development is to allow the present position to continue. Adelaide and suburbs in such case (our country towns likewise) cannot escape suffering the results and difficulties which have occurred under similar subdivisional methods in metropolitan Sydney within recent years, notwithstanding that the law in New South Wales requires every new road to be 66ft. wide, and, in addition, every road to be properly constructed by the owner before being taken over by the council—a practice that South Australia hitherto has not followed. The Government of New South Wales is now faced with a demand to spend several millions for new arterial roads of adequate width through the newer as well as the older suburbs—a cardinal necessity that subdivisions failed to provide.

During 1910-1912 Sydney spent over £2,000,000 widening streets, destroying slums, &c., within the central city. During the time that this heavy expenditure was in process the neglect to apply town planning to suburban development resulted in a repetition on a larger scale of old errors in new districts. These errors correspond with those made contemporaneously in suburban Adelaide and country towns. But in Sydney the evil is much more widespread.

Parliament, by enacting town planning legislation now, will make it possible for the towns and cities of South Australia to profit where Sydney has failed. Metropolitan Adelaide can avoid the difficulties that are now being experienced in all the larger capitals of the Commonwealth. Taken in time town planning in South Australia means the saving of heavy expenditures, waste, and inefficiency that in all growing cities become inevitable where town planning is not operative. This is the experience of all modern cities. Adelaide and other potential metropolitan areas in this State have now a remarkable opportunity. This opportunity will never be repeated. The choice is either prevention now at the minimum of cost, or, later on, muddling with cure at the maximum of expenditure.

OUR COUNTRY TOWNS AND RURAL AREAS.

The argument for municipal town planning practice applies with equal logic to country towns. From careful investigation in towns like Murray Bridge, Gawler, Port Pirie, Port Augusta, Peterborough, Victor Harbor, and others, it can be shown, if required, that the need for legislation is abundantly felt and recognised by councils and others. This applies also to the proposed new towns and settlement schemes which are being put in hand within the Upper Murray irrigation areas. (See Part III. hereof.)

MODERN METHODS IN PLANNING AND DEVELOPMENT.

Modern methods in planning and development in fact are quite as much concerned and identified with the proper laying out and development of rural areas as with the improvement or remodelling of existing cities. By rural areas is meant not only the rural lands adjacent to such cities, but also agricultural and productive regions generally. It is being increasingly recognised that if rural districts are to increase their production, if farm lands are to multiply, and the drift of population from the country districts to the cities is to be checked, it is essential that they either be economically planned and laid out or improved and developed in the interests of productive conveniences and rural welfare generally. At present we do not plan our rural areas. Too often they are simply surveyed into blocks without proper relationship to the requirements of the districts. Townships therein are not infrequently located on wrong sites, and practically little or no attention is given to the proper planning and improvement of these townships or equipping them with the ordinary facilities and conveniences of modern town or city life. Until South Australia is prepared to devote more attention and skill to her rural townships, in seeing that they are given wider advantages than at present, the State cannot hope to stem the over-population of the large cities at the expense of the country. There is need for greater consideration in what nowadays is known as "Regional Planning." To make this possible, as well as to remedy some of the defects in rural districts, is one aim of the Town Planning and Development Bill.

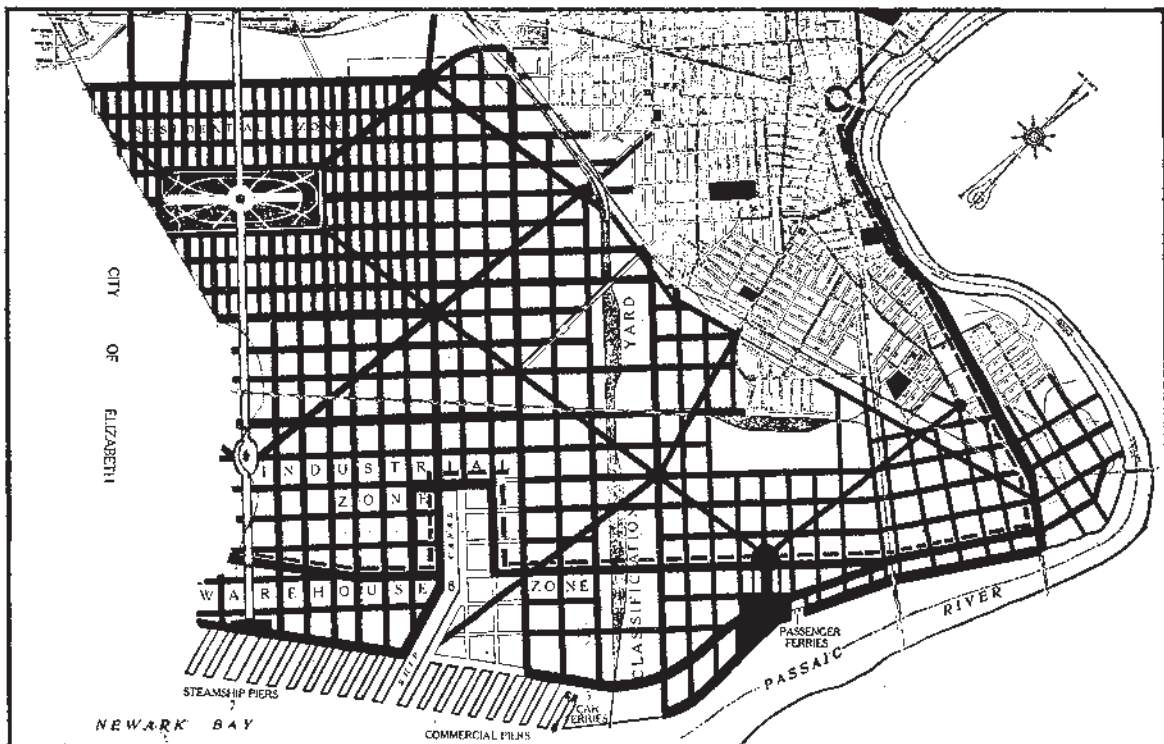
PURPOSE

TOWN PLANNING AS AN ESSENTIAL FACTOR TO INDUSTRIAL AND SOCIAL EFFICIENCY.
Factory Areas which cheapen production and facilitate industrial output.



No. 12.—TYPICAL MODERN FACTORY AREA PROVIDED UNDER TOWN PLANNING IN BRITISH AND EUROPEAN COUNTRIES.

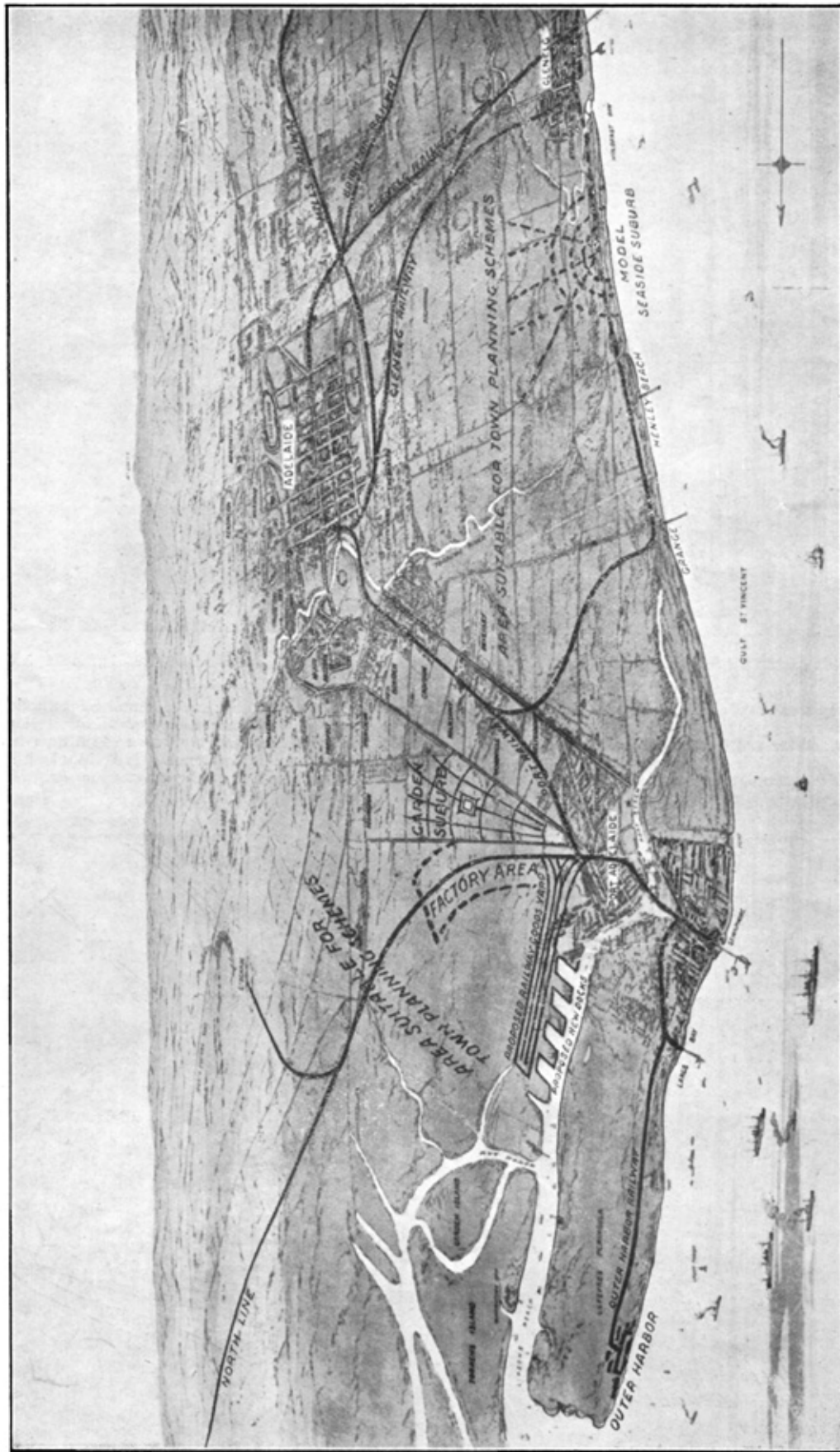
The factory area in the above instances is located on the outskirts of the city adjacent to water communications, and railway goods yards as shown, together with up-to-date equipment for handling produce, wheat elevators, &c. The factories are specially provided for and located on separate allotments close by with railway sidings into the works which thus secure direct contact with both land and water transport. Every modern industrial town or city in Germany is equipped with one or more of these up-to-date areas requisite for facilitating industry and manufacture, cheapening production, &c. Model housing and recreational conditions are a frequent accompaniment to these areas.



No. 13.—MODERN AMERICAN FACTORY AND WAREHOUSE AREA WITH MODEL HOUSING SUBURB FOR WORKERS

The part of the city of Newark (U.S.A.), showing approved city extension plan making provision for new docks, railways goods yards, factory sites, warehouses areas, garden suburb, parkways, &c., co-ordinated under town or city planning in the interests of economic organization of industrial facilities and general welfare

METROPOLITAN ADELAIDE'S UNIQUE OPPORTUNITY FOR PROVIDING A FACTORY AREA AND UP-TO-DATE FACILITIES
FOR MANUFACTURERS ADJACENT TO THE NEW RAILWAY GOODS YARDS AND DOCKS.



No. 14.—BIRD'S-EYE VIEW OF METROPOLITAN ADELAIDE AND LOCATION OF PROPOSED FACTORY AREA ADJACENT TO THE NEW DOCKS AND RAILWAY GOODS YARDS AT PORT ADELAIDE.

In addition to the suggested factory area (including provision for a modern garden suburb and housing adjoining), the illustration also suggests the possibilities of planning a future model seaside town between Glenelg and Henley Beach when the disposal of the Torrens waters are being dealt with, the "Reedlands" area reclaimed, and railway or other transit is provided connecting the existing seaside resorts in manner proposed by the Railway Expert (Mr. P. Anthony). The urgent need for town planning the area between the Outer Harbor and Port Adelaide, as well as the whole of the outlying suburban area between the hills and the sea, should be obvious. (See page 14).

PURPOSE AND FUNCTION OF TOWN PLANNING AND DEVELOPMENT ACT.

The fundamental purpose of a Town Planning and Development Act in relation to existing towns or cities is *not* to empower councils or other bodies to proceed with actual works or to enter into financial obligations relating to the improvement of existing areas, the control of subdivisions, or the preplanning of new areas. Its function instead is to establish the means whereby—

- (1) such works or matters can be considered by such authorities collectively ;
- (2) discussed in either their financial, legal, or technical aspects by all concerned ;
- (3) proposals in respect thereto embodied in the form of a proper scheme (or town planning by-laws) for submission to the Minister ; and
- (4) all objections to such proposals settled by agreement or arbitration before being presented to the Governor for approval or rejection.

As such this involves no radical departures from or amendment of existing law. The Town Planning and Development Act may therefore be briefly defined as—

a permission from Parliament to enable councils, public bodies, or owners to confer and agree amongst themselves (subject to the limitations and procedure imposed by the Act) upon definite proposals for dealing especially with problems of planning and development in new areas.

By problems is meant questions relating to the subdivision or use of land, roads, streets, access, communication, sanitation, hygiene, convenience, or amenity, &c.

This method has been approved and accepted by Parliament in Great Britain, Overseas Dominions, and other modern countries as the basis of town-planning legislation, after long experience of other methods which correspond with existing practice in South Australia.

The general practice in this and other States is to ask both Houses of Parliament to devote time to the threshing out, clause by clause, of the many problems in local government referred to, and embodying such requirements as are considered necessary in an Act of Parliament. Under the Town Planning and Development Bill Parliament is not asked to make any radical departure from this general practice ; but, instead of devoting time in seeking to determine many questions, sometimes of minor importance and other times often wholly technical and intricate in detail, to enable the bodies most intimately concerned with local government to undertake the task with a view to formulating and submitting these recommendations for approval in manner indicated. Parliament thereby surrenders none of its inalienable rights or privileges, and it may at any time amend and modify the governing principles laid down in the Act which it is asked to approve.

This accords with town planning legislation in other modern countries. Great Britain, under the original Act of 1909, considered that, in certain cases, Parliamentary veto of any proposals before they were authorised was necessary. That is to say, the proposals were to lie on the table of the Legislature for a stated time and be subject to resolution by either House. This proviso, however, was omitted from all subsequent legislation in Canadian and Indian States, also other countries. Approval by the Governor, after all the stages of procedure had been complied with, is held to be sufficient. The New Zealand Town Planning Bill at present under consideration by Parliament follows this precedent. Finally, the British Housing and Town Planning Bill, now passed into law, definitely abandons Parliamentary veto, it having been found to seriously check private development and enterprise without ensuring any corresponding advantage. Hence, approval by the Governor in the present Bill is incorporated. Parliament, of course, still retains the power at any time to rectify or amend the principal Act should it prove, in any respect, unsatisfactory for dealing with the problems at issue.

PROVIDING ON PAPER FOR FUTURE REQUIREMENTS.

An examination of any municipal town plan in Europe, Great Britain, or other various overseas countries will show that its purpose is to lay down on paper beforehand a preliminary programme of development and improvement, anticipating the probable future needs and growth of the town or city for an indefinite period, usually 30 to 50 years. (See plan of Milan. Illustration No. 6.)

In Anglo-Saxon countries this preliminary plan (or civic survey) is intended for guidance to councils and others when, at some subsequent period, preparing definite proposals or schemes relating to any particular district or part of the town concerned. In other words, the preliminary plan is little more than a tentative indication of objects or requirements considered desirable where proposals are being formulated by responsible authorities for submission to all concerned. It is *not* to be interpreted as involving expenditure of public moneys (large or small) on town or city improvements. Any expenditure or expenses in connection with town planning operations must be provided for subsequently when an actual scheme is being prepared for submission beforehand to all concerned in manner provided by the Act.

VALUE OF PRELIMINARY TOWN PLANS.

The value of the preliminary town plan (or civic survey) of probable future requirements need hardly be emphasised when it comes to settling subsequently the details of any immediate public work or undertaking, whether by the State, the municipal, or other bodies concerned. For the purpose of illustrating only its local reference or utility to the growing and ever spreading metropolitan area of Adelaide, the accompanying map of city and suburbs has been prepared. (See illustration No. 10.) This

This map is not even a preliminary town plan for the completion of which the department at present lacks the requisite facilities. The map contains instead, in diagrammatic form, tentative ideas for further consideration. As such they require to be elaborated in detail later before any actual schemes or proposals are formulated by councils and public bodies for consideration under the proposed legislation.

CONSIDERATIONS IN REFERENCE TO FUTURE REQUIREMENTS OF ADELAIDE AND SUBURBS.

Briefly, these considerations include--

1. *Factory or Industrial Area.*—The Government by expending large sums in providing harbor extension improvements, and adjoining thereto new terminal railway goods yards (as proposed), is necessarily increasing facilities and opportunities for local manufacture and industries. In the vicinity of Port Adelaide there are considerable areas of vacant land—cheap, and eminently convenient for factories, whether new industries or existing concerns, which find it economically advantageous to remove their works from the city near to the Port and means of communication (e.g., Burford's, Electric Supply Corporation's new power station, &c., &c.).

The provision of a modern factory area adjacent to the means of transport by land and water is a cardinal necessity in the interests of cheapening production and the cost of distribution in South Australia.

Adjacent to such area (as elsewhere) provision should be made at once for so planning the new residential districts required in connection therewith that proper conditions of development in land and buildings will be ensured in place of haphazard development.

2. *New Main Roads.*—New main arterial roads of adequate width, following direct routes along easy grades and passing through districts separately controlled by local bodies, require to be provided for on paper beforehand in many of outlying suburbs of Adelaide, and more especially such roads connecting the Outer Harbor, or the new factory area and harbors with the city proper. Otherwise provision for these and other new routes required will not be possible in districts where land is in course of development. Adelaide (like Sydney) will be called upon instead to expend huge sums in seeking to rectify obvious but irreparable blunders.

3. *New Suburban Extensions.*—The plan, in comparison with earlier maps of Adelaide and suburbs, shows how rapidly the area available for suburban extensions between the hills and the sea is being filled in by haphazard subdivisions. These subdivisions, compared with Colonel Light's plan for central Adelaide, betray disastrous results in their failure to make adequate provision for open spaces and other public necessities. On the other hand, dealing with these and other new areas under town planning schemes or by-laws should result in infinitely more advantage to both owners and community.

4. *Proposed New Town.*—The recommendations of the Railway Expert (Mr. Anthony) include the linking up of the Henley and Glenelg suburban lines and the planning of a new seaside town midway between both. Before this is done it is very desirable that adequate provision should be made for dealing with the disposal of floodwaters from the River Torrens. Both these important works (and possibly tramway communication in addition), involving public expenditure, are a prelude necessary to the ultimate development of this large and important district and its unique sea frontage.

It would be a fatal and irremediable mistake to render the subdivision of the new district or the proposed seaside town possible without ensuring proper planning and development beforehand.

5. *Foreshore Improvement.*—For some years the Government has been pressed by local and other bodies to make adequate provision for dealing with the metropolitan foreshores between the Outer Harbor and Marino. In our climate the value of this magnificent stretch of beach cannot be overstated. The beach, for the greater part of the distance, is separated from private property by a roadway one and a half chains wide—the gift of Colonel Light. (See illustration No. 9). Compared with foreshore reservations in other parts of the Commonwealth (St. Kilda, Victor Harbor, or modern seaside resorts generally) one and a half chains (99 feet) is inadequate, especially where it is desired to make recreational provision on the water front of seaside towns. The existing division of control amongst separate local bodies and Harbors Board renders co-operation and joint consideration by all concerned, as provided by the Town Planning and Development Bill, indispensable.

6. *Division of Control.*—This division of control and local government administration between different councils and public bodies in metropolitan Adelaide renders it advisable, in dealing with these and other problems, that a proper procedure should be laid down whereby both co-operation or co-ordination can be effected. This the Town Planning and Development Bill seeks to provide. Councils and public bodies are required to co-operate in preparing town planning proposals. Joint authorities between two or more councils for such preparation can be arranged. The Department of Town Planning (or other technical experts) and the Minister are available either to advise, co-operate, or ensure proper co-ordination of proposals before they are approved.

The basis of the Bill, in short, is, as stated, that approved unanimously by the Australian Town Planning Conference and Exhibition; and what applies in this and other respects to Adelaide and suburbs has similar reference to other potential metropolitan areas within the State where similar division of control exists.

TOWN PLANNING ESSENTIAL.

These matters cannot properly be dealt with by controlling subdivisions as in Part III. Town planning powers, as provided by Part II., are essential to shape and promote the immediate future growth and requirements of our towns and cities.

TOWN

TOWN PLANNING LEGISLATION (EXISTING AND PROPOSED).

European.—

Italian Municipal Town Planning Act (since amended and extended), (1865). Swedish Town Planning Law (1867). Prussian Town Planning Act (1876), since extended and supplemented by other legislation applicable to all German States.

Town planning legislation is also applied by councils and State authorities in Holland, Belgium, France, Austria, and other European countries.

Britain.—

Housing and Town Planning Act, 1909, amended by Housing and Town Planning Act, 1919, recently passed into law and under which town planning is now compulsory on all towns with a population of 20,000 and over.

Canada.—

Town planning Acts have been passed in the following provinces :—Nova Scotia, 1912 and 1915 ; Alberta, 1912 ; New Brunswick, 1916 ; Manitoba, 1917 ; Ontario, 1918 ; Saskatchewan, 1918 ; Prince Edward Island, 1918 ; British Columbia, 1918.

India.—Bombay Town Planning Act, 1916 ; Madras Town Planning Bill, 1918.

Ceylon.—Housing and Town Improvement Ordinance, 1915.

South Africa.—Transvaal Town Planning Bill (in draft).

Japan.—The Town Planning Committee of the Imperial Japanese Government is now at work.

United States.—

City Planning Acts have existed for some time in the following States :—California, Massachusetts, New Jersey, Ohio, and New York.

The following State Legislatures this year have passed or are about to pass similar Acts, namely :—Michigan, North Carolina, Texas, Utah, and Indiana.

City Planning Commissions.—In the United States during 1913 there were 54 city or town planning Commissions at work, preparing for the planning and development of their towns and cities.

During 1917 the number of cities and towns with planning and development schemes of various kinds in hand had increased to 290, many of which have considerably less population than Adelaide and suburbs.

In South Australia, despite the creation of a Department of Town Planning and Government Town Planner, not a single town or city can as yet prepare or carry out a proper town planning scheme.

