

**COMPLETE**

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Page 1: Planning and Design Code for South Australia

**Q1** Which part of the Planning and Design Code would you like to make a submission about?(Please click the circle to select which part of the Code you wish to comment on. You can also see which council areas are included in the rural and urban code via the links below.)

**My submission relates to Urban code. (click here for council areas)**

Page 2: Planning and Design Code for South AustraliaPersonal Details

**Q2** Please provide your contact details below (Name, Postcode & Email are mandatory)Please be advised that your submission will be made publicly available on the SA Planning Portal.

Name **E Brooks**  
Your Council Area **City of Adelaide**  
Postcode **5006**  
Email Address [REDACTED]

Page 3: Planning and Design Code for South Australia

**Q3** Which sector do you associate yourself with?

**General Public**

Page 4: Planning and Design Code for South Australia

**Q4** Would you like to make comment on

**Specific Topics for example :** - Rules of Interpretation  
- Zones and Sub-zones - Overlays - General Provision - Mapping Land Use Definitions - Administrative Definitions - Referrals - Table of Amendments

Page 5: Planning and Design Code for South Australia

**Q5** Enter your feedback for Rules of Interpretation

The rules are based on a previous government's premise reflected in current legislation that: focuses regulatory power and decision making centrally rather than dispersed to communities; further diminished local representation, accountability and influence over decision making and interpretation about communities, neighbourhoods and local built forms and environments affecting quality of life; and emasculated individual representations that historically have assisted to built forms and planning codes contributing to rather than detracting from the desired future character of a site, location, street, precinct or zone.

The rules are overly reliant on judicial, legal or professional interpretations that lack a qualitative overlay or have any sufficient regard to the perspective of the notion of 'reasonableness' that pervades other areas of the law concerned with the interaction of people and their respective interests, and elements that contribute to quality of life that makes a City, an area or locale a pleasant or desirable place to live, work or visit.

The rules are overly weighted to the interests of commercial developers and have insufficient regard to individual landowners or households concerned with the character of where they live or work, both at a micro and macro level.

The rules and code should provide an opportunity for representations from contiguous, adjoining and nearby occupants or landowners who wish to have their views heard and should require the decision maker or entity to have regard to such representations in their deliberations. The rules and code should not be misdirected to the minority of matters that miscarry or are exceptional; the salve they supposedly represent are disproportionate to the symptom supposedly addressed.

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**Q6** Enter your feedback for Referrals

Whenever there is a referral, there should generally be an opportunity for nearby affected individuals to make representations and be heard where the purpose of referral is decision making.

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**Q7** Enter your feedback for Mapping

It is difficult to make a useful comment absent sufficient attempts to use. Hopefully it will be maintained, kept up to date, be sufficiently intuitive, and be further developed consequent on user experience.

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**Q8** Enter your feedback for Table of Amendments

Not able to presently comment.

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**Q9** Please enter your feedback for overlays click next at the bottom of the page for next topic

Advertising Near Signalised Intersections Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

Affordable Housing Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

Aircraft Noise Exposure Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal..

Airport Building Heights (Aircraft Landing Area) Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

Airport Building Heights (Regulated) Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

Building Near Airfields Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

Character Area Overlay

Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.

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Character Preservation District Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>
Coastal Areas Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>
Defence Aviation Area Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>
Design Overlay	<b>There is increasingly an abject failure of planning to support excellence in built form and environmental design that supports longevity of buildings and quality of life both within the structure and its environs.</b>
Dwelling Excision Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>
Environment and Food Production Area Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>
Future Road Widening Overlay	<b>Road widening ought not to demolish at any cost heritage character or local communities. Road or traffic engineers ought not be the final arbiters.</b>
Hazards (Acid Sulfate Soils) Overlay	<b>no comment</b>
Hazards (Bushfire - General Risk) Overlay	<b>Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.</b>

Consultation Submission Form

Hazards (Bushfire - High Risk) Overlay	Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.
Hazards (Bushfire - Medium Risk) Overlay	Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.
Hazards (Bushfire - Outback) Overlay	Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.
Hazards (Bushfire - Regional) Overlay	no comment
Hazards (Bushfire Urban Interface) Overlay	Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.
Hazards (Flooding) Overlay	Not able to presently comment save to note that the utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal.
Historic Area Overlay	Primacy should generally be granted to conserving and reuse of built or community assets within historic areas.
Historic Shipwrecks Overlay	Conservation
Key Outback and Rural Routes Overlay	no comment
Key Railway Crossings Overlay	no comment
Limited Dwelling Overlay	Not presently able to comment.
Limited Land Division Overlay	Not presently able to comment, save to indicate that 'green space' and solar orientation should be accorded adequate consideration.