Australia.—

South Australia.—Town Planning and Development Bill, 1919, following Town Planning and Housing Bill, 1916.

New South Wales.—Town Planning Bill (in draft). Greater Sydney Bill, 1918 (with town planning chapter) passed House of Assembly.

Queensland.—Greater Brisbane Bill (as above) in draft.

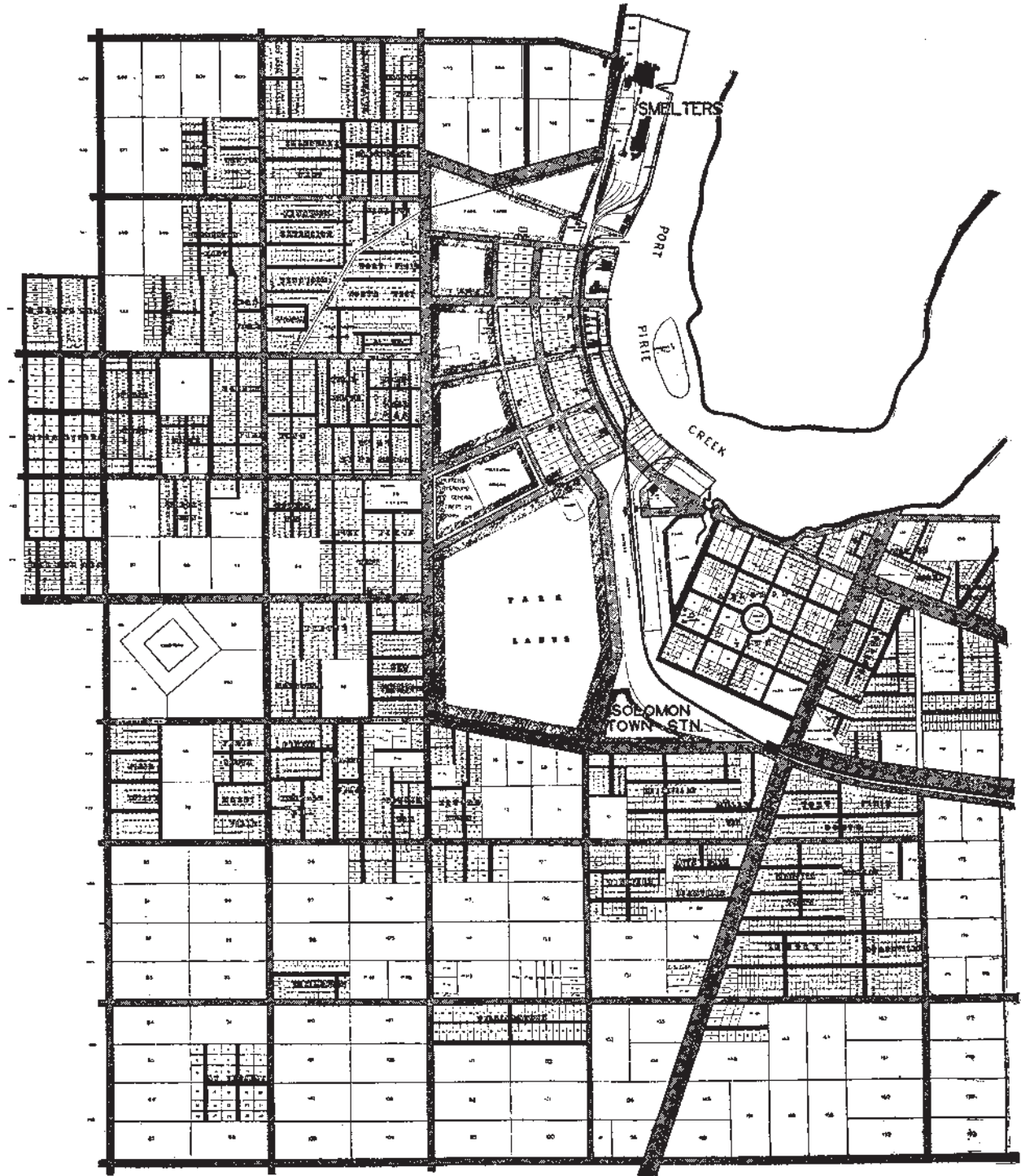
Western Australia and Tasmania.—Town Planning Bills (in draft).

Victoria.—Town Planning Bill promised since 1915.

New Zealand.—

Town Planning Bill, 1918, introduced to Parliament, and now under consideration in accordance with the recommendations of the New Zealand Town Planning Conference and Exhibition, 1919.

COUNTRY TOWNS IN SOUTH AUSTRALIA.—PORT PIRIE.



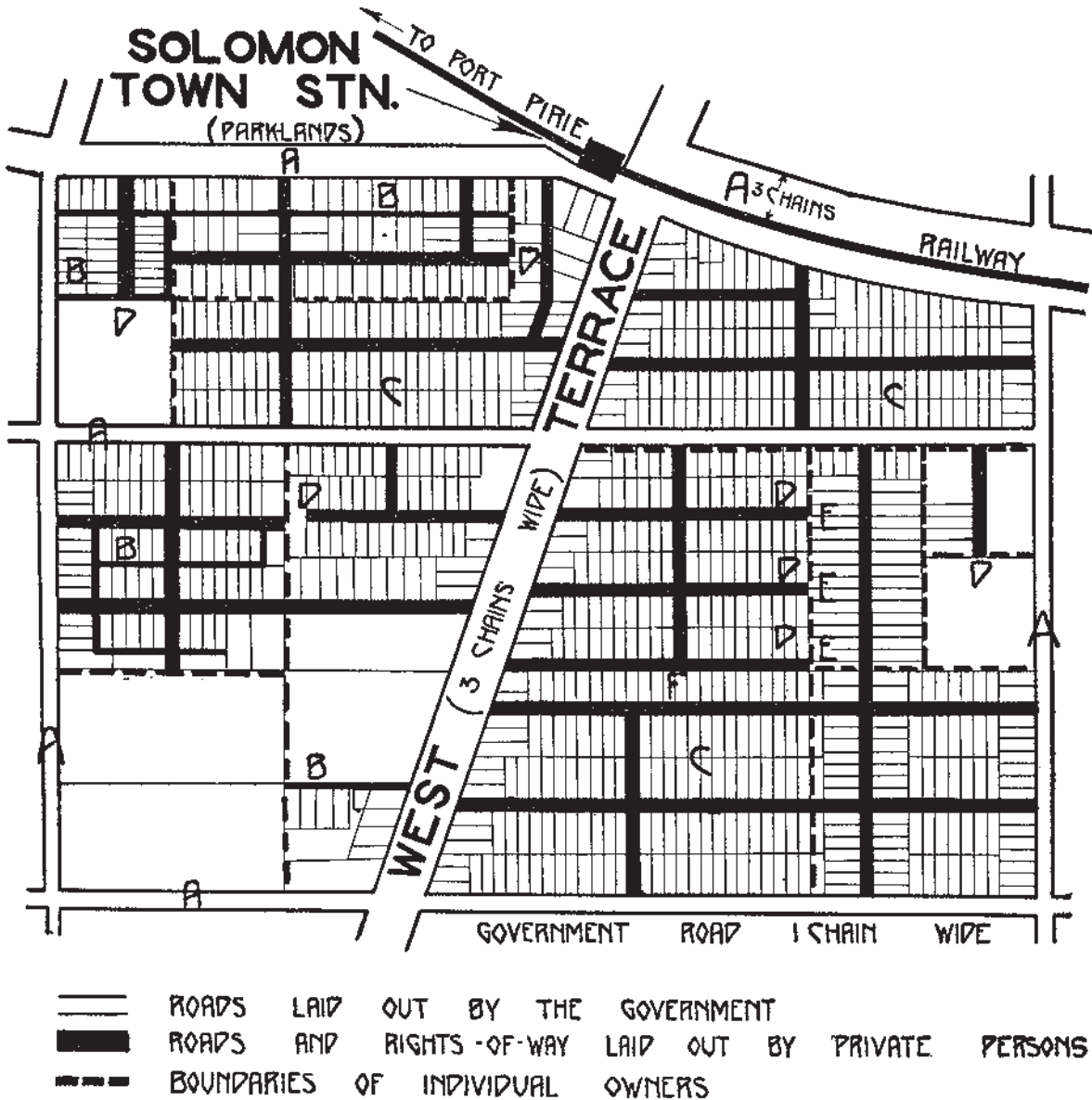
No. 15.—PORT PIRIE AND SUBURBS.

Showing (1) wide Government roads as originally surveyed; (2) encircling belt of park lands which has restricted the expansion of the central town, where back lanes, overbuilding, and overcrowding now exists; (3) roads laid out by private owners (solid black lines) in the private subdivision of the original rural blocks laid out by the Crown between the framework of Government roads (double lines). The widespread disconnection and confusion between the subdivisional roads will on examination become self-evident. See illustration of areas, adjacent to Solomontown, as subdivided since the land was laid out by the Crown.

There is no sewerage in the above areas, which require to be dealt with immediately under housing and building and town planning legislation if further epidemic diseases are to be prevented. (See page 20.)

CONTROL OF SUBDIVISIONS.

(Part III., Division II.—Town Planning and Development Bill.)



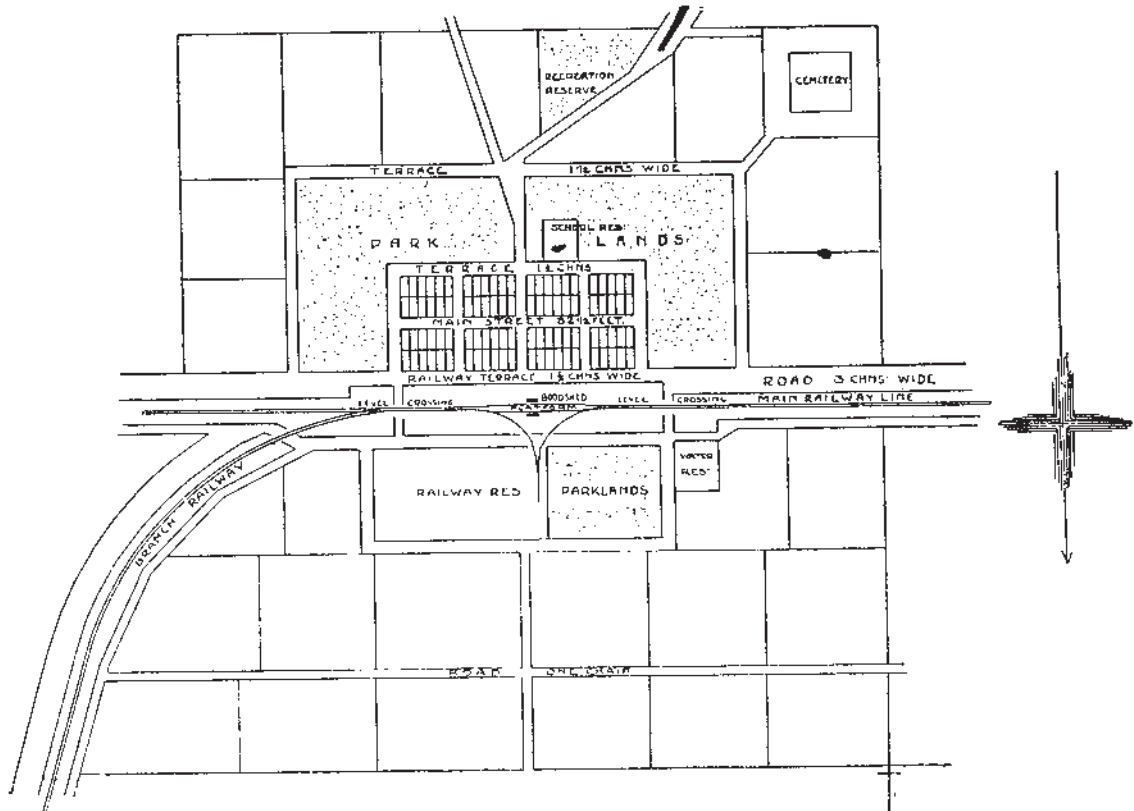
No. 16—PART OF SUBURBAN PORT PIRIE ADJACENT TO SOLOMONTOWN, ILLUSTRATING THE NEED FOR TOWN PLANNING CONTROL OF SUBDIVISIONS.

The plan shows :—(a) Original wide roads planned by the Crown, and roads (solid black) since laid out by private persons subdividing the original blocks ; (b) back lanes provided in some cases, and (c) not in others ; (d) dead-end streets, some of which, running down hill, (e) cause surface drainage to discharge into private allotments, no other means of disposal being provided for ; (f) two roads separated only by the depth of one building block ; and finally, boundaries of separate ownerships (dotted lines), which, being subdivided individually instead of collectively, have resulted in the existing confusion.

To regulate further development and prevent other difficulties likely to ensue, it is necessary that the Council should have the power forthwith to make town planning by-laws under Part II. of the Town Planning and Development Bill.

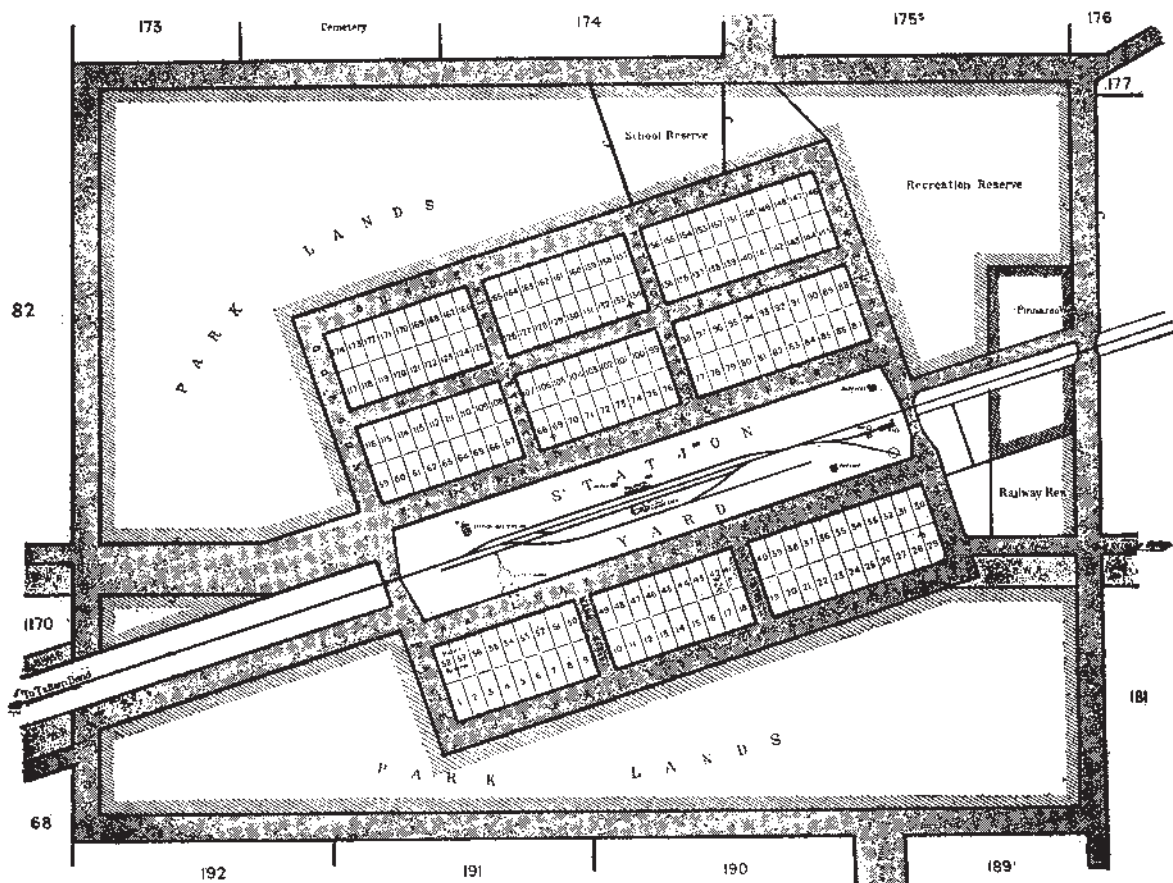
The rectification of the defects of the existing law relating to subdivisions, as proposed under Part III., should also be authorised immediately. Otherwise these mistakes are bound to recur in new areas.

NEW TOWNS IN SOUTH AUSTRALIA.
(Part III., Division I.—Town Planning and Development Bill.)



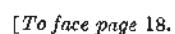
No. 17.—TOWNSHIP OF ALAWOONA—TYPE OF STANDARDISED PLAN USUALLY ADOPTED FOR NEW TOWNS.

The plan shows the existing practice of enclosing all new towns with a belt of park lands, and limiting the central area to a given number of allotments—one-quarter of an acre each and streets orientated to the cardinal points of the compass—practices that require reconsideration in the light of modern town planning and garden city principles. Reconsideration of the planning of the rural blocks outside the park belt is also necessary to ensure that if required subsequently for urban use the measurements will be such as not to defeat effective subdivision under a Town Planning Act. (Compare with No. 19.)



No. 18.—PINNAROO—A TOWN LOCKED UP BY ITS PARK BELT.

The practice of enclosing towns with unbroken park belts (following the example of Adelaide) has in several country towns contributed in part to serious difficulties associated with back lanes and over-building, railway crossings, developmental costs out of all proportion to revenue-producing capacity of allotments, &c. An alternative method of retaining the "park land principle" and overcoming existing difficulties is shown in the plan of a new town (illustration No. 19).



PORT PIRIE.—BOARDING AND RESIDENTIAL CONDITIONS.



No. 20.—Washing and cooking facilities provided for 12 houses situated in rear of a boarding house let to a tenant-landlord who sublets to the tenant in occupancy.



No. 21.—Pan closet shared by the occupants of the five houses built under one roof.



No. 22.—Ten sleeping cubicles built in outhouses in the back yard of an existing boarding house. Rooms lack external light, the skylight being the principal source of "light" and the passage way the means of "air" to these cubicles. Every cubicle is occupied.



No. 23.—Group of four (4) one-roomed houses built in behind other boarding houses and outhouses. The only entrance to by way of the passage shown. Note the one tap for the four "houses."

HOUSES BUILT IN BEHIND OTHER HOUSES AND UNHYGIENIC CONDITIONS OF LIVING AT PORT PIRIE.

These illustrations indicate :—(1) The necessity of ensuring proper conditions of development and building in all new towns immediately they are planned ; (2) the need for town planning by laws for the better control of these areas ; and (3) remedial housing legislation with a view to the removal or amelioration of these and other similar residential conditions which should not be tolerated in a young country like Australia.

PART II.

New Towns or Town Extensions Planned by the State.

EXAMPLE OF PIONEER TOWN PLANNERS.

The origin of the existing system under which new towns or town extensions relating to Crown lands are laid out by the State, dates back to the foundation of South Australia. It was established in 1836 by Colonel Light and his assistant, B. Travers Finniss, in accordance with the instructions framed in London by the South Australian Commissioners with the object of guiding the Surveyor-General in his task of laying out Adelaide and other new towns. Without entering into any historical outline of its development, it is important to note two cardinal features, namely :—

- (1) Insistence upon reservation of land for public squares, recreation, and other open spaces, foreshores, and sites for public buildings.
- (2) Application of these requirements to all new towns whether laid out by the State or by private owners of property.

These instructions were in keeping with the civic spirit of the time in Britain which inspired early town planning ideals not only in South Australia, but also in New Zealand and other British Colonies. The fact that private owners were obliged and were willing to make liberal provision for the needs of the public when laying out new towns is proved by existing records. Before the private owners of the land laid out Gawler in 1839 they entered into an agreement with the State authorities providing for a town covering 240 acres, out of which 140 acres were to be devoted to—

- (1) a belt of park lands to surround the town ;
- (2) a public cemetery ;
- (3) sites for four churches and dwelling-houses for the ministers thereof ;
- (4) sites for four schools and dwelling-houses for the schoolmasters and schoolmistresses ;
- (5) a market and market-house ;
- (6) a courthouse ; and
- (7) a prison.

Under the agreement these lands were vested in trustees, but, whilst Gawler received its existing squares and sites for various public purposes, there appears to be no record disclosing the fate of the belt of park lands which was not conveyed to the Gawler Corporation when it was incorporated in 1857.

Again, when the private town of Davenport was surveyed between 1840 and 1841 by the Colonial Commissioner's surveyors (Messrs. Burslem and Nixon), on behalf of Messrs. Davenport and others, similar provision had to be made for suitable streets, reserves, squares, public buildings, &c., which the owners agreed to do, as well as dedicate the lands required therefor as the property of the local government. This was done, as the original plan shows.

Other instances might be quoted showing that in the planning of all new towns the public interest and needs of the community were carefully provided for in anticipation of their development as urban communities. Unfortunately the practice of making liberal provision for public requirements came later to be replaced by a more restricted and less enlightened view of the future possibilities of new towns and their needs. Private owners were relieved of important obligations to the community. This decline in civic conception and ideals, both in the public as well as the official outlook, corresponds with similar developments in other States.

The early South Australian system apparently was never crystallised by specific regulations fixing public requirements or controlling building as was done in Tasmania and New South Wales, at the instance of Governor Macquarie and others, between 1810 and 1837. Regulations, however, were issued in 1843 which required that allotments of land sold for building purposes in large towns or places likely to become the chief towns of extensive districts were not to exceed one-quarter of an acre ; or, in the case of minor towns or villages, one-half of an acre. These requirements presumably are responsible for existing practice, which makes all allotments in the central areas of new towns one-quarter of an acre in area.

ADAPTATION OF PIONEER METHODS TO MODERN COUNTRIES.

In any question of the reorganisation of the existing system of planning towns (whether undertaken by the State or private owner) South Australia has a very good precedent in the methods and practice of her pioneers. The object of Division I. of Part III. of the present Bill is to resuscitate the best features of the early system and apply them with necessary adaptations and extensions to present conditions.

With this object in view the Government has already approved an existing arrangement (now embodied under the division above mentioned) by which all new towns are to be planned by the Department of Town Planning in co-operation with any authority or authorities concerned prior to survey and allotment. The details contained in the Bill are self-explanatory.

Prior

Prior to this arrangement, the existing practice was usually to rule out on paper beforehand a standardised design of rectangular streets and allotments running north, south, east, and west, the whole enclosed by a belt of park lands, following the example of Adelaide. Every town plan irrespective of the possible future or character of the new community followed this standardised design. It was left to the surveyor to choose a site which, if possible, would fit the plan. The design was seldom adjusted to fit the site.

TOWN PLANNING AND CHINESE ASTRONOMICAL LAW.

In adhering to the rectangular plan, South Australia is following the oldest type of town design in history. Its origin is deeply rooted in ancient civilisations, including China, where sacred cities were planned in accordance with astronomical law which required streets to run north, east, south, and west as in South Australia. In districts subject to hot, north winds, for instance, sufficient time, perhaps, has now elapsed whereby departure might be made (precedent notwithstanding) from the practice of orientating streets in accordance with Chinese astronomical law.

This applies to new subdivisions as well as new towns.

ERROR OF INSISTENCE UPON STANDARDISED DESIGN.

Insistence upon a standardised design (including an unbroken belt of park lands) for all towns irrespective of their character, function, or geographical location, is a serious error which is now recognised. It is relatively not so important whether the type of plan be rectangular, diagonal, concentric, or any other style in design. The main objection is laying down a hard and fast design on paper, stereotyped in accordance with certain fixed principles, and applying it without discrimination to all new towns and their respective sites.

The results from such practice include—

- (1) no effective provision for disposing of surface waters (or other drainage), or dealing with street grades, &c. ;
- (2) the length and the capital cost of development and maintenance of streets is out of all proportion to the revenue-producing capacity of the limited number of town allotments provided by the design ;
- (3) insufficient consideration for topography, soil, climate, and other natural features ;
- (4) difficulty of making suitable provision for expansion (if required) and linking up or adapting the central town area to such expansion, and the change in conditions resulting therefrom.

NEED FOR PLANNING RURAL AREAS TO SUIT TOWN REQUIREMENTS.

These defects relate only to the immediate area upon which existing towns have been located in accordance with standardised plans including survey regulations requiring streets, blocks, &c., to conform to fixed measurements without proper variations due to circumstances. Where towns have expanded beyond the original limits so determined, and suburban growth has spread into rural allotments adjacent to the park lands, further difficulties have been experienced. Whilst the remedy for these problems in existing towns must be sought for principally under Part II. of the Act relating to town planning, a cardinal source of difficulty lies in the fact that the rural areas abutting new towns are cut up into allotments, the measurements of which sometimes are wholly unsuited for town development purposes. The depths of these blocks frequently render good subdivisional planning very difficult. The suburban areas included on the plan of Port Pirie (illustrations Nos. 15 and 16) show the extraordinary confusion that has arisen between the private subdivisions of such blocks within the framework of wide streets originally laid down by the Government for the purpose of providing access to land originally intended for rural allotments.

The difficulties at Port Pirie are due in the first instance to defective planning, and secondly to absence of powers to regulate development. As such they are characteristic of almost every important town (or their extensions) laid out by the State, including Murray Bridge, Kadina, and suburban Adelaide.

It follows, therefore, that the planning of all new towns should include the preplanning of rural areas and districts adjacent thereto so as to suit both immediate rural necessities and the requirements essential to ordinary suburban development and building.

RURAL PLANNING.

Where rural areas are proposed to be surveyed by the Crown or private persons for settlement, or where such areas are to be opened up by new railways, it is no less important that the requirements of town planning should be given proper consideration and effect. This applies both as regards the laying out or development of these areas as a whole, and the location as well as the detailed planning of the new towns or townships therein.

PARK LANDS AND EFFECT OF ENCLOSURE.

The limits of expansion of most towns laid out by the State are fixed by the belt of park lands which are so arranged that the central areas intended for business or residential occupation are completely separated from the lands intended for agricultural purposes. The town is engirdled by its park lands as completely as many of the European towns were once upon a time hemmed in by fortifications. The

The effect of these restrictions upon the growth of European cities, especially during the nineteenth century, was to precipitate rapid increases in land values, costly street traffic problems, overbuilding, and to greatly intensify the social and economic evils produced by congestion. In South Australia, where the appreciable increase in urban populations has been relatively small (except in the capital city), the effect of enclosing the central areas by park belts has already resulted in difficulties. Towns have expanded in directions not originally anticipated, and, in consequence, railway crossing difficulties and dangers have been aggravated. Blind alleyways or back lanes with their inevitable accompaniment of bad housing, have made their appearance in central areas. These and other unwholesome conditions are likely to intensify with time unless subjected to more efficient control.

The extraordinary congestion in the back lanes and alleyways of Port Pirie—or, again, the overcrowding at Port Augusta, Kadina, and elsewhere—are due, in part, to the restrictive influence of unbroken belts of park lands. Chiefly, however, they are the outcome of urban development taking place in a confined and limited area without adequate provision being made to classify the different parts of towns in accordance with the modern practice of “ zoning,” or to regulate either the uses to which the land may be put or the amount of building and residential occupation considered reasonable therein.

Abundance of evidence exists in the “ Government towns ” of South Australia indicating the need for reconsideration of fundamental principles in design when laying down plans for future communities. It is necessary, of course, that park lands should be provided. The park lands, however, should be so arranged that as time proceeds no physical dislocation will be enforced, but that there will be continuous growth and contact between the central and suburban areas. One method of achieving this is illustrated in the sketch design of a typical new town accompanying this report.

SANITARY AND HYGIENIC PROVISION.

From the congestion which exists in parts of Port Pirie, Port Augusta, and elsewhere, it is very desirable that some change in method should be adopted with a view to meeting the exigencies of country towns where business and residential areas appear to be inseparable. Almost every shop carries with it a place of residence, sheds, stables, refuse, closets, fowls, manure bins, horses, &c. Each and all are frequently quartered on the one building allotment, flies and climate notwithstanding. The nature of these conditions, ingrained as they are by habit and custom, make public health administration difficult. The question arises whether the planning of allotments, rights-of-way, and other spaces in rear can be arranged to meet and improve the conditions of a young town struggling into existence without impairing the subsequent utility of land required for building as values increase in growth and expansion ?

SKETCH DESIGN OF NEW TOWN.

With a view to illustrating one method of answering this important question, and dealing with other points discussed under this Part, the sketch design of a new town, for which an uncertain future is assumed, has been prepared for inclusion herein. (See illustration No. 19.) The plan is not a proposal in respect to any particular town. It is more an exposition of principles of design requiring to be adapted to particular local conditions or circumstance. Incidentally it shows how the new town of Alawoona (see illustration No. 17), laid out in recent years, might have been planned.

The chief features of the plan are—

- (1) Station place providing for distribution of traffic and convenient entrance to town.
- (2) Business areas in the immediate vicinity with “ sanitation ” reserves in rear thereof.
- (3) “ Civic centre,” where future public buildings are to be located as shown, in accordance with a definite scheme, including architectural terminals to principal streets. Sites for other public buildings are also indicated.
- (4) Orientation of principal streets with necessary changes in direction to avoid the line of prevailing winds and to minimise dust nuisance.
- (5) Continuity of building along main arterial routes between central and rural areas and provision for possible future extensions beyond or within such areas, as required.
- (6) Distribution of park lands to provide amenity for a larger number of residential blocks than at present without absorbing road frontages, which, with the sites abutting thereon, are planned as far as practicable to produce revenue (or rates).
- (7) Park lands (including Crown reserves for “ town wood lots ” and timber cultivation) are placed and arranged so as to force the town to grow towards the area reserved for its extensions.

“ SANITATION ” RESERVES.

The “ Sanitation ” reserves shown in rear of business blocks, are intended to remain Crown property with a view to their being utilised for the erection of stabling, garages, septic tanks, sheds, &c., according as may be required. These reserves will be so arranged as to provide necessary accommodation, and let on annual lease to individual business people as required. The building allotments will be separated from the “ sanitation ” reserves by rights-of-way. The fact that the reserves remain the property of the Crown should simplify the task of public health administration. If at any later time the growth of the town and increase in values renders it necessary, the land can be utilised for business blocks, as the plan anticipates.

FUTURE

FUTURE PROVISION FOR NEW TOWNS.

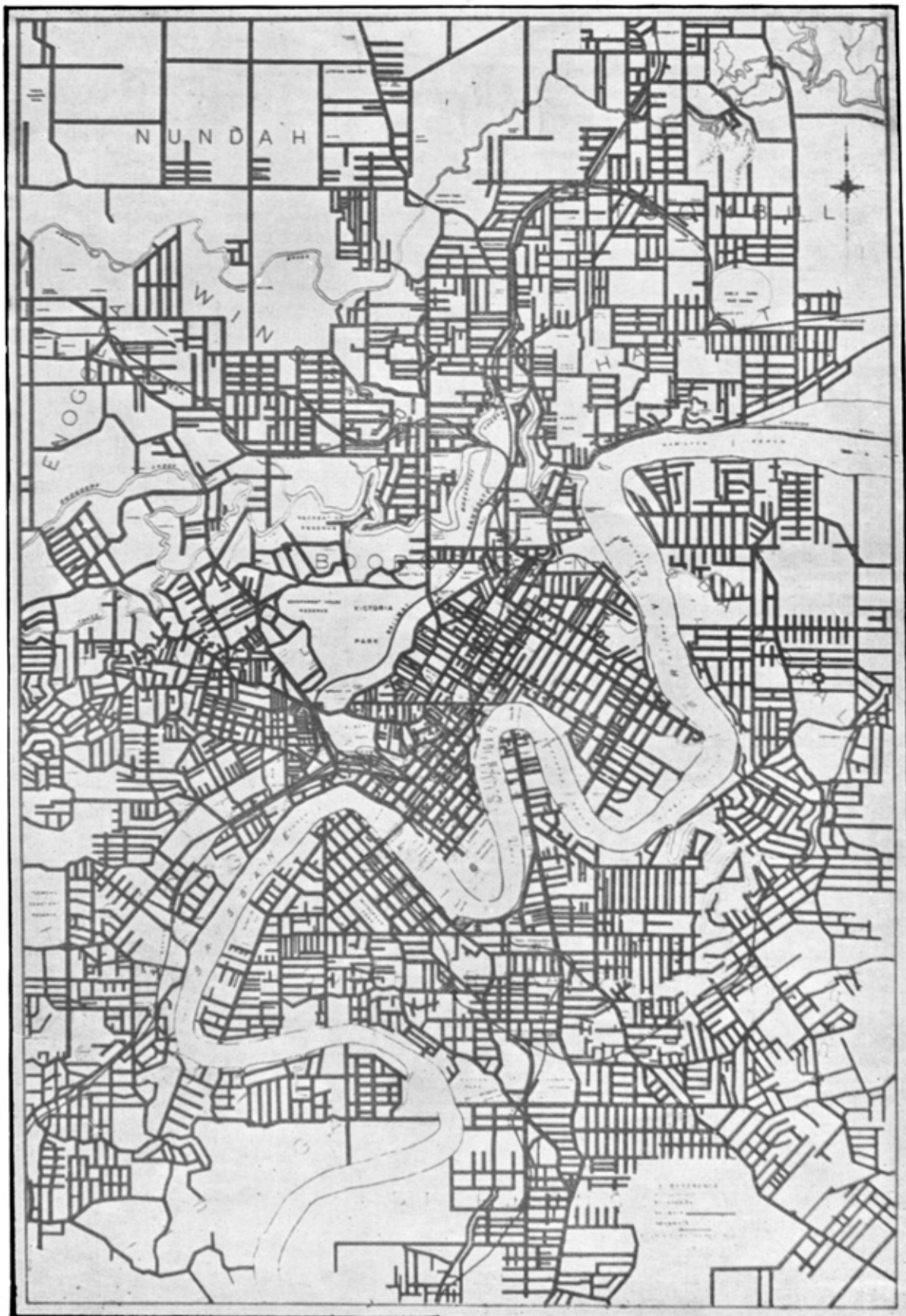
In point of population and development, South Australia's capacity for expansion has never been adequately tested. Even so, on present indications, the need for the proper planning of new towns is undoubted. During 1916 the Department of Lands and Surveys laid out and disposed of 11 new towns. Others since have been disposed of or are now under consideration. The Department of Irrigation and Reclamation is making immediate provision in the irrigation areas of the Upper Murray for at least another seven towns. Designs for the first of these towns (overlooking Lake Bonney) are now in course of preparation by the Department of Town Planning.

In addition, it must not be forgotten that every new line of railway authorised for construction means that more towns will be required to be planned and laid out. An instance of the effect of railways in this direction is furnished by the lines from Tailm Bend to Loxton, Paringa and Waikerie. Since these railways were opened during 1913-14, the total number of new towns surveyed by the Government thereon was 21. The construction of the transcontinental railways, connecting Eastern States with the Northern Territory and Western Australia through South Australia, cannot but influence the future of new towns in this State.

These considerations show that the earlier the existing arrangement is ratified by legislation, the less likely is it that the new communities will be overtaken by difficult and costly problems in their immediate future.

BRISBANE AND SUBURBS.—A METROPOLITAN CITY WITHOUT A METROPOLITAN TOWN PLAN.

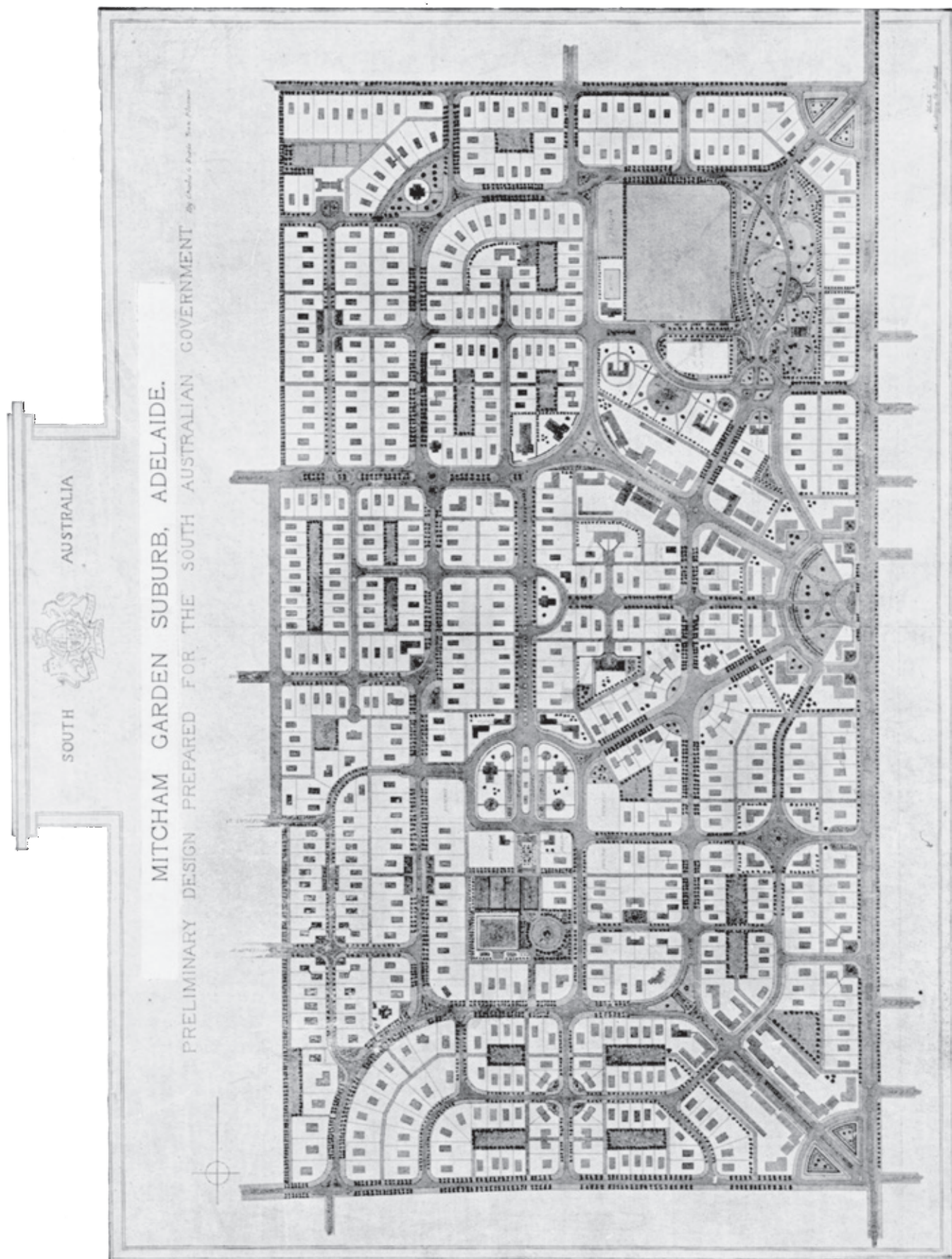
Note the confusion and disconnection in suburban areas arising from "subdividing" without regard to "planning."



No. 24.—CITY AND ENVIRONS OF BRISBANE.

Street map, showing the effect of superimposing checkerboard plans under ordinary subdivisional system on sharply undulating sites after the central city and some of the principal routes were determined by the original plan laid down by the State before the advent of Local Government. Numerous "deadend" roads are to be noted in the suburban areas—largely the outcome of existing legislation causing individual subdivisions to be made and approved in reference to the land of the individual owner without proper co-ordination with the several ownerships adjoining. To remedy this defect in South Australia is one purpose of Part II. of the Town Planning and Development Bill, 1919.

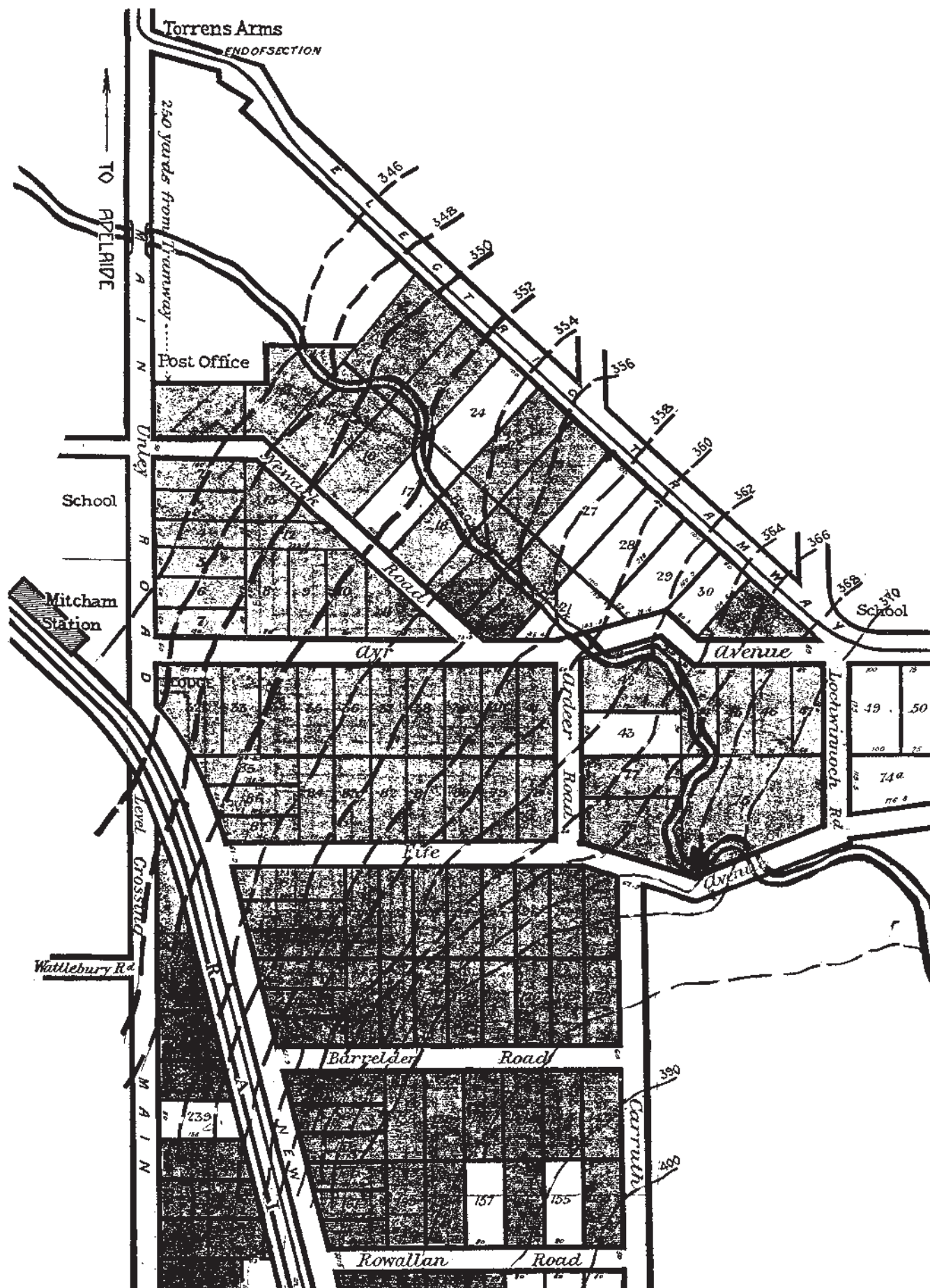
"PLANNING" V. "SUBDIVIDING."



No. 25.—EXAMPLE OF MODERN METHODS OF "PLANNING," SHOWING A LOGICAL ARRANGEMENT OF STREETS, ROADS, BUILDING ALLOTMENTS, OPEN SPACES, ETC., IN PLACE OF ORDINARY (CHECKERBOARD) "SUBDIVIDING."

[To face page 23.