Consultation Submission Form

Local Heritage Place Overlay	<p>Primacy should generally be granted to conserving and reuse of built or community assets within historic areas. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal. Transitional provisions should enable current local contributory items to be included as a subset pending further consideration.</p>
Major Urban Transport Routes Overlay	<p>Road widening ought not to demolish at any cost heritage character or local communities. Road or traffic engineers ought not be the final arbiters.</p>
Marine Parks (Managed Use) Overlay	<p>Unable to comment</p>
Marine Parks (Restricted Use) Overlay	<p>Unable to comment</p>
Mount Lofty Ranges Catchment (Area 1) Overlay	<p>Unable to comment</p>
Noise and Air Emissions Overlay	<p>Noise and air emissions affect the quality and health of individuals and ought to be given sufficient primacy and affected persons or interests should be provided with a substantive opportunity to comment on a particular proposal.</p>
Prescribed Surface Water Area Overlay	<p>ditto</p>
Prescribed Water Resources Area Overlay	<p>ditto</p>
Prescribed Watercourse Overlay	<p>ditto</p>
Regulated Trees Overlay	<p>Trees have a value: environmentally, socially, culturally and as an amenity. Primacy should generally be granted to conserving and enabling retention and reflecting an assessed value, including as a community asset and contributor to quality of environs and life. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity that is not provided with a substantive opportunity to comment on a particular proposal. This should extend throughout all areas, and include parks and open spaces and especially car parks and heat banks.</p>
Significant Landscape Protection Overlay	<p>Landscape has visual, qualitative, economic, social and amenity values beyond their locale. Primacy should generally be granted to conserving and enabling landscape as a local community and people asset that contributes to quality of environs and life. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal. This should extend throughout all areas, and include parks and open spaces and lines of sight.</p>

## Consultation Submission Form

State Heritage Area Overlay	<b>See above re primacy, interpretation and affording an affected person or entity; or a representative body,, who should be provided with a substantive opportunity to comment on a particular proposal.</b>
State Heritage Place Overlay	<b>Ditto</b>
State Significant Native Vegetation Overlay	<b>Ditto</b>
Traffic Generating Development Overlay	<b>See above</b>
Urban Transport Routes Overlay	<b>See above</b>

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Page 7: Planning and Design Code for South Australia

**Q10** Please enter your feedback for zones and subzones click next at the bottom of the page for next topic

Adelaide Oval Subzone

The sub-zone should be narrowed to only the stadium itself and not permit any use that is permitted within the City CBD; and if such use is to be permitted, it should be confined to being temporary in nature and operate only during an event or the period of sporting or event use to which the stadium is being put. The broad terminology as to the types of functions should be reconsidered and the scope of area should not include the River Bank areas that ought to be separately considered. The Desired Outcome speaks nothing of the desired future character or the conservation of existing character and community and landscape values and are so vague and uncertain as to 'drive a truck through' where none should.

Business Neighbourhood Zone

Noise exhaust odours building heights and impacts within and adjacent to the zone should be the subject of representations with appeal rights.

City Frame Subzone

Concern about individual and neighbourhood impacts. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal.

City Living Zone

Concern about individual and neighbourhood impacts. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal.

City Main Street Zone

Concern about individual and neighbourhood impacts. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal.