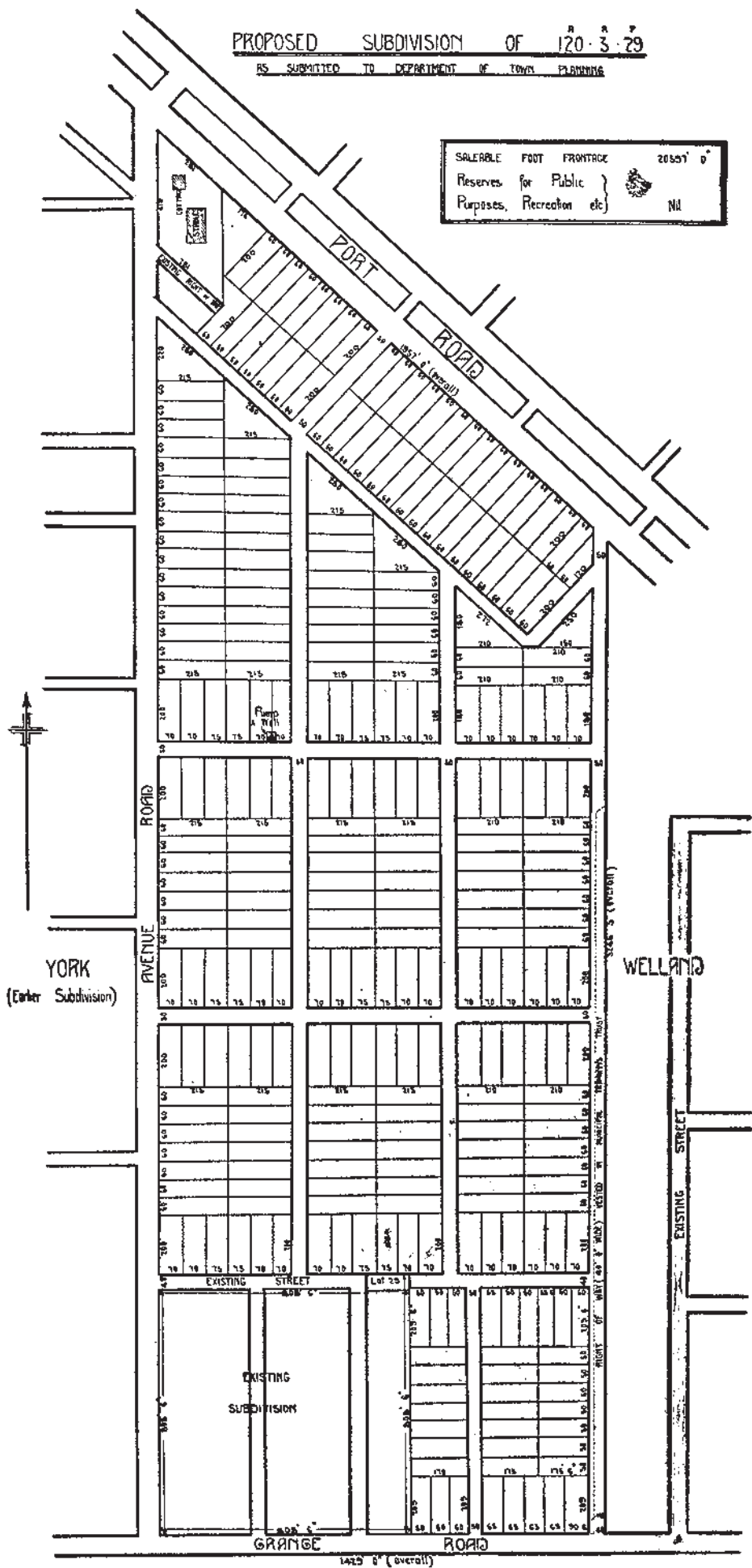
RECENT SUBDIVISIONS IN SUBURBAN ADELAIDE.



No. 26.—PART OF TORRENS PARK. A MAGNIFICENT HISTORIC ESTATE RECENTLY "GRID-IRONED."

The application of modern principles of "planning," as opposed to "subdividing," to this area could undoubtedly have given a better result to the owner and to the council, as well as provision for an alternative motor route to the Unley Road from Mitcham, without the whole of the traffic having to pass through the dangerous street junction and narrow neck adjoining the "Torrens Arms," as at present. The plan of subdivision as authorised, however, defeated this possibility. No provision was made for dealing with the Brownhill Creek, which will now pass through 16 backyards without regard for future considerations of surface drainage, no corners (acute or otherwise) are rounded off, and there is no provision for parks, sites for public purposes, &c. (Compare with illustration No. 25).

“SUBDIVIDING” V. “PLANNING” (compare with No. 28).

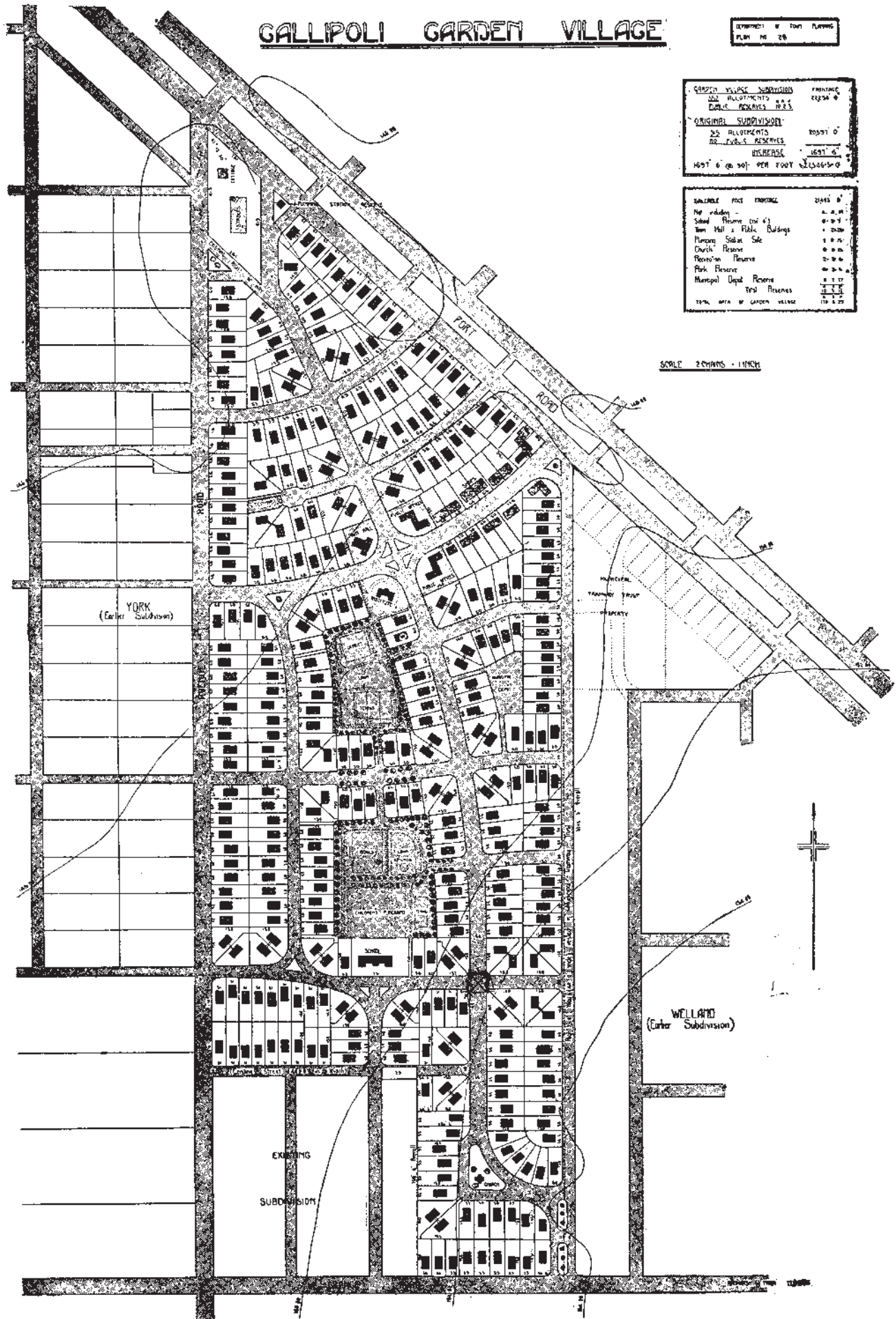


No. 27.—SITE OF GALLIPOLI GARDEN VILLAGE AS ORIGINALLY PROPOSED TO BE SUBDIVIDED.

The plan of subdivision shows roads 50ft. wide, with acute angled junctions and defective approaches to the Port Road. None of the corners are rounded off, surface drainage has to find its way around two sides of right angled corners before it eventually gets away, and there is no provision for open spaces. The depths of the allotments (215ft.) are opposed to modern practice, which favors shallower depths than are proposed above.

Comparison of this plan with illustration No. 28 show the advantages that accrue where subdivisions are subject to town planning control as proposed under Part III. of the Town Planning and Development Bill, 1919.

"PLANNING" V. "SUBDIVIDING" (compare with No. 27).

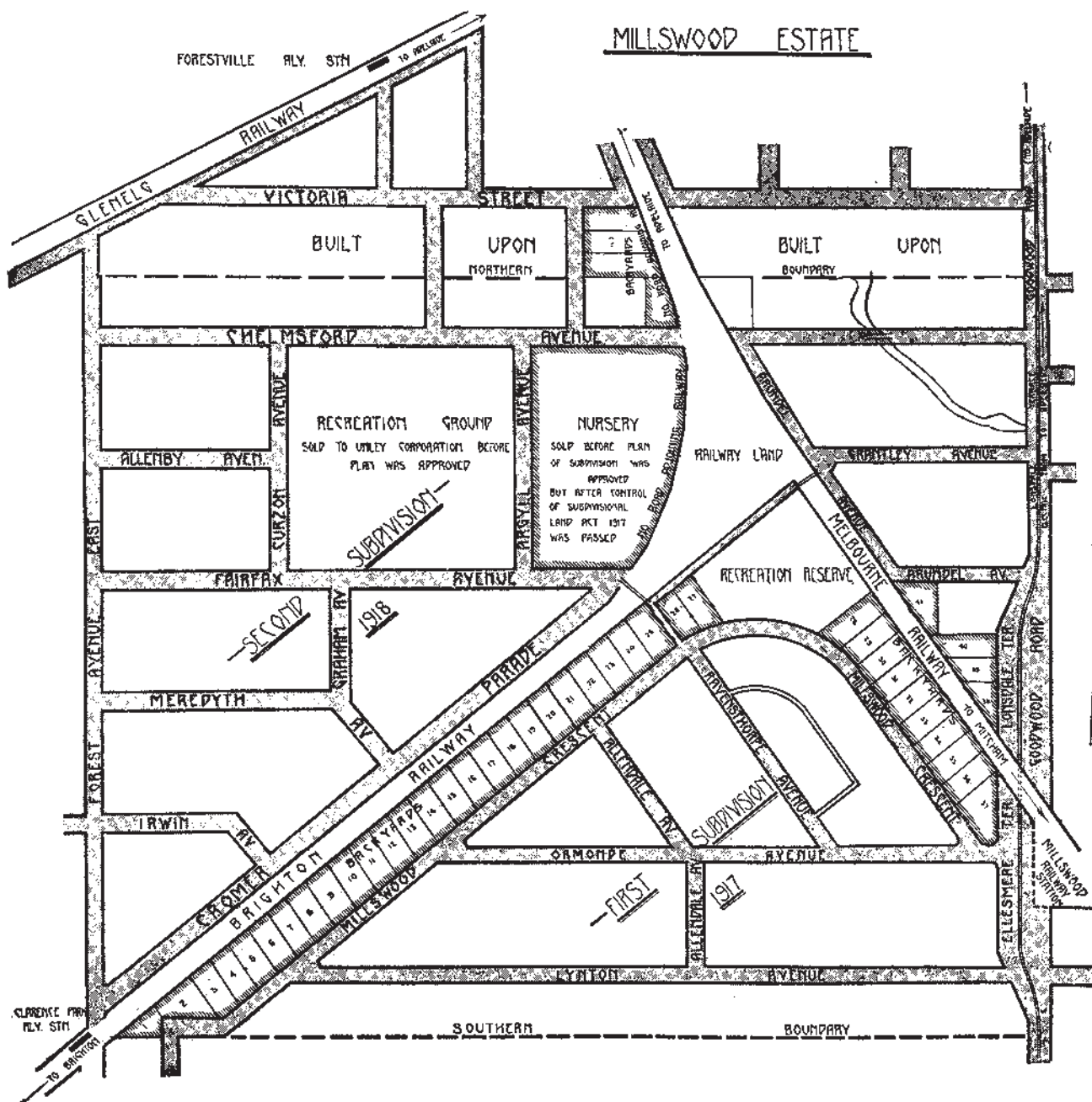


No. 28.—PROPOSED DESIGN FOR THE PLANNING AND DEVELOPMENT OF 120 ACRES ABUTTING THE PORT ROAD BETWEEN YORK AND WELLAND.

After deducting 10 acres for open spaces sites for public buildings and purposes generally as shown, the town plan yields 1,697ft. more in selling frontage than the proposed subdivision—an estimated gain of £2,546.

The plan gives 352 as against 315 allotments in the original subdivision. The increase in revenue producing units results in a gain to the council as well as the owner, inasmuch that more rates and revenue are available in proportion to the additional road lengths required. To give proper effect to the plan and development, the power of the part of the district council of Woodville to make town planning by-laws, is essential. (See page 33, "Value of Expert Co-ordination under Town Planning").

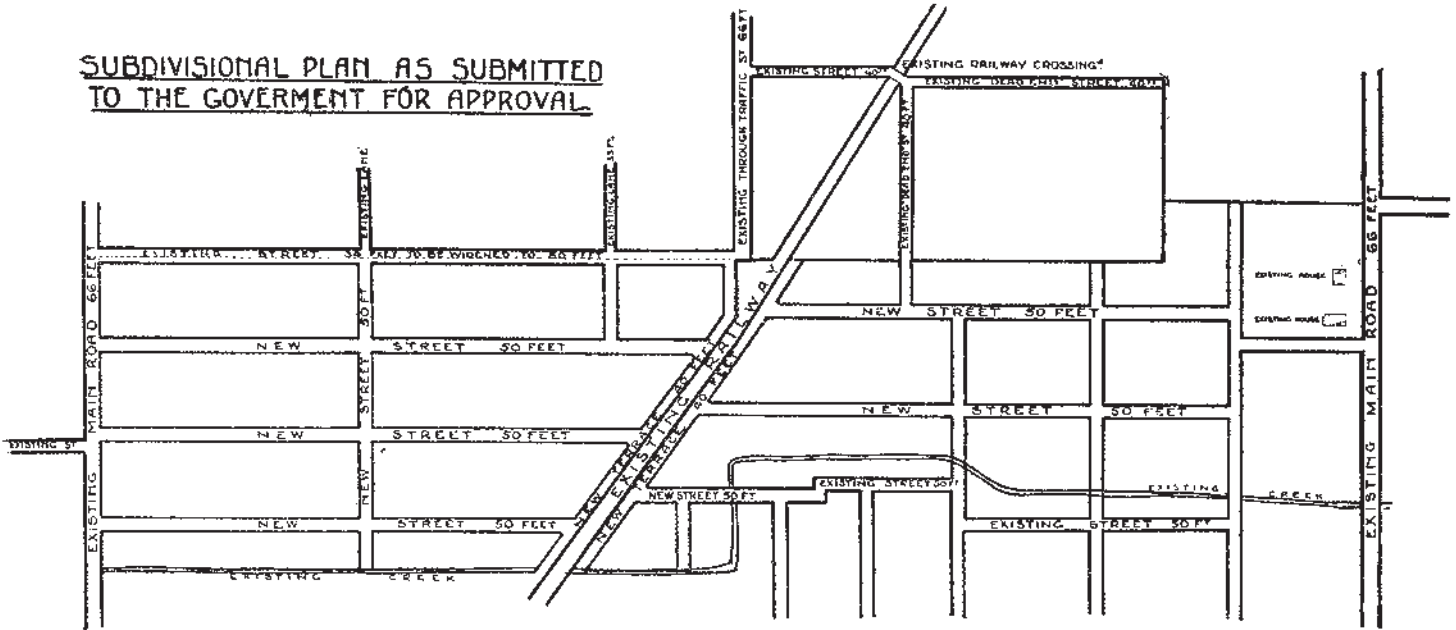
RECENT SUBDIVISIONS IN SUBURBAN ADELAIDE.



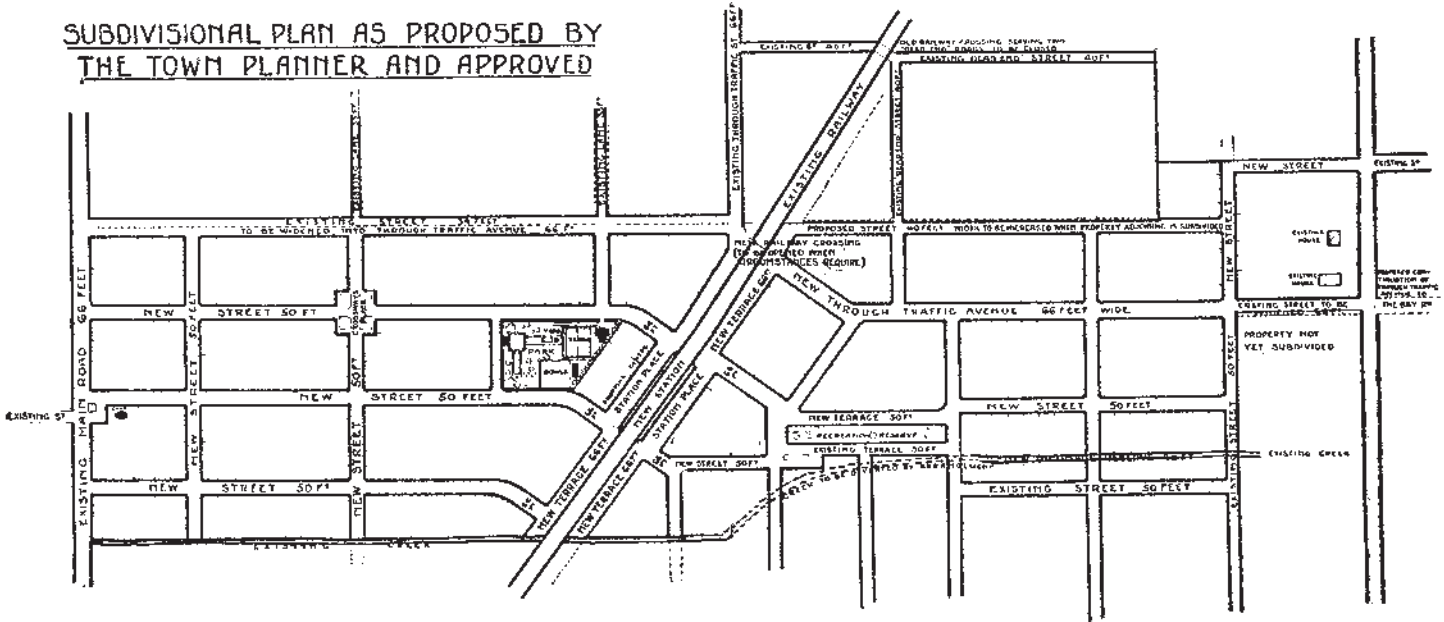
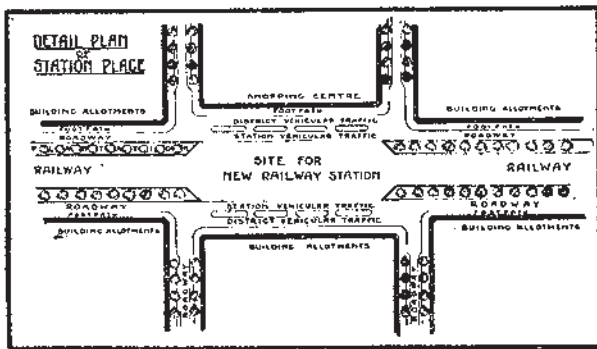
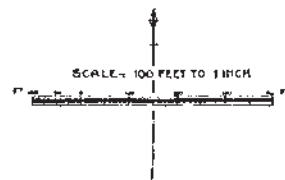
No. 29.—MILLSWOOD ESTATE.—FIRST AND SECOND PORTIONS.

"PLANNING" V. "SUBDIVIDING."

SUBDIVISIONAL PLAN AS SUBMITTED TO THE GOVERNMENT FOR APPROVAL



SUBDIVISIONAL PLAN AS PROPOSED BY THE TOWN PLANNER AND APPROVED

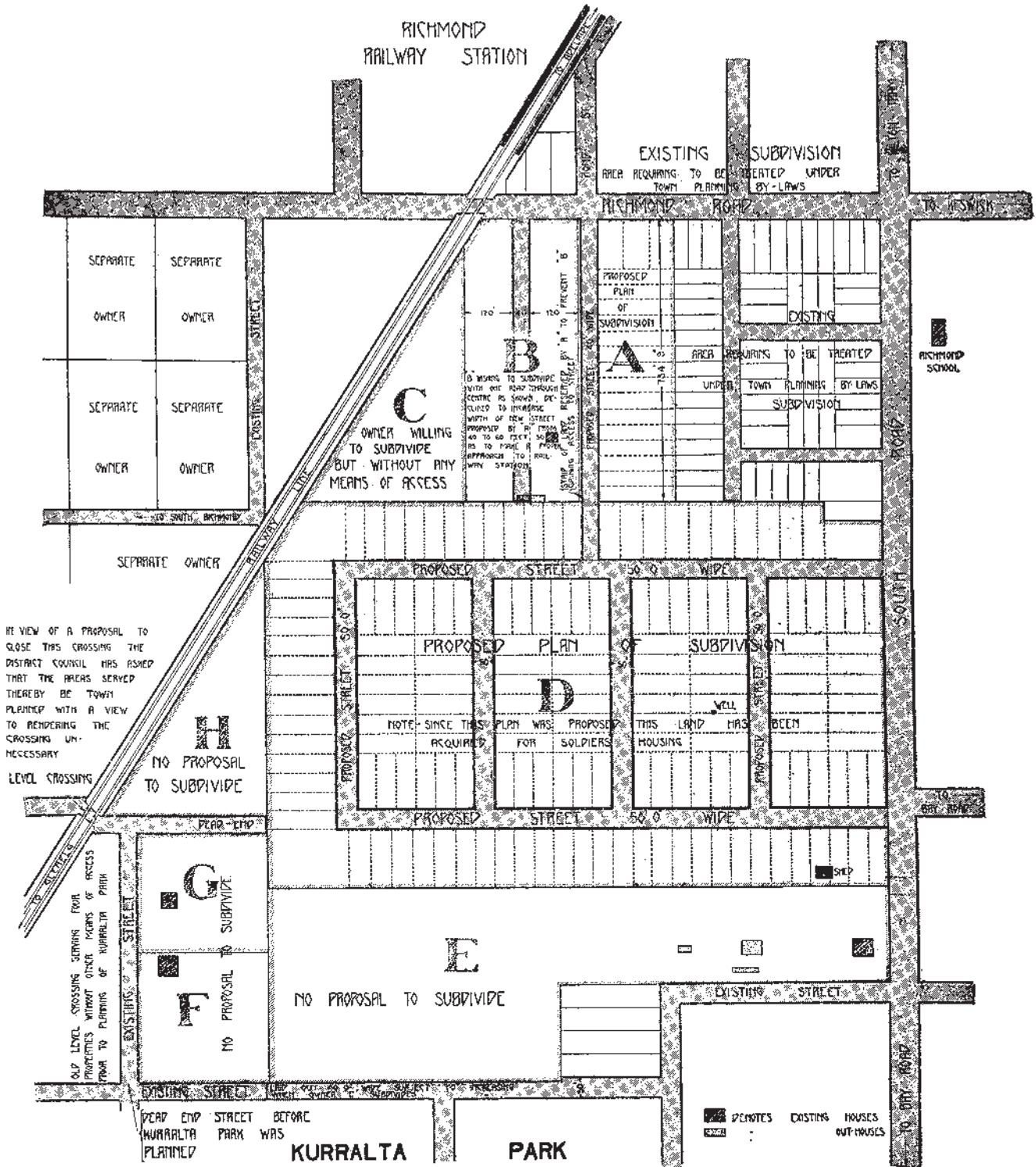


No. 30.—"KURBALTA PARK" AS IT WAS PROPOSED AND NOW IS. EXAMPLE ILLUSTRATING THE NEED FOR CO-OPERATION BETWEEN THE COUNCIL AND PUBLIC BODIES CONCERNED BEFORE PLANS OF SUBDIVISION ARE APPROVED.

"Kurralta Park" (about 120 acres) adjoins the North Terrace-Glenelg Railway, midway between Richmond and Plympton stations, and was originally proposed to be subdivided as shown, with roads 40ft. wide abutting the railways, acute angled junctions, absence of open space, &c.

The alternative plan, proposed by the Department of Town Planning, was submitted to the Railways Commissioner, the Surveyor-General, the Hydraulic Engineer, and the council before being approved. It secured for the public without charge—(1) new station site and approaches thereto, through secondary traffic avenues 66ft. wide (including those adjoining the railway), drainage reserves, and five acres of parks, &c. An increase of 1,600ft. in saleable frontage was given by the new plan compared with the old, notwithstanding deductions for open spaces. The alternative plan was approved and carried out. (See page 48, "Opinion of Private Owner").

"SUBDIVIDING" V. "TOWN PLANNING SCHEME."
Galway Garden Suburb as it might have been.

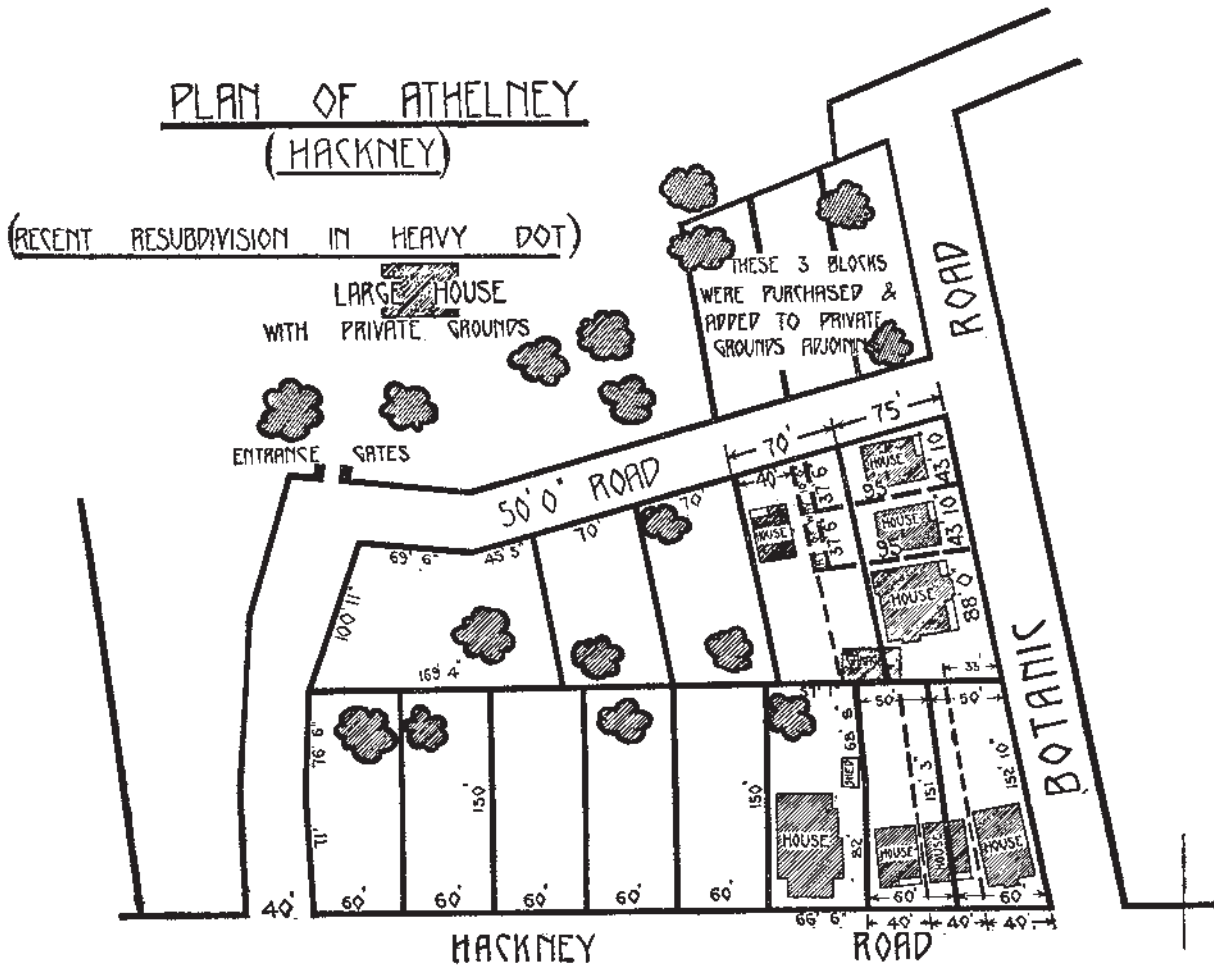


No. 31.--AREA OF GALWAY GARDEN SUBURB AND ADJACENT OWNERSHIPS AS THEY WERE PROPOSED TO BE SUBDIVIDED BEFORE THE DEPARTMENT OF TOWN PLANNING WAS CONSULTED.

Owner "A" proposed to subdivide with a road 40ft. wide forming the principal approach to Richmond Railway Station, reserving a strip 10ft. wide between the road and "B's" boundary. "B" suggested taking a 40ft. road through the middle of his property, leaving only a depth of 120ft. between the two roads, or 60ft. for each allotment. The plan gives other details, which show that had the various subdivisions been allowed to proceed as proposed, many serious difficulties to the district as a whole, as well as to individual owners like "C," would have resulted. Without Part II. of the Town Planning and Development Bill any adjustments of owners' boundaries or agreements relating thereto are practically impossible to arrange as the law stands at present.

CONTROL OF RESUBDIVISIONS.

(Part III., Division II.—Town Planning and Development Bill.)



No. 33.—RECENT SUBDIVISION ADJOINING THE HACKNEY ROAD,

Under which fair-sized residential blocks were provided, and steps taken by the owner of the larger property adjoining to protect his residential amenity. Five of the blocks, however, were taken up and resubdivided as shown. Eight houses are now built thereon. Two of the blocks measure 43ft. 10in. frontage (tapering off in rear to 37ft. 6in.) by 96ft. depth. There is no control of resubdivisions under the present law.

PART III.

Control (Existing and Proposed) of Subdivisions and Resubdivisions.

Difficulties and Defects of the Existing System and the Remedies Proposed.

INTRODUCTORY.

Plans of subdivisions at present are controlled by councils under the Municipal Corporations Act, 1890 (and amendments), the District Council Act, 1914, and the Control of Subdivision of Land Act, 1917.

Briefly the procedure is—

- (1) Owner is to submit two copies of proposed plan to the council.
- (2) The council must certify or disapprove the plans within 30 days and forward them to the Surveyor-General with any comment thereon necessary.
- (3) The Surveyor-General can approve or disapprove the plan, but his powers are exceedingly limited.
- (4) The plans are then deposited with the Registrar-General in the Lands Titles Office.

Existing local governing Acts make no provision for dealing with "Resubdivisions"—that is resubdividing (say) two blocks shown on a plan of subdivision (duly approved and deposited in manner aforesaid) into (say) six smaller blocks.

This is effected under the Real Property Act. An owner, without consulting any authority, can resubdivide existing allotments or open up private lanes and rights-of-way in any way he desires. He can build houses on the new allotments, and sell the houses or the new allotments unbuilt upon. He can overcrowd his land. The requirements under the Building Act, 1881, defining space about building, or the provisions of local governing Acts generally, are such that one could build a slum and might still be within the law.

After the sales have been effected the owner then applies to the Registrar-General to register the transfer and cancel the old certificates for titles in favor of those required in respect to the new allotments in terms of the Real Property Act.

There are no penalties for departing from a plan of subdivision after its approval.

The Government or the councils have no proper powers for dealing with these operations, which are causing much apprehension and difficulty to local governing bodies throughout the State.

CONTROL OF SUBDIVISION OF LAND ACT, 1917.

Recognition of the unsatisfactory state of the law relating to new subdivisions was given by Parliament in 1917, when in answer to urgent representations made towards the close of the session the Control of Subdivision of Land Act was passed. This occurred whilst the first Australian Town Planning Conference was sitting in Adelaide.

The Act sought to remedy the more obvious defects by vesting the Surveyor-General with wider discretionary powers to refuse approval of subdivisional plans if—

- (1) Any proposed road (or street) was shown less than 40ft. wide (a width totally inadequate for the purposes of a main arterial road that, sooner or later, may require to carry trams or fast through traffic).
- (2) Strips of land less than 10ft. wide were reserved by owners on their boundaries adjoining other properties or roads.
- (3) Where property adjoined an existing railway, a road (or street) of the specified width was not provided between the railway and the owner's property.

This Act notwithstanding, it is proposed to demonstrate herein that the existing powers relating to the control and development of our growing towns and cities are inadequate for dealing with the problems at issue. Whatever may have been the intention of Parliament, the facts are that at present, neither the requirements of local or other public bodies, nor the difficulties of owners, can be met in manner commensurate with the necessities of the situation. Methods of land subdivision, sometimes as uneconomic for owners as they are wasteful for the community, continue to determine the future as well as the present lines of town or city extensions and development. Unwholesome resubdivisions of existing allotments permitting a closer and undesirable class of building in residential areas are increasing. The proper authorities, without town planning powers, cannot hope to efficiently control or to secure better results from existing methods relating to land subdivision or resubdivision.

TWO MAIN CAUSES OF SUBDIVISIONAL MISTAKES.

Existing defects arise from two main causes :—

- (1) Disabilities (both legal and technical) of either the Government or local bodies in controlling plans of subdivision or resubdivisions.
- (2) Similar disabilities of owners (or agents) which frequently prevent land being subdivided for developmental purposes to the best advantage of all concerned.

Too often it happens that owners or authorities are blamed for results—very unfortunate results it may sometimes be—that arise largely from the flaws of the existing system of control relating to town extensions or development generally.

There

CONTROL OF RESUBDIVISIONS.

Defective State of the Law in Resubdivisions.

A brief examination of recent developments should serve to make clear why the disabilities already mentioned should be removed, and in place thereof town planning control and facilities substituted.

Shortly after the Control of Subdivision of Land Act became operative the Town Planner was asked to co-operate with the Surveyor-General in preparing a communication intended for local bodies and others, calling attention to the new powers and indicating the manner in which they would be applied. The opinion of the Crown Solicitor, however, was first sought on the following points :—

- (1) Whether, in view of the provisions of the Real Property Act, 1886 (sections 101 and 220 (8) ; the Municipal Corporations Amendment Act, 1914 (section 18) ; and the Control of Subdivision of Land Act, 1917 (section 2), or other Acts, any owner resubdividing land situated within a municipality or a district council and contained within the area of the map or plan already approved by the Surveyor-General and deposited with the Registrar-General, can be compelled to deposit a map or plan of such resubdivision by the Surveyor-General for his approval ?
- (2) Failing this, whether any provisions exist whereby such resubdivision may be construed an illegal departure from a map or plan so approved ; or
- (3) Whether the Surveyor-General has any legal power or can institute particular legal proceedings and enforce penalties to prevent owners making departures from maps or plans already approved without his consent thereto being obtained by the submission to him of a fresh map or plan relating to proposed resubdivision ?

“ The answer to each of the Town Planner’s questions,” stated the Crown Solicitor in his reply, “ is in the negative.”

“ From this opinion it is clear,” stated the Surveyor-General subsequently, “ that this department has no power to control or prevent resubdivisions, nor can any penalties be inflicted for departure from plans of subdivision which have been approved after every care and valuable time has been expended in seeing that they conform with the requirements of the existing law. The consequence is that the resubdivision evil and departures from approved plans occur from week to week and affect many country towns as well as the metropolitan area. The powers of the Government or the local authorities are inadequate, under existing statute, to reasonably control the subdivision of land whether for the protection of private landowners or the towns generally.”

INSTANCES OF RECENT RESUBDIVISIONS.

Instances of resubdivision taking place without adequate supervision or authority beforehand, and resulting, in some cases, in undesirable building, might be freely quoted, but the following should suffice :—

- (1) Millwood Estate (subdivided September, 1917).—Two average size blocks replaced by five smaller allotments.
- (2) Athelney Estate (Hackney).—Two blocks adjoining good class residential property, with 70ft. to 75ft. frontage, subdivided into 43ft. frontages (tapering off in rear to 37ft.), and given the shallow depth of 95ft. The intention appears clearly to place six or seven smaller houses where two of average size were originally contemplated. (See illustration No. 33.)

NOTE.—Eight houses are now built.

- (3) St. Peters.—Block 215ft. x 140ft. (seven-tenths of an acre) re-subdivided in 1917 and built upon with 10 houses alleged to be of inferior construction. (See illustration No. 37.)

When it is realised that new backyards in some of our best residential suburbs (*e.g.*, Unley, Norwood, etc.) contain no larger space than those to be found in overbuilt or depressed residential districts in the city proper, the need for better supervision should be self-evident.

HOW RESUBDIVISIONS ARE EFFECTED.

Resubdivisions are effected under the provisions of the Real Property Act, the principal object of which, of course, is to secure proper control and registration of all titles, transfers, and other deeds relating to land. It is not the function of the Registrar-General to determine whether a resubdivision is in the best interests of the community or consistent with legislation other than the Real Property Act. His duty instead is to register the transfer and issue or cancel any certificates of title upon being satisfied that they are in accordance with the law he administers.

Provided that the owner conforms to the requirements of the Registrar-General there is no legal provision by which permission from either a local governing or other State authority responsible for the planning and development of towns or cities must first be obtained before a resubdivision is made. He is free, instead, to make unauthorised departures from a plan of subdivision by cutting one or two allotments shown thereon into a number of other smaller allotments by building almost as many houses thereon as he chooses, and by creating private lanes or rights-of-way that in course of time are apt to become the only means of access to houses built in behind other houses away from the street, and too often come to be associated with overcrowding, disease, and crime in our cities.

CONTROL

CONTROL OF RESUBDIVISIONS.

To allow such practices to continue is clearly not in the best interests of the public or the State. Both councils and public bodies have protested against it. Some local bodies demand that the power to authorise resubdivisions shall be vested in the council responsible for the area concerned. That more powers are required by the controlling local authority will generally be conceded. At the same time, owners of property are entitled to an adequate measure of protection against arbitrary refusal by a local body to authorise a plan of resubdivision to which reasonable objection would not be taken. Therefore, in dealing with the question under Part III. of the Town Planning Bill, the proposal is to confer upon councils power to authorise plans of resubdivisions subject to the right of appeal by the owner to the Minister in cases of refusal.

CONTROL OF SUBDIVISIONS.

NECESSITY FOR CO-ORDINATION OF THE SEPARATE INTERESTS OF COUNCILS, PUBLIC BODIES, AND OWNERS.

A different basis of control is necessary in the case of subdivisions. The difficulties to be overcome cannot be met either by entrusting sole control to councils or by the present method of submitting the plan to the council for criticism and the Surveyor-General for approval. The interests of other public bodies are so affected that they at least require to be consulted and their requirements ascertained. The owner, on the other hand, should not be called upon to provide other than what Parliament decrees, but, instead, be free to negotiate with councils or other authorities any concessions he is prepared to make in return for advantages conferred. Between these differing authorities and interests there is required some co-ordinating factor or agency skilled in town planning. Hence, control by the Department of Town Planning in co-operation with the Surveyor-General and others, as outlined in the summary of the proposed legislation given herein.

THE VALUE OF EXPERT CO-ORDINATION UNDER TOWN PLANNING.

The value to all concerned of expert co-ordination by the Department of Town Planning is illustrated by the subdivisional plans illustrated herein entitled "Kurralta Park" and "Gallipoli Garden Village," etc. In these instances the subdivisions originally proposed have been improved, although there was nothing to prevent them being authorised under the existing law to which they conformed in all particulars; but the owners, not being satisfied, asked that the proposed subdivisions should be submitted to the department. The results of the alternative plans, since accepted, show—

- (1) requirements of public bodies in respect to drainage, sewerage, railways, &c., have been met;
- (2) a percentage of the total area (about 120 acres in each case) has, in both instances, been deducted for recreation and public requirements; and
- (3) these deductions notwithstanding, the owners have benefited by securing increases of over 1,500ft. and 1,697ft. saleable frontage more than was provided by the original subdivisional plans.

Where the selling price of land is 30s. a foot the increase in return due to the owner, in the case of 1,697ft., is £2,546 5s. (See illustration No. 28.)

These increases, moreover, not only benefit the owner but the community. The council, in each case, finds that the revenue-producing (or rating) area is increased in larger ratio than expenditure for road construction, and therefore more funds are available annually for road maintenance and local government administration than would have been the case under the original proposals. This applies also to sewers and other public services. Until the Town Planning and Development Bill becomes law, however, it is not possible in general practice to substitute these modern methods and economies of "planning" as opposed to "subdividing" land for urban purposes.

SUBDIVISIONAL PLANS AUTHORISED WITHOUT SUBMISSION TO DEPARTMENTS AFFECTED.

Many subdivisional plans are being authorised under the present system without reference to the Department of Town Planning or other authorities affected. Even where plans are submitted to the Town Planner at the request of the owners, the alternative plan prepared by the department can, if desired, be departed from without its consent. This has occurred already. A case in point (which incidentally discloses the flaws underlying the control of Subdivision of Land Act and kindred legislation) is the plan of Millswood Estate.

THE CASE OF MILLSWOOD.

The Railways Commissioner called attention to this and other plans in a minute which stated:—

Recent plans authorised for the subdivision of suburban lands adjoining railways repeat old errors, which have been, and are, a cause of difficulty, inconvenience, and quite unnecessary expense to the State railway system. Two such plans are submitted herewith, namely, plan "A," Millswood Estate; and plan "B," Unley Park. (See illustration No. 29.)

Under section (2) subsection (2) (c) of the Control of Subdivision of Land Act, 1917, the Surveyor-General has power to require owners subdividing land abutting railways to provide a road on either side thereof. This Act was introduced following the representations made in Parliament in the case of the subdivision of the first subdivision of the Millswood Estate, which provided no less than forty-one (41) backyards immediately abutting the main Southern and Brighton-Willunga lines.

The Act clearly aims at the prevention of such objectionable subdivisions, and provided for roads on either side of railways in manner indicated.

Notwithstanding the Act, however, I find that in the plan of the second subdivision of the Millswood Estate, approved since the Act was passed, more blocks have been permitted abutting the railway property without provision of an intervening roadway. Also that the land has been so subdivided that a nursery is permitted to abut on the railway property in similar manner.

Attention

Attention is also directed to the subdivision of Unley Park, sold by public auction on June 21st last. The area adjoins Unley Park Railway Station, immediately in front of which the existing road is 66ft. wide. In the plans recently approved, the continuation of this road adjoining the railway is shown at 40ft., which, from the point of view of this department, I consider far too narrow. In my opinion all new roads adjoining railways should not be less than one chain wide. I am aware of the fact that existing legislation permits a width of 40ft., whereas the greater width should, in my opinion, be insisted upon for roads adjoining railways.

As far as railways are concerned, the present system of controlling and approving new subdivisions is generally unsatisfactory, and I would therefore suggest that—

- (1) Advice be obtained whether the new Town Planning Bill will enable the defects stated above to be remedied.
- (2) Provision be made in the new Town Planning Bill, which I understand is about to be introduced, whereby plans of subdivisions affecting railways shall be submitted to the Railways Commissioner for report, with the object of preventing undesirable subdivisions of land abutting thereon.

The provisions of the Bill will enable the representations (as above) to be adequately dealt with.

DEALING IN LAND BEFORE SUBMISSION OF PLANS FOR APPROVAL.

Following the criticism made in Parliament in respect to the first portion of Millswood, draft proposals for subdividing the area were submitted by the agents to the Department of Town Planning for review. These proposals provided for another large instalment of back yards abutting the Brighton railway without a public road intervening, a repetition of the original error complained of in Parliament. This being in contravention of the Act of 1917, the plans were rectified by the department accordingly.

But before the plan was submitted for rectification or approval, certain portions had been cut out of the area and sold for a nursery and recreation ground. This not only fixed the location of certain streets beyond all possibility of rectification (and therefore the planning of the area on modern lines), but also had the effect of defeating the very provision Parliament ordained under the Act of 1917, namely, the provision of a public road between the railway and private land abutting thereon. That the owners or agents had any intention of evading the law is not suggested. Their action in seeking the advice of the Town Planning Department indicated on the contrary their desire to plan the land to the best advantage for all concerned. Whether selling parts of any area before submitting for approval plans for the subdivision thereof can be construed as a breach of the law or not, the fact is clear, from the opinion of the Crown Solicitor quoted above, that neither the Government, the Railways Commissioner, nor the council or other authority appear to have power to prevent land being dealt with in such manner.

Finally, the proposals of the Department of Town Planning in respect to the lay-out of the second portion of Millswood were not adhered to. The plan was altered and approved without the department being consulted. The alterations included the placing of further back yards abutting the railways in manner complained of by the Railways Commissioner. (See plan illustrated No. 29.)