Consultation Submission Form

City Park Lands Zone	<b>No further building on Park Lands. No private corporate built form on Park Lands. Primacy should be ecological, low impact community use, city within a park - a real park with full public access and public use; minimise and gradually reduce impacts of car parking and adverse impacts on Park Land amenity. Small scale low impact built form ancillary to public uses, playgrounds, social and uses conducive to Park Lands. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal.</b>
City Riverbank Zone	<b>Ditto</b>
Conservation Zone	<b>Ditto</b>
Dwelling Subzone	<b>Ditto</b>
Visitor Experience Subzone	<b>Ditto</b>
Eastern Park Lands Subzone	<b>Ditto</b>
Gouger and Grote Street Sub Zone Subzone	<b>As above</b>
Main Street Subzone	<b>As above</b>
Medium-High Intensity Subzone	<b>As above and subject to appropriateness and representation rights.</b>
Residential Neighbourhood Zone	<b>As above. The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.</b>
Residential Park Zone	<b>As above</b>
Suburban Main Street Zone	<b>The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.</b>
General Neighbourhood Zone	<b>The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.</b>
Suburban Neighbourhood Zone	<b>The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.</b>

Housing Diversity Neighbourhood Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Activity Subzone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Activity Centre Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Corridor (Boulevard) Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Corridor (Business) Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Corridor (Living) Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Corridor (Main Street) Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Neighbourhood Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.
Urban Renewal Zone	The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

**Q11** Please enter your feedback for general policy click next at the bottom of the page for next topic

**Respondent skipped this question**

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Page 9: Planning and Design Code for South Australia

**Q12** Please enter your feedback for Land use Definition click next at the bottom of the page for next topic

**Respondent skipped this question**

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Page 10: Planning and Design Code for South Australia

**Q13** Please enter your feedback for Admin Definitions click next at the bottom of the page for next topic

Building height

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

Building level

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

Density

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

High-density

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

High-rise

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

Hours of operation

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

Medium-density

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

Medium-rise

The utility and effect of the contents vis a vis other aspects will be open to interpretation and adverse impact on an affected person or entity, who should be provided with a substantive opportunity to comment on a particular proposal, including third party appeal rights.

**Q14** Please enter your general feedback here

The Code is based on a regrettable and misplaced 'any development, anywhere and anytime; listen to no-one other than a proponent' legislative regime of the previous government. While in some respects this proposed Code may have many good intentions, its overlays, strata and size of undertaking leaves one to be compressed beneath a ponderous weight of imprecision and uncertainty, and most fundamentally an absence of voice and a right of process, consideration and accountability for that most essential aspect of life: of where we live or work and the community and quality of life in which we live and work.

The proposal does not reflect policy considerations of character, amenity, utility and impact from the perspective of ordinary individuals who seek to live a quality of life and work from a community, local and individual basis rather than macro systemic perspectives of professionals or those with commercial development interests that may not reflect longer term qualitative aspects of built form and living neighbourhoods in the longer term.

Character is a reflection of current contexts to which local businesses and residents and visitors contribute , both vis a vis built form and environmental landscape and vegetation factors . That requires a local perspective from individuals, business and representative interests to be taken into account and valued within the process.

The desired character, both present and future, of a site, street, neighbourhood, precinct and area can best be achieved not be precluding contributions but rather by affording an affected (i.e. contiguous, adjacent, nearby) person, entity or representative body a substantive opportunity to comment and be heard on a particular proposal, including third party appeal rights.

The extent of topics identified for consultation and comment - and the exhaustion of reading let alone synthesizing, working through this labyrinth and commenting thereupon the myriad of topics and issues - exemplifies the complexity and overwhelming morass of issues that need yet further consultation and consideration and review by other than the so-called experts.

To not address or enable the transition of items that contribute to the character of a locality (contributory items); to not afford sufficient primary to excellence of design and innovation, open space, vegetation, people and social interaction, and the enduring value of Park Lands and green belts; and to not afford incremental change and adoption of planning processes that are inclusive of individual, community, economic and social participation merely serves to undermine the credibility of what might otherwise be a worthwhile objective to reconsider both the regressive legislative regime of the previous government and a cohesive comprehensible code that might serve us as individuals or as entities.

While there is much that can be garnered from the current proposal, to seek to treat every district, suburb, area the same by the use of overlays, infills and generalisations, suffers the risk of failing to embrace desirable diversity and choice by communities for communities, whether they be residential or business or visitors; and fails yet again to enable individuals and entities a right to be heard about what affects how we live our lives in our residential or business communities. That has the risk of repeating the ills of the past.

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Page 12: Planning and Design Code for South Australia

**Q15** Do you have any attachments to upload?(pdf only)      Respondent skipped this question

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