REMEDIES IN THE INTEREST OF OWNERS AS WELL AS THE PUBLIC.

To adequately deal with these and other difficulties, it is immediately necessary that where it is intended to subdivide or resubdivide land for any urban, suburban, or rural purpose, in or adjoining existing towns or cities, a plan should first be submitted to the Town Planning and other authorities concerned, and, after being approved, deposited with the Registrar-General as at present. No departures from such plans should be permitted except by the deposit of a further plan dealing with the same area and authorised in manner stated. These provisions are necessary for the protection of owners of adjoining property as well as the interests of public or local bodies affected. They are embodied in Part III. of the Town Planning and Development Bill, which Part has for its object the organisation and setting up of the machinery and requirements immediately necessary for dealing with the control of subdivisions or resubdivisions pending the preparation of town planning by-laws or schemes under Part II. of the Act.

TOWN PLANNING ESSENTIAL.

Part III. in itself is not sufficient or adequate for dealing with the problems at issue, which embrace technical as well as administrative difficulties relating to "planning." To secure the advantages of "planning" for all concerned, it is essential that instead of land being "subdivided" or dealt with in separate owner-ships, it should be "planned" as a whole. Otherwise it is not possible to design and lay out areas in such a way that the various requirements relating to roads, drainage, sewerage, access, communication, &c., can be dealt with satisfactorily from every point of view.

TECHNICAL DIFFICULTIES DUE TO ARBITRARY BOUNDARIES OF PROPERTY.

Where an area suitable for building purposes comprises a number of owners in possession of small or large parcels of land, the disposition of the different boundaries often makes efficient planning and development impossible without some adjustment of rights and interests mutually acceptable to such owners. The size and shape of these different holdings is a fundamental difficulty which "subdividing" does not overcome. It is a primary cause of streets, at the present time, being laid down contrary to the requirements of surface drainage, or to the direction best suited for traffic and communication. It is not infrequently responsible for blocks of inadequate size being provided in new subdivisions.

An illustration of the kind of difficulties that require to be overcome before subdivisional errors can be avoided is contained in the plan showing how land is held by different owners in Payneham. To secure the necessary adjustments and agreement between owners and authorities before this or other areas can be properly planned and developed, the preparation of municipal town planning schemes is necessary in order to deal with similar difficulties to those disposed of under the Bombay Town Planning Act and elsewhere. (See illustration No. 34, page 38.)

DIFFERENCE

DIFFERENCE BETWEEN "PLANNING" AND "SUBDIVIDING."

The difference between "subdividing" land as at present and "planning" in accordance with Part II. of the Town Planning and Development Bill may be summarised as follows :—

"SUBDIVIDING" UNDER PRESENT SYSTEM.

- (1) Drainage, communication, or other considerations affecting adjoining owners (who may not be prepared or able to consider the subdivision of their land simultaneously) cannot be taken into account.
- (2) The arbitrary nature of the individual owner's boundaries or the awkward shape or topography of the site not infrequently defeat a proper lay-out by the surveyor or other person.
- (3) The present system does not provide in new subdivisions—
  - (a) Wide arterial roads for through traffic and future requirements ;
  - (b) Residential roads, designed to reduce the cost of development and maintenance, after (a) have been arranged for ;
  - (c) Sufficiency of open space or sites for public purposes ;
  - (d) Prevention of overbuilding ;
  - (e) Protection of residential values or amenity either by the prevention of such overbuilding or the intrusion of factories, storage sheds, or other unexpected elements in residential areas ;
  - (f) Proper provision for such factories, sheds, shops, warehouses, &c., in special districts suited to their convenience and in relation to the means of communication or transport ;

The effect of this system is, sooner or later—

- (a) to burden the suburban ratepayers with increased annual charges to cover the cost of joining up disconnected streets, street widening, &c. ; and
- (b) to impose upon the community an inconvenient, wasteful, and uneconomical network of residential streets of a standard width costly to construct and maintain, or arterial roads either of insufficient width or wrongly located for the needs of fast and through traffic ;
- (c) to gradually reproduce in our growing towns and cities further conditions of anarchic growth, disorder, inconvenience, and overcrowding corresponding in effect to those threatening national well-being and morale in both new and old world civilisations.

"PLANNING" UNDER TOWN PLANNING ACT.

- (1) The interests of adjoining owners can be considered and the land properly planned so as to yield the maximum return in saleable foot frontage consistent with public health, convenience, and amenity.
- (2) Difficulties due to topography, arbitrary shape of individual holdings, disposal of drainage, convenience of communication, &c., can be solved or provided for.
- (3) A skilful town plan, covering the different ownerships included therein, can provide without increased cost, a proper system of streets of varying widths to suit the requirements of the district. Likewise, the dedication of open spaces, sites for public purposes, &c., may be arranged without loss to any individual owner, but with emphasis on the residential value of the district as a whole.
- (4) "Planning," properly applied, means that—
  - (a) the increased costs and charges due to defective subdividing of land under the existing system, overbuilding, or depreciation of values, may be avoided and in places thereof the best suburban conditions substituted with the maximum of convenience, health, and amenity at the minimum of cost and difficulty ;
  - (b) economic facilities, cheapening production in industry and manufacture, sites for factories, &c., or sites for healthy conditions of housing and living essential to individual or social content can be provided at small cost in anticipation of immediate or future necessities ;
  - (c) the planning and development of the different parts of our growing towns and cities may be organised and co-ordinated in the interests of national efficiency and economy as well as individual welfare and happiness.

CONCLUSION.

The urgency of our civic problems, both present and future, call for the immediate adoption of town planning, which, for all concerned, may reasonably be regarded as more equitable, more efficacious, and certainly more economic than the existing methods which continue to repeat in our midst the mistakes of a past generation.

PART IV.

Town Planning and Development Bill, 1919.

INTRODUCTORY.

The provisions of the new measure are in accordance with the governing principles of town planning legislation unanimously approved by resolutions of 520 delegates from Government departments, public bodies, councils, associations, &c., assembled at the Second Australian Town Planning Conference and Exhibition in Brisbane last year; also at the pioneer gathering in Adelaide in 1917, namely—

- (1) Right of control by the State Government.
- (2) Co-operation between councils, existing statutory bodies, and the central town planning authority.
- (3) Municipal or existing statutory bodies, according as their functions are affected, to be the responsible authority for the actual carrying out of all town planning works.

(See Appendix I.)

DEPARTURES FROM THE 1916 MEASURE.

The Bill is an entirely new measure in comparison with that submitted to Parliament in 1916, from which various excisions and departures have been made, including :—

- (1) Omission of housing sections, which, in view of the existing shortage in civilian as well as soldiers' housing, in both town and country, calls for consideration under a separate Act.
- (2) Substitution of Department of Town Planning for proposed Commissioners in accordance with the policy of the Government.
- (3) Provision for the proper planning of all new towns or extensions laid out by the State.
- (4) Consolidation and amendment of the existing law relating to subdivisions as contained in several different Acts, including the vesting of councils, with power to control and regulate *resubdivisions* in addition to reviewing plans of *subdivisions* before they are approved, as at present.
- (5) Clearer definition of the relative powers and duties of councils and public bodies under Part II. (Town Planning), including provisions which determine that the council of the area concerned shall be the responsible authority for preparation and carrying out of town planning by-laws or a scheme except where the functions of any public body under existing Acts of Parliament are concerned. In such case the particular public body will be the responsible authority for carrying out or ensuring the observance of such special sections of town planning by-laws or schemes which relate to its existing powers or duties.
- (6) Final approval and authorisation of all town planning by-laws and schemes by the proclamation of the Governor.

CITY OF ADELAIDE EXCLUDED.

The City of Adelaide is excluded from the Bill for the present. It appears unquestionable that sooner or later the application of the "Town Planning and Development Act" to the city areas (including the park lands) will be beneficial and a necessity, especially where street widenings, re-arrangements of transport services, or allocation and placing of public buildings are contemplated. For the present, however, pending the formulation of definite proposals, it is felt that the city areas should be excluded, especially as the aims and objects of the Bill primarily are the prevention in existing suburban or new districts and country towns generally of any repetition of developmental errors in older areas. There is, however, no proposal that the city shall be permanently excluded from the operations of the Town Planning and Development Bill.

BRINGING THE BILL INTO OPERATION.

Public recognition and appreciation of the value of town planning legislation will depend not upon the letter of the law so much as the spirit which guides its administration. The very fact that modern town planning is a science new to South Australia (or other States), or that municipal and statutory bodies necessarily require time and consideration to appreciate the scope of its usefulness should in itself be a guarantee that in the early stages of administration the Minister or the Town Planning Department will act with caution. Inquiries and conferences between councils, public authorities, and private owners under the Bill must precede practical achievements. All concerned would necessarily make haste slowly. Precipitate action is unlikely.

The difficulties attached to adapting to local conditions town planning practice as it exists in other countries are fraught with too important a responsibility that any council or Town Planning Committee, comprising technical as well as municipal representatives, are likely to take action without having ascertained beforehand that their proposals will stand criticism, and also be acceptable to the Minister or the Governor before they are authorised by proclamation.

SUCCESSIVE

SUCCESSIVE STAGES TO BE DETERMINED GRADUALLY.

Bringing the Act into operation under these circumstances can but be a gradual process. The order of proceedings and the successive stages to be dealt with are a matter for subsequent administration; but briefly the programme to be submitted for consideration will probably be as follows:—

Stage 1.—Proclamation by the Governor bringing Division I. of Part II. (Town Planning Department and Local Town Planning Committees) and Part III. (New Towns and Subdivisions) into operation immediately the necessary departmental adjustments can be made.

Stage 2.—Formulation and consideration of—

- (a) Draft procedure regulations relating to preparation of town planning by-laws or scheme;
- (b) Draft model town planning by-laws;
- (c) Any other regulations necessary to administration.

Stage 3.—Consultations with representatives of authorities concerned in respect to (a), (b), and (c).

Stage 4.—Preliminary approval of draft regulations, by-laws, &c., by the Minister preparatory to further stages following.

Stage 5.—Proclamation by the Governor bringing the remainder of Part II. (Town Planning) into operation.

Stage 6.—Submission of regulations to Parliament.

Stage 7.—Proclamation by Governor authorising certain local bodies to prepare town planning by-laws or to adopt the model by-laws preliminary to their approval and being put into effect.

Stage 8.—Preparation of any schemes by councils in accordance with the provisions under the Act.

Stage 9.—Approval of any schemes by the Governor.

Stage 10.—Carrying out any such scheme.

It will be seen that between Stage 1 and Stage 10 considerable time will elapse, and numerous conferences and agreements must be settled before municipal town planning operations can be undertaken and the means of giving practical effect thereto properly appreciated.

COST TO THE STATE.

The questions of primary importance to the State at the present time are—

- (1) What will be the administrative cost devolving upon the Government through the Department of Town Planning should the Bill become law? and
- (2) What other financial obligations upon the State will be incurred?

In respect to (2) there are no financial obligations involved. Every item of expenditure under the Bill can be authorised only on the approval of the Minister and the Governor in Council. The Government has full control, subject to any votes for departmental expenditure or other moneys being authorised by Parliament.

So far as the Department of Town Planning is concerned, it has been demonstrated to the satisfaction of Cabinet that the annual cost thereof to the State for some years is not likely to exceed £1,500. If the department can be the means of effecting scientific economies in the planning of new towns or extensions to existing towns, and avoid the costly and annually recurring expenditure that follows upon mistakes in new subdivisions, then clearly the State will benefit by this expenditure many times over.

But the Town Planning Department is not wholly a spending but, potentially, a revenue earning authority. It has, by charging only nominal fees in small amounts where fees should be paid for expert advice or plans, earned since its inception an income of £46. The completion of works in hand will increase this total to over £150. The actual professional value of the work done within the State during 1916-18 was computed at not less than £1,622 15s., as against a total expenditure within that period of £1,291 4s. 5d. Under the Bill it will be possible to augment the receipts. As the expenses of the department are increased by its administrative duties under the Act, and as the different stages are introduced, correspondingly there should be a larger revenue.

FUNCTION OF THE DEPARTMENT.

The object of the Bill is not to lead to the setting up of a large or expensive department of State, but mainly to give legal status to the central town planning authority, as well as to councils and public bodies, in order to ensure that all town planning proposals will conform to a proper procedure in which the rights of owners and others will be duly safeguarded.

The function of the Government Town Planner is to co-ordinate the work and interests of different local or other bodies with those of Government departments. A typical example of this form of co-ordination is the plan of "Kurralta Park." (See illustration No. 30.)

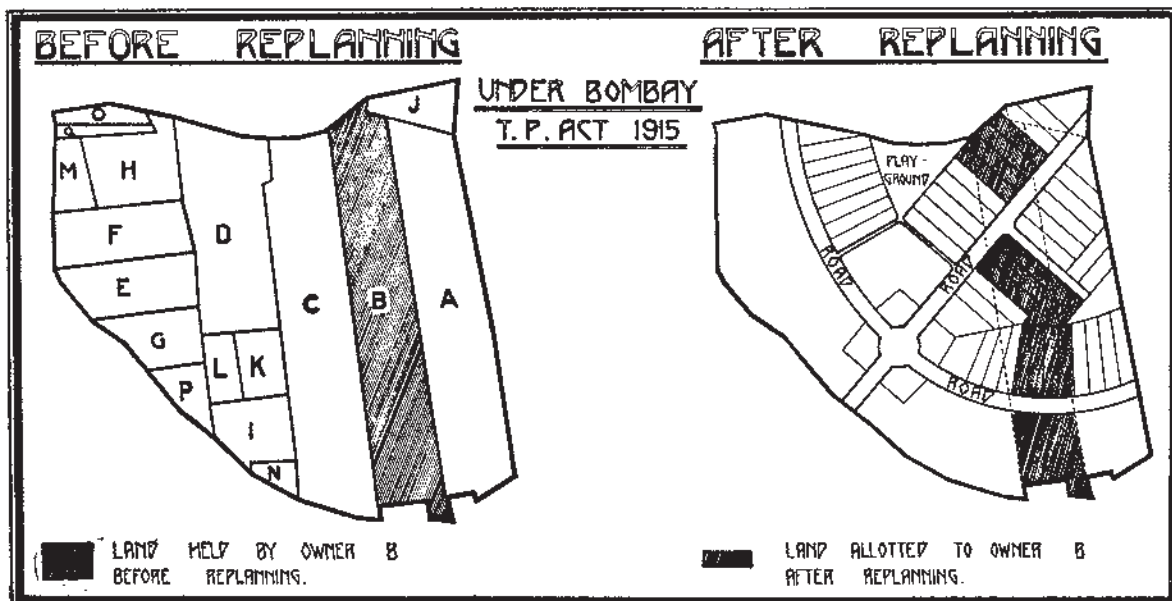
So far as technical assistance may be necessary or required in assisting local bodies in the preparation of schemes, this is already provided for under section 10 of the Bill; but, in addition, it must not be overlooked that town planning works include matters which are the concern of the Railways Commissioner, Harbors Board, the Engineer for Roads and Bridges, the Hydraulic Engineer, the Municipal Tramways Trust, or other public bodies. These bodies, as well as councils, are regularly engaged upon operations which are cardinal factors in determining the growth and development of our towns and cities, but there is no proper co-ordination. The basis of that co-ordination is the Town Planning and Development Bill. Co-ordination is the function and the objective of the Department of Town Planning. Should the department fail, the power is with the Minister and Governor to determine in what manner it shall be given effect.

What is required in a State with the limited resources of South Australia is not a large Department of Town Planning, but a sufficiency of professional knowledge and technique, plus organising ability, and judgment in assisting councils and others towards better results and higher efficiency in local government. The Bill is designed to bring the department into harmonious relationship and co-operation with other departments or bodies, including councils. The machinery necessary to give effect to town planning exists. It now requires to be organised and set in motion according as Parliament decrees.

NOTE.—For opinions of representative Government departments in respect to the Department of Town Planning, see Second Appendix.

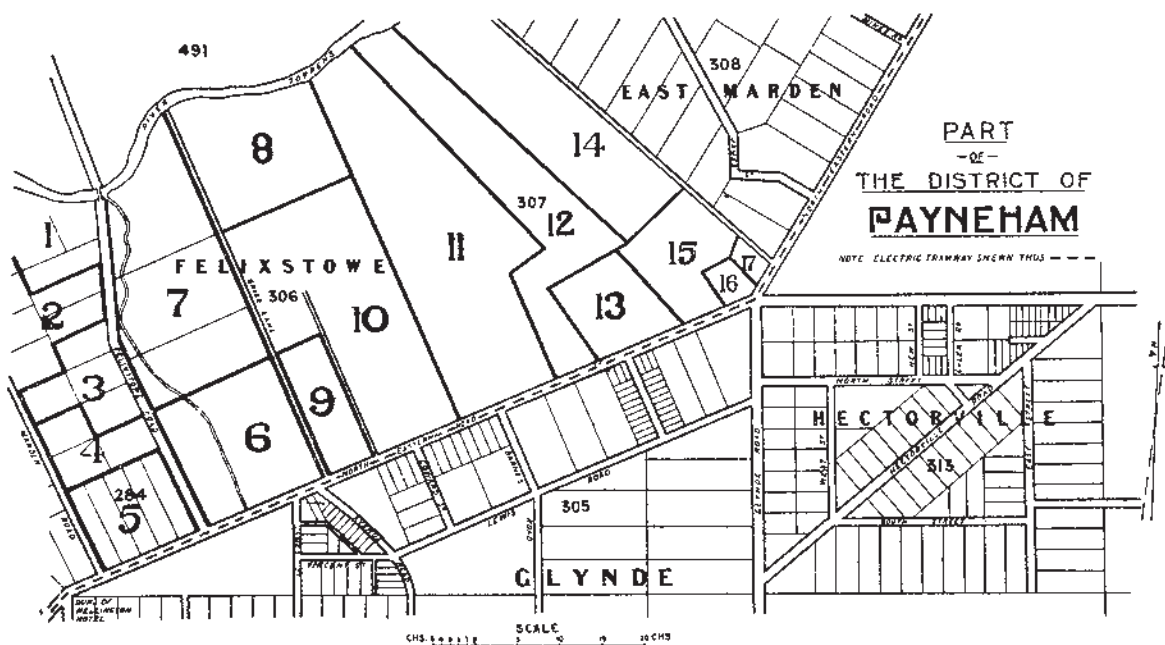
MUNICIPAL OR OWNERS' TOWN PLANNING SCHEME.

Replanning agricultural holdings held by different owners for conversion into convenient building allotments.



No. 34.—REPLANNING AND REDISTRIBUTION IN BOMBAY. A SCHEME PREPARED BY THE TOWN PLANNING SURVEYOR TO THE BOMBAY GOVERNMENT (MR. A. G. MIRAMS).

Contrasted plans showing (1) an area as originally held in small holdings for agricultural purposes by a number of separate owners, and (2) the same area as replanned and redistributed amongst the different owners in the form of building allotments after necessary deductions for roads and open spaces under the Bombay Town Planning Act, 1915 (following Continental practice). In the case of the owner "B" the results show that, after a cash contribution to the local authority for meeting the cost of preparing and carrying out the scheme, making roads, &c., the increased value in the selling price of the plan gave him a net profit of 7,759 rupees. The net profit to all the owners after paying all expenses, including compensation, was 43,516 rupees (about £2,900).



No. 35.—NECESSITY FOR REPLANNING AT PAYNEHAM (AND ELSEWHERE) OWING TO AWKWARD NATURE OF OWNERS' BOUNDARIES.

The plan shows the boundaries of 17 different owners in a rural district that is likely to pass into development in the immediate future. The nature of the boundaries is such as to necessitate the preparation and carrying out of a town planning scheme for replanning the area, otherwise if the land has to be subdivided in individual blocks under present methods, the result is almost certain to result in further suburban confusion and difficulties.

TOWN PLANNING BY-LAWS AND SCHEMES.

Limitation of Houses to the Acre, as practised under town planning, and the need for similar provision in South Australia.



No. 36.—HAMPSTEAD GARDEN SUBURB (LONDON).

Showing open spaces provided in rear of the houses away from the street and affording residential amenity and attraction with emphasis on the values of the district

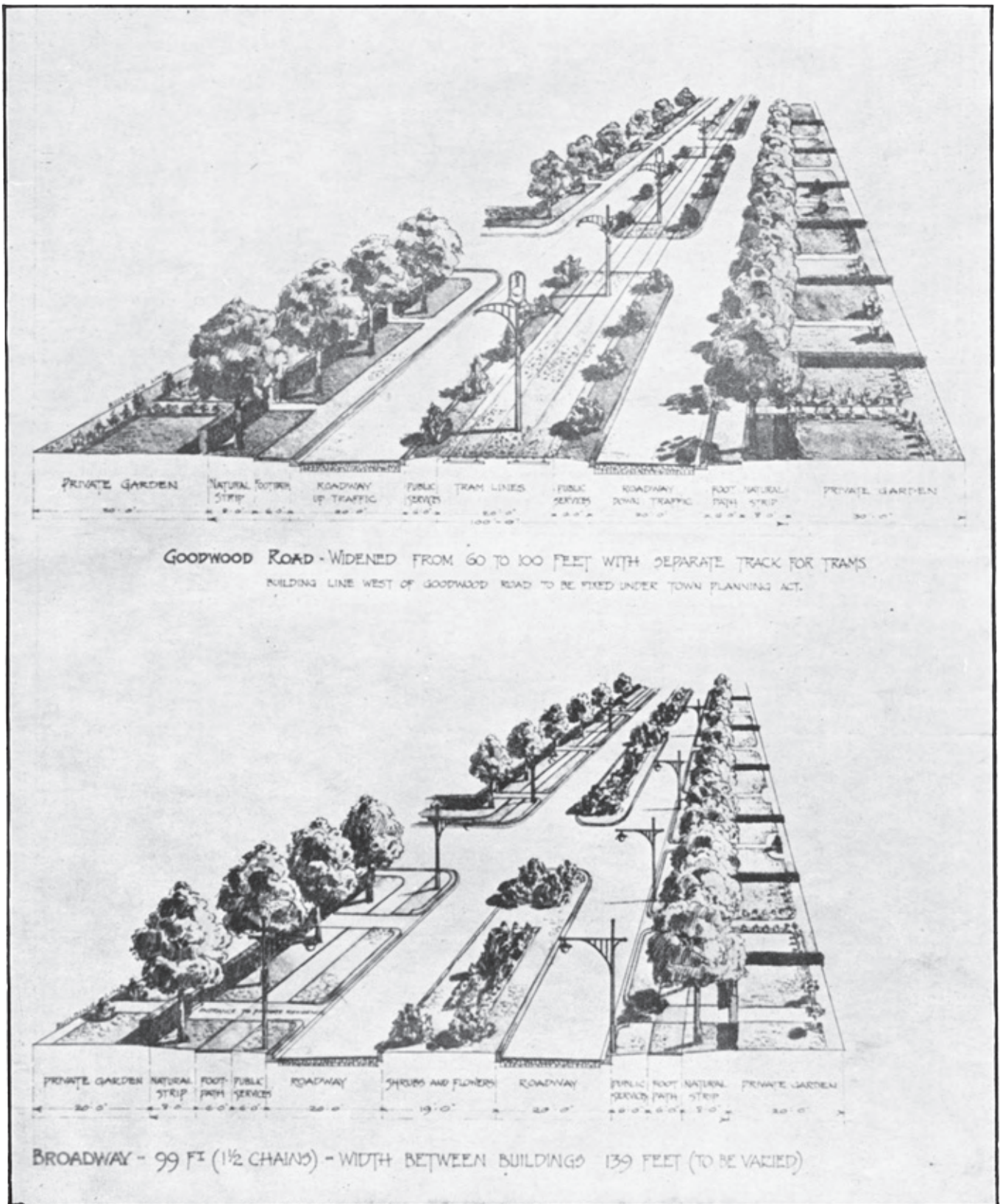


No. 37.—THE RESULT OF A RECENT UNAUTHORISED RESUBDIVISION AT ST. PETER'S AGAINST WHICH THE CORPORATION PROTESTED WITHOUT EFFECT.

Block 215 x 140 resubdivided in 1917, and built upon with 10 houses (semi-detached) alleged to be of inferior construction. These developments in existing areas should be regulated by councils under town planning by-laws prescribing the number of houses to the acre, open spaces, &c., and under the Building Act prescribing details in respect to construction, &c.

NOTE.—Numerous new backyards in suburban areas contain no larger space in rear than those to be found in overcrowded and depressed residential districts in the city of Adelaide. (See page 32.)

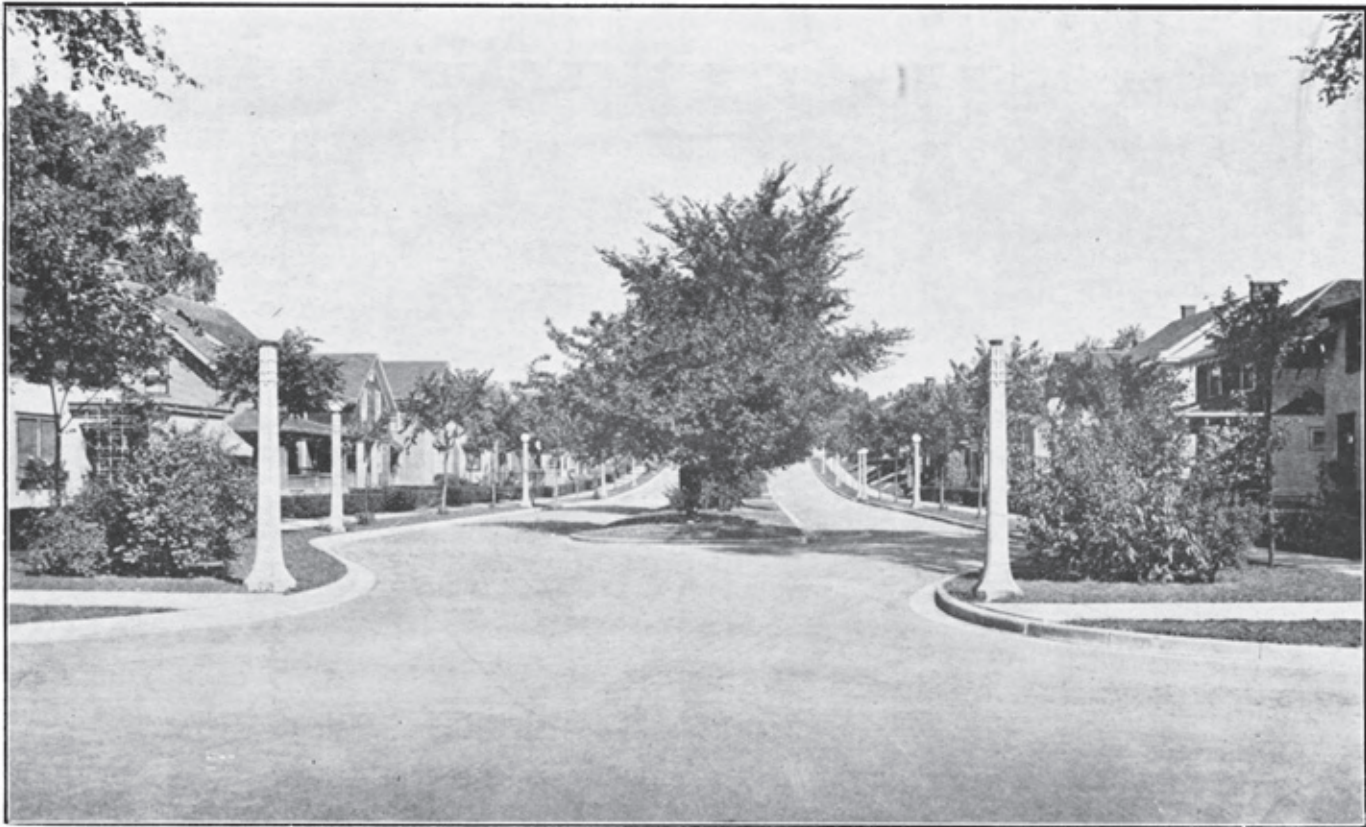
MODERN MAIN ARTERIAL AND SECONDARY ROADS.



No. 38.—MODERN TYPES OF MAIN ARTERIAL AND SECONDARY ROADS CARRYING FAST AND THROUGH TRAFFIC IN THE PROPOSED MITCHAM GARDEN SUBURB.

Under town planning schemes and by-laws the character and widths of new roads are determined according to function, whether they be (1) main arterial roads carrying trams and fast and through traffic; (2) secondary roads carrying a certain amount of through traffic; or (3) residential streets being used wholly for residential traffic only.

SECONDARY ROADS PROVIDED UNDER TOWN PLANNING AND OTHERWISE.



No. 39.—EXAMPLE OF NEW SUBURBAN ROAD IN UNITED STATES SHOWING DESIGN SUITED TO RESIDENTIAL CONDITIONS AND AMENITY.

The roadways are laid down in concrete and surfaced with asphalt.



No. 40.—EXAMPLE OF NEW SUBURBAN ROAD, ADELAIDE (60FT. WIDE).

After completion by local authority, and showing need for improved methods,

No. 63.

RESIDENTIAL ROADS OR STREETS.



No. 41.—RESIDENTIAL STREETS IN A GARDEN SUBURB.

Comprising a 16ft. carriageway with turning spaces at intervals, 40ft. width from fence to fence together with a building line by-law required not less than 80ft. between the houses across the street.

A compulsory minimum width of open spaces at the sides of adjoining buildings, as well as a limitation of houses to the acre, are also observed in accordance with the town planning by-laws of the controlling authority. Shops are also excluded, being provided for elsewhere.



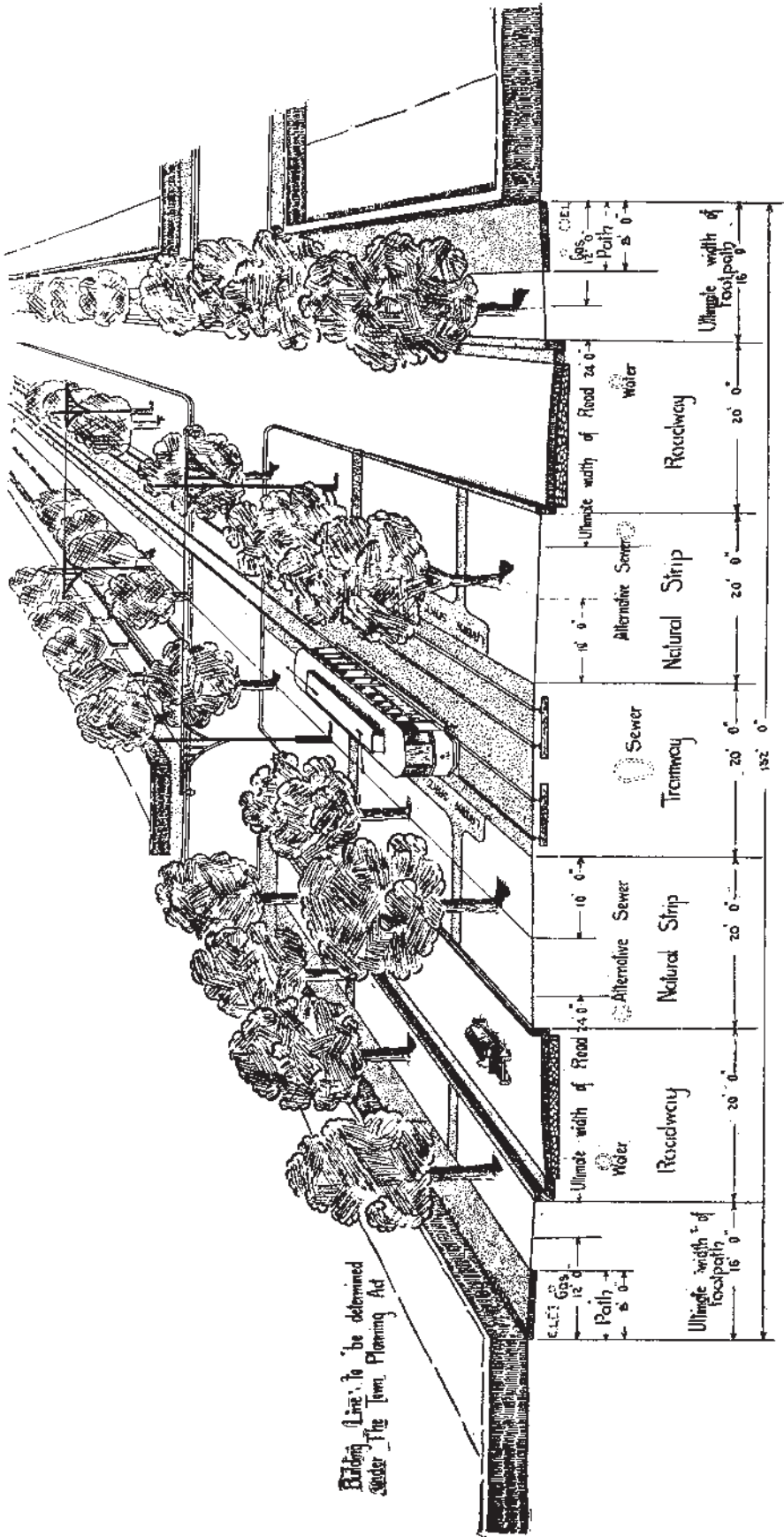
No. 42.—TYPICAL NEW RESIDENTIAL STREET IN SUBURBAN ADELAIDE (USUALLY 50FT. IN WIDTH), THE PRODUCT OF ORDINARY "SUBDIVIDING" AS DISTINCT FROM "PLANNING."

No building lines or effective minimum open spaces between the buildings at the sides are observed, whilst commercial premises, factories, shops, &c., are free to invade such districts as the photograph shows. To regulate these and similar developments in existing residential areas (as well as on land already subdivided and in course of building) is one purpose of the Town Planning By-Laws provide for under Part II. of "The Town Planning and Development Bill, 1919"

MODERN MAIN ARTERIAL ROAD (132ft. wide).

BAY ROAD (GLENELG)

TOWN PLANNING DEPARTMENT
DRAWING NO. 27^a



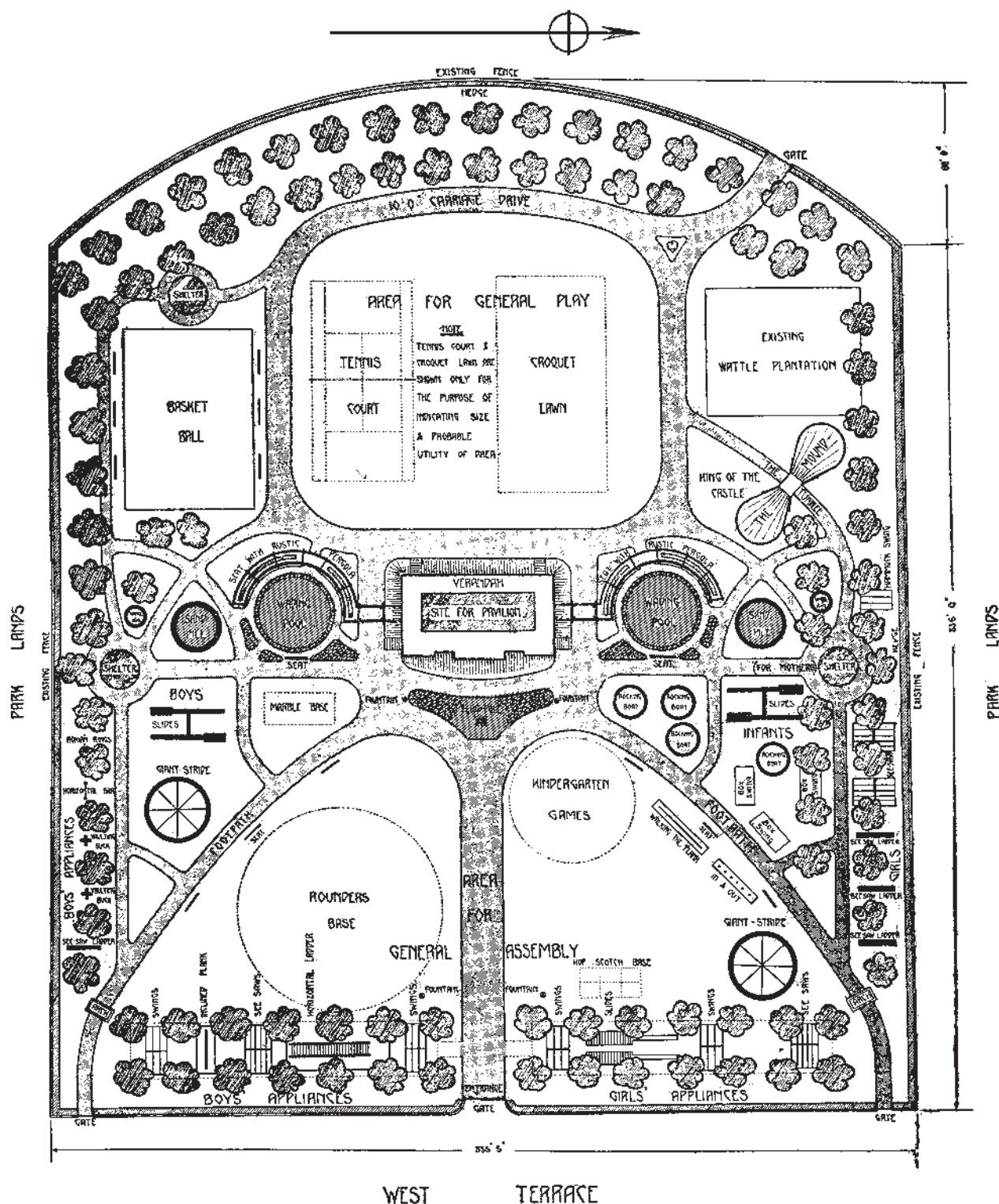
PRELIMINARY SKETCH DESIGN SHOWING PUBLIC SERVICES

No. 45.—PROPOSED DESIGN FOR ULTIMATELY CONVERTING THE BAY ROAD INTO A MAIN ARTERIAL AVENUE, OR BOULEVARDE, CONNECTING THE CAPITAL WITH THE BIRTHPLACE AND PRINCIPAL SEASIDE RESORT OF THE STATE.

ACCESSORIES TO TOWN PLANNING.
"Landscape Architecture."

CHILDREN'S PLAYGROUND

WEST TERRACE



No. 46.—DESIGN OF PROPOSED CHILDREN'S PLAYGROUND ON WEST TERRACE ADOPTED BY THE SOUTH AUSTRALIAN TOWN PLANNING AND HOUSING ASSOCIATION.

The plan illustrates a branch of the work of the Department of Town Planning which should be regarded as secondary in importance to town planning proper.

F—No. 63.

TOWN PLANNING AND DEVELOPMENT BILL, 1919.

Synopsis of Principal Provisions.

ARRANGEMENT OF BILL.

The Bill is arranged as follows :—

PART I.—Preliminary.

PART II.—Town Planning—

- DIVISION I.—Town Planning Department and Local Town Planning Committees :**
- DIVISION II.—Procedure anterior to the Preparation of Town Planning By-laws and Schemes :**
- DIVISION III.—Town Planning By-laws and Schemes :**
- DIVISION IV.—Provisions relating to Town Planning By-laws and Schemes :**
- DIVISION V.—Preparation and Adoption of Town Planning By-laws and Schemes :**
- DIVISION VI.—Approval of Town Planning By-laws and Schemes :**
- DIVISION VII.—Carrying out Town Planning Orders :**
- DIVISION VIII.—Settlement or Determination of Disputes :**
- DIVISION IX.—Responsible Authority or Authorities in Default :**
- DIVISION X.—Miscellaneous.**

PART III.—New Towns and Subdivisions—

- DIVISION I.—Planning and Development of New Towns and Extensions to Existing Towns :**
- DIVISION II.—Control of Subdivisions and Resubdivisions.**

PART IV.—General—

- DIVISION I.—Acquisition of Lands and Compensation :**
- DIVISION II.—Miscellaneous.**

PART II.

DIVISION I.—TOWN PLANNING DEPARTMENT AND LOCAL COMMITTEES.

Department of
Town Planning.

The Department of Town Planning and the Government Town Planner as the executive officer thereof will be an ordinary Department of State, subject to the usual control and administrative requirements of such departments. (Secs. 6, 7, and 8.)

Local Town
Planning
Committee.

Any council may, or when directed by the Minister, appoint a local Town Planning Committee which, in all circumstances, will be controlled by and subject to the direction of the council.

The Town Planning Committee is to consist of—

- (a) The mayor or chairman of the council (to be chairman of the committee) ;
- (b) Two to five members of the council ; and
- (c) Two ratepayers possessing professional qualifications required in connection with town planning. (Sec. 10 (1) and (2), (A), (B), and (C).)

Both ratepayers will be appointed by the council for a term of two years. The object of this is to ensure continuity, so that any town planning works in course of preparation, or being carried out under authority of the Governor, may be properly explained and carried on by incoming members of the new council elected every twelve months as at present.

The two technical members of the Town Planning Committee may be paid fees by the council for professional services rendered, not exceeding £50 in any one year. (Sec. 10 (4).)

Local Town
Planning Committee.

The council may appoint its engineering officer or other qualified person to be the local administrator, and, as such, he will be the executive officer of the Town Planning Committee. (Sec. 11.)

Duties of Town
Planning Committee.

The duties, &c., of the Town Planning Committee include the preparation of town planning by-laws and schemes, inquiries, reports, &c. (Secs. 10, 12, 13, and 14.)

Public bodies
to be represented
on Town Planning
Committee.

The council is required to appoint as a member of the Town Planning Committee a representative of any public body whose functions or area are likely to be affected by any proposals for town planning by-laws or schemes before the preparation thereof is proceeded with.

Representatives of public bodies will be members of the Town Planning Committee only in so far as the powers or duties of such bodies are affected. (Sec. 15.)

DIVISION II.—PROCEDURE ANTERIOR TO PREPARATION OF TOWN PLANNING BY-LAWS OR SCHEMES.

Council and Town
Planning Committee
responsible.

The council and its Town Planning Committee will be responsible for the " preparation " of town planning by-laws and schemes.

The Town Planning Committee will report on any proposals or make recommendations in respect thereto.

The council, upon approving such recommendations (accompanied by a plan of the area affected), is to acquaint the Minister of its decision. (Sec. 16, Division II.)

Scheme

Scheme Including Area of more than One Council.

Where a town planning scheme is proposed which includes the area of more than one council it is optional for the councils concerned to appoint a joint authority by agreement, or failing agreement the Minister may, at the request of any council concerned, appoint such joint authority in order that the scheme may be prepared and submitted for approval. (Secs. 17 and 18.)

Joint authority may be created.

DIVISION III.—TOWN PLANNING BY-LAWS AND SCHEMES.

Town Planning By-laws.

The details of the procedure to be followed by councils in preparing and adopting town planning by-laws preliminary to their submission for approval by the Governor are set out in Division III.

Procedure in "Preparation" of town planning by-laws or scheme.

Where the Governor makes a proclamation it will be incumbent upon the council of the area concerned to make town planning by-laws for such area within a period of two years. (Sec. 20 (2).)

The matters which may be dealt with by such by-laws are contained in the First Schedule.

The Governor may prescribe a set of model town planning by-laws for adoption by the council. (Sec. 21.)

Model town planning by-laws.

Any council may propose other town planning by-laws or may adopt the model by-laws (any modifications thereof), with a view to such being submitted to the Minister for approval under Division VI. (See later).

Town Planning Schemes.

The matters a scheme may deal with are given in the First Schedule.

Matters which may be dealt with.

Briefly, the general objects are—

- (a) Making suitable provision for traffic, means of communication, access, and convenience ;
- (b) Classifying and using land for any industrial, social, building, rural, or other purpose ;
- (c) Securing proper sanitary and hygienic conditions, amenity, and welfare generally ; and

Thereby obviating old mistakes in new areas, such as insufficiency or excess of adequate road space, depreciation of rateable or residential value, or other civic errors entailing heavy financial burdens and inconvenience upon taxpayers and public generally.

Owners' Scheme.

A majority of owners within any particular district may propose a scheme to the council.

Council may adopt owner's scheme.

Any such scheme may be adopted by the council and treated as a municipal scheme.

All agreements made with owners under any scheme, whether proposed by the council or the owners, are to be included therein. (Sec. 29-30.)

Compulsory Provisions.

It is provided (sec. 32) that every set of town planning by-laws or any scheme must set forth—

Special provisions to be contained in town planning by-laws or scheme.

- (a) The area to which each is to apply ;
- (b) The authority responsible for carrying out a scheme, or ensuring the observance of the by-laws : (See sec. 49.)
- (c) Any other provisions necessary to make either effective.

Expenses of Town Planning By-laws or Scheme.

Special provisions also are required to be inserted in any scheme or town planning by-laws without exception providing in what manner or by what persons or authority the expenses of preparation, obtaining approval, or carrying out such works are to be defrayed. (Sec. 33.)

Where expenses are to be divided between more than one council they may be apportioned by agreement or determined by the Minister whose decision is final. (Sec. 33 (2) 1.)

Expenses are recoverable by the council from the area to which the town planning by-laws or scheme apply.

It is optional for a council to defray its expenses out of general rates or by loan or State advances made by the State Bank of South Australia.

The power of the State Bank, however, to make advances to councils in any financial year for the purpose of carrying out town planning schemes or by-laws duly authorised by the Governor are subject to explicit limitations. (Sec. 34 (3).)

Town Planning Fund.

The council, or other responsible authority, is obliged to establish a proper town planning fund. (Sec. 37.)

DIVISION V.—PREPARATION AND ADOPTION OF TOWN PLANNING BY-LAWS AND SCHEMES.

Procedure in Dealing with Scheme.

Under most Town Planning Acts it is customary for the procedure which councils are required to follow in preparing schemes to be defined by "Procedure regulations." When this course was followed in the 1916 measure objection was raised by municipalities on the score that the Bill left too much to regulations, and that the powers or duties of the council were insufficiently defined.

Procedure requires to be variable in order to meet differing circumstances.

Practical exigencies based upon actual experience, however, demand that the details of "Procedure" shall be elastic and capable of variation for the purpose of meeting particular circumstances, and avoiding undue expense or delay either to councils or owners. This has been clearly established in Great Britain and Canada. Therefore, whilst the present Bill lays down hard and fast clauses relating

relating to details of "Procedure," the power rests with the Governor to vary these requirements under the "Procedure regulations" which, before they take effect, must, of course, come before Parliament in the usual way.

Procedure for
preparing schemes.

With this proviso in mind the "Procedure" for preparing a scheme has been laid down as follows:—

- (1) Authority of the council to the Town Planning Committee to proceed with preliminary investigations as a prelude to the council authorising "Preparation." (Sec. 16.)
- (2) Determination of location and area of scheme. (Sec. 16 (4).)
- (3) Notices to owners that a scheme is to be prepared and inviting suggestions. (Sec. 39 (1).)
- (4) Conferences with other councils, public bodies, or persons affected by proposals with a view to formulating agreements in respect thereto. (Sec. 39 (2).)
- (5) Submission of draft scheme to the council for provisional approval. (Sec. 39 (3).)
- (6) Printing and publication of scheme advising councils, public bodies, owners, and others that copies are obtainable and that objections thereto must be lodged within the prescribed time. (Sec. 39 (4) (i. to v.).)
- (7) Public meeting of persons interested to be called by council for the purpose of explaining or discussing the scheme. (Sec. 39 (4) (vi.).)
- (8) Notification by other councils, public bodies, owners, &c., of their objections to scheme. (Sec. 40.)
- (9) Hearing of objections by council or Town Planning Committee. (Sec. 41.)
- (10) Report upon objections to be considered by council.
- (11) Adoption of scheme by council with or without amendments. (Sec. 43 (1).)

This completes the stages of "Procedure" preliminary to obtaining the Governor's approval provided for under the following division.

DIVISION VI.—APPROVAL OF TOWN PLANNING BY-LAWS AND SCHEMES.

Governor to
approve all town
planning by-laws
or schemes by
proclamation.

The further stages necessary before the Governor's approval can be obtained for either proposed town planning by-laws or schemes are as follows:—

- (1) Council to apply to the Minister for approval thereof. (Sec. 44 (1).)
- (2) Upon notification beforehand by the Minister, appeals against the proposed by-laws or scheme may be lodged with him by any council, public body, or person interested.
- (3) Government Town Planner to report upon any proposed town planning by-laws or scheme, or any appeals in connection with either. (Sec. 45.)
- (4) The Minister may thereupon—
  - (a) Proceed in manner prescribed under Division VIII. for the settlement of disputes, &c., or
  - (b) Recommend the Governor to approve such by-laws or scheme with or without alterations as he deems necessary.
- (5) The Governor may then, by proclamation, approve such town planning by-laws or scheme in a town planning order with the proviso that at any subsequent time they may be varied or revoked in whole or in part—
  - (a) by any subsequent town planning by-laws or schemes so approved, or
  - (b) by the Minister on the application of any council or public body interested if he thinks the circumstances render such course necessary. (Sec. 46.)
- (6) Copies of town planning orders and town planning by-laws or scheme approved thereunder are required to be deposited by the council with the Registrar-General. (Sec. 48.)

DIVISION VII.—CARRYING OUT TOWN PLANNING ORDERS.

Authorities to be
responsible for
"carrying out."

The authorities to be responsible for the "Carrying out" of town planning by-laws or schemes are—

- (1) Any public body in so far as its powers or duties under existing legislation are affected (i.e., tramways, harbors, sewers, main roads, &c.).
- (2) Otherwise the council of the area concerned or, if more than one local governing area is affected, then each council to be responsible for "Carrying out" within its own area. (Sec. 49.)

Works Contrary to Town Planning By-laws or Scheme.

Any works contrary to any town planning by-laws or a scheme which have been constructed subsequent to the date when either are approved may be removed by the responsible authority at the expense of any person who so offends. (Sec. 52.)

Also the responsible authority may similarly enforce or execute any work which it is the duty of any person to carry out under the town planning by-laws or scheme. Any disputes are to be settled by the Minister in accordance with Division VIII.

Compensation and Betterment.

Compensation for
injury and one-half
of the betterment
recoverable for
improvement.

Following precedents established by other existing legislation, compensation will be payable to any person whose land is injuriously affected by a scheme. (Sec. 53 (1).)

Likewise one-half of the increase in value or betterment within the period prescribed will be payable by property benefited by such scheme. (Sec. 56.) The

The manner in which both compensation and betterment are to be ascertained is set out in the Bill. (Secs. 53-9.)

Any funds derived from betterment are required to be applied to the repayment of loans, the payment of compensation, and the carrying out of the scheme.

Acquisition of Land.

A responsible authority when authorised by the Minister may purchase land, or the Governor may compulsorily acquire land for the purposes of the Act. (Secs. 60-1.)

DIVISION VIII.—SETTLEMENT OR DETERMINATION OF DISPUTES.

For the settlement of disputes the Minister may require councils, public bodies, or persons, which are party to a dispute under the Act, to confer. Minister may determine disputes or refer them to arbitration.

An independent person appointed by the Minister will act as chairman of such conference and report its decision (if any) to the Minister.

Failing a settlement, the Minister may—

- (a) Forthwith determine the dispute, or
- (b) Require any of the parties to lodge with the Government Town Planner a deposit as security for the costs of arbitration.

Failure to comply with (b) will enable the Minister to determine the matter forthwith, otherwise arbitration will ensue.

Arbitrator.

Every arbitrator is to be appointed by the Governor, and shall be either a Judge of the Supreme Court, a Special Magistrate, or a practitioner of the Supreme Court of five years' standing.

The proceedings will be conducted in accordance with "The Arbitration Act, 1891."

DIVISION IX.—RESPONSIBLE AUTHORITY IN DEFAULT.

The Minister may require reports to be made where any council (or other authority) is deemed to be in default with respect to the proper preparation or carrying out of town planning by-laws or scheme.

Copies of such report are required to be forwarded to the authority concerned.

Failing any action within a prescribed period the Governor may proclaim such authority to be in default, and cause steps to be taken to ensure such preparation or carrying out of the town planning by-laws or scheme.

The foregoing is in accordance with the provisions of existing legislation, and was approved by the Australian Town Planning Conference and Exhibition in manner stated. Although such powers exist elsewhere, it is not possible to name a single instance in practice where they have been resorted to. They do not apply to councils or other authorities in the normal course of preparing or carrying out town planning works. Only cases of negligence or arbitrary refusal are affected, and on such occasion compulsory powers may become necessary to protect other councils or authorities, especially where a scheme of co-ordinated works extend over more than one local authority. *Otherwise a serious position involving legal proceedings and compensation could be created.*

PART III.—NEW TOWNS AND SUBDIVISIONS.

DIVISION I.—NEW TOWNS.

All new towns, extensions to existing towns, or rural settlements, proposed to be laid out on Crown lands are to be planned by the Government Town Planner in co-operation with any authority affected. (Sec. 76.) New towns to be planned by the Government Town Planner in co-operation with any authority affected.

Plans must be approved by the Minister. (Sec. 78.)

The Governor may, by proclamation, embody the plans so approved in a town planning order preliminary to the plans and order being deposited with the Registrar-General. (Sec. 78.)

Departure or deviations from plans so deposited are to be approved by the Minister after receiving a report of the Town Planner thereon. (Sec. 79.)

DIVISION II.—SUBDIVISIONS AND RESUBDIVISIONS.

The difference between a subdivision and a resubdivision is as follows :—

- (a) Plan of subdivision means a plan which shows a new road or street, &c., in addition to allotments or otherwise.
- (b) Plan of resubdivision means any other plan resubdividing any land into allotments or otherwise. (See "Definitions.")

Control of subdivisions and resubdivisions.

Item (a) is proposed to be controlled by the Minister, the Government Town Planner, and Surveyor-General, subject to the review of plans by council or public bodies affected in manner shown later.

Item (b) will be controlled by councils subject to right of appeal by owners to Minister.

Subdivisions.

(1) No plan is to be deposited with Registrar-General until approved by the Government Town Planner. (Sec. 83.)

(2) Before any approval is given there must be an application in the prescribed form to the Government Town Planner. (Sec. 84.)

Procedure in dealing with plans of subdivisions.

(3) The

- (3) The Government Town Planner will thereupon forward a copy of the proposed plan to—
  - (a) Surveyor-General ;
  - (b) Council whose area is concerned ; and
  - (c) Any public body that is affected (i.e., Railways Commissioner, Harbors Board, Hydraulic Engineer, Tramways Trust, &c.) (Sec. 85.)
- (4) The Surveyor-General is to certify the plan in respect to survey requirements. (Sec. 86.)
- (5) The council is to refer the plan to its town planning committee (if any) or the council's surveyor for report. (Sec. 87.)
- (6) Within 30 days council to approve or state its objection to plan. (Sec. 88.)
- (7) The Commissioner of Sewers or any public body receiving a copy of proposed plan to approve or state their objection within 30 days. (Secs. 89 and 92.)
- (8) Subject to the Minister, the Government Town Planner may thereupon approve or disapprove plans, subject to their being accompanied by a declaration by a licensed surveyor, or the Minister may cause plans approved at any time subsequent to the 30 days where reports or objections have not been received as aforesaid. (Sec. 90.)

Resubdivisions.

Procedure in dealing
with plans of
resubdivision.

- (9) Any proposed plan of resubdivision is to be submitted in duplicate by the owner to the council affected, with specified particulars. (Sec. 95.)
- (10) Council is to refer plan and particulars to its town planning committee, or, failing such committee, its surveyor or engineer, for report. (Sec. 96.)
- (11) A copy of the plan is to be forwarded to the Commissioner of Sewers for report on requirements relating to sewerage.
- (12) Within 30 days council is to certify or disapprove plan subject to sewerage requirements being met. (Sec. 97.)
- (13) A copy of any approved plan is to be forwarded by the council to the Registrar-General. (Sec. 98.)
- (14) Any owner may appeal against the council's decision to the Minister, who shall determine the matter. (Sec. 99.)

GENERAL PROVISIONS RELATING TO PLANS FOR SUBDIVISIONS OR
RESUBDIVISION.

The matters to be taken into consideration by the Government Town Planner before approving plans or subdivisions or by a council either in reviewing such plans or authorising a plan of resubdivision are specified in the Second Schedule. (See also secs. 91, 92, and 95.)

Penalties are fixed for making unauthorised departures from approved plans. (Sec. 101.)

Plans of subdivision or resubdivision may be approved pending either the preparation of town planning by-laws or schemes (sec. 103), or during such preparation. (Sec. 31.)

Roads or streets are to be classified either as "main," "secondary," or "residential" roads (and rights-of-way), and the widths determined accordingly. (Sec. 104.)

Part III. of the Bill otherwise consolidates the existing laws relating to subdivisions.

APPENDICES.

Appendix I.

THE VERDICT OF REPRESENTATIVE AUSTRALIAN CITIZENS.

Resolutions relating to Town Planning Legislation Passed Unanimously by Representative Delegates Assembled from the Various States of the Commonwealth.

FIRST AUSTRALIAN TOWN PLANNING CONFERENCE AND EXHIBITION.

(Adelaide, 1917.—Delegates, 300.)

SOUTH AUSTRALIAN BILL.

Moved by Alderman Burton (Chairman Public Health Committee, Melbourne City Council), seconded by Hon. J. D. Fitzgerald, M.L.C. :—

“That this Conference congratulates the South Australian Government on the introduction of a Town Planning and Housing Bill, and expresses the hope that facilities will be given at the earliest opportunity for placing such a measure on the Statute Book; and that it strongly emphasises the necessity of dealing with subdivisions or other urban problems under a Town Planning Bill, rather than resorting to any temporary expedient.”

TOWN PLANNING POWERS.

Moved by Alderman Dr. Price (Mayor of Toowoomba); seconded by Councillor Frank Stapley (Melbourne) :—

“That full town planning powers be conferred on local authorities with right of control by the State Government.”

LEGISLATION WANTED.

Moved by Mr. John Sulman (President New South Wales Town Planning Association); seconded by Councillor Fletcher (Sale) :—

“That this, the first Australian Town Planning Conference, urges, in the national interest, upon the various State Governments the necessity of passing town planning legislation as speedily as possible, and that the State Executives of this Conference be instructed to take the necessary steps to bring the matter before their respective State Governments.”

SECOND AUSTRALIAN TOWN PLANNING CONFERENCE AND EXHIBITION.

(Brisbane, 1918.—Delegates, 520.)

TOWN PLANNING LEGISLATION.

Proposed by the Lord Mayor of Melbourne (Mr. F. Stapley); seconded by the President New South Wales Town Planning Association (Mr. Sulman) :—

“(1) That, in any proposed town planning legislation in the Australian States, this Conference strongly favors the fundamental principles of control as laid down in the paper submitted to this Conference, entitled ‘Practical Town Planning,’* in particular where the writer says (page 5) :

‘It is not advisable to elect an arbitrary body of experts. To give the central authority power to over-ride the councils is as undesirable as conferring upon the individual council the absolute right to decide for itself whether it will town plan or whether it will not, irrespective of any adjoining council, or other statutory body. What should be arrived at is neither undue compulsion on the part of the central authority nor individualistic powers for each council, but co-operation between both, as well as with statutory authorities.’

“(2) This Conference determines that the councils, other statutory authorities affected, and the expert central authority, should co-operate in the preparation of town planning works.

“(3) That the municipal or statutory authorities shall be responsible for the actual carrying out of all town planning works.”

* “Practical Town Planning: A Discussion of Cardinal Features and Basic Principles of Existing Legislation and Town Planning Practice Overseas and their Adaptation to Australian States.”—By Charles C. Reade, Government Town Planner, South Australia.

Appendix II.

OPINIONS OF REPRESENTATIVE GOVERNMENT DEPARTMENTS IN RESPECT TO TOWN PLANNING COMPILED FROM OFFICIAL SOURCES.

The South Australian Railways Commissioner.

I have to say that, in my opinion, this position is one which the Government might, with advantage, maintain, as the advice of such an officer will be most helpful when laying out roads connecting districts with railways, more especially where towns exist or are expected to grow as the result of the railways extension.

Had such an office existed in the past, and had the Planner been vested with sufficient powers, he could have prevented many mistakes which have occurred in the subdivision of land for residential purposes in relation to railways.

As an instance in point, I might say that in connection with the recent subdivision of “Kurralta Park” the advice of the Town Planner was of the great advantage, and had a good deal to do with the very satisfactory scheme which resulted.

The South Australian Harbors Board.

The Board respectfully intimate that in their opinion the amount of good that should be the outcome of a carefully prepared Town Planning Act of Parliament is very considerable.

A point is the co-ordination of the various Government branches in their proposals for developmental work. This is one good instance.

The Director of Irrigation.

The proposed development of the irrigation areas on the Upper Murray, which would be required to be worked out on plans some considerable time ahead of their being definitely decided upon, includes the planning of several new towns. The Town Planner is at present preparing plans of the Lake Bonney township, and from past experience I am of the opinion that his services will entail a considerable saving, not only to this but to other Government departments likely to be interested in the town; also the public generally. Had a practical town planner's advice been available when the town of Berri was laid out in 1909, the Government would not have been called upon to resume adjoining land at a cost of £2,900 in order to provide for future extension within eight years of the original survey. A serious mistake was also made in the selection of a great portion of the Waikerie town site, which I am convinced would not have been set apart for building purposes had the Town Planner's advice been received prior to the survey being made.

The Surveyor-General.

There are several instances on record during the past 12 months where owners' designs have been submitted for approval before survey. These, on being referred to the Town Planner, have been completely changed for the better, and the owners have readily adopted the advice tendered. There is no doubt in my mind that the services of a skilled town planner armed with proper authority can save a young country like ours immense expense on matters touching the general lay out of suburban extensions, and prevent mistakes being made which otherwise would entail heavy future expense and loss to the Government and the taxpayer.

The Secretary for Lands.

I fully concur with the remarks of the Surveyor-General in the foregoing minute.

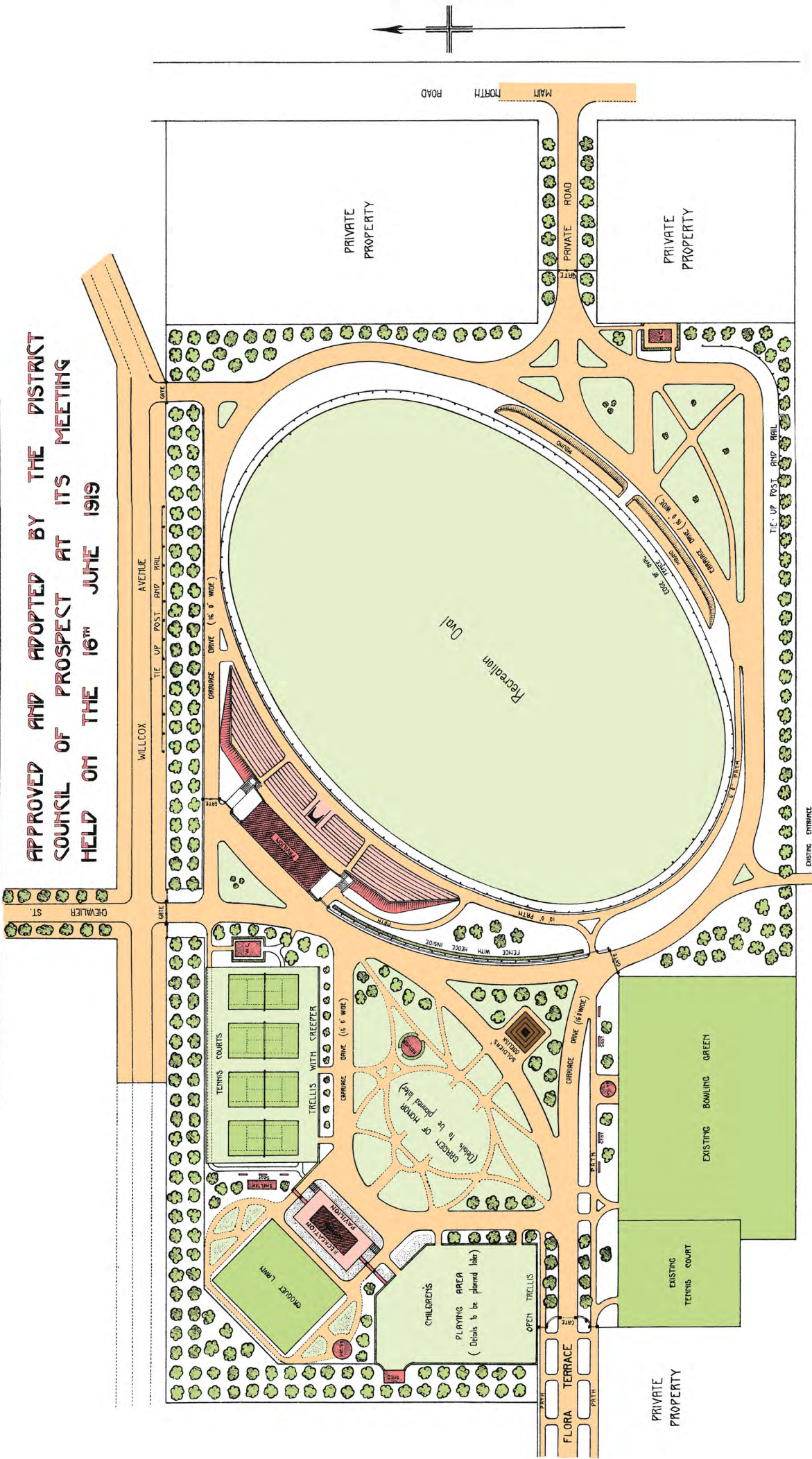
Opinion of Private Owner (from a letter addressed to the Hon. Attorney-General.)

I beg to express my thanks for and hearty appreciation of your action in making available the assistance of Mr. Reade in the preparation of the plan of certain subdivisions of land known as "Kurralta Park," recently made by me. The suggestions and advice of Mr. Reade in respect to the plan as originally prepared on my behalf eventuated in very material improvements being effected in such plan; and that ultimately adopted by me indicates in a concrete manner at least some of the advantages which may be effected in the lay out of land by regard being paid to town planning ideas, without in any way affecting detrimentally the value of the land to be sold.

Adelaide, March 14th, 1918.

PROSPECT MEMORIAL PARK AND RECREATION RESERVE

APPROVED AND ADOPTED BY THE DISTRICT COUNCIL OF PROSPECT AT ITS MEETING HELD ON THE 16TH JUNE 1919



Scale~ 96 Feet to 1 Inch

ACCESSORIES TO TOWN PLANNING "LANDSCAPE ARCHITECTURE."

TOWN PLANNING DEPARTMENT
DRAWING N° 29^a

The above plan, which is now in course of being carried out by the Prospect District Council, illustrates a branch of the work of the Department of Town Planning which should be regarded as secondary in importance to Town Planning proper.