

State Planning Commission

By email: DPTI.PlanningReformSubmissions@sa.gov.au

To Whom it May Concern,

SUBMISSION ON PLANNING & DESIGN CODE - PHASE 3 (City of Burnside)

In response to the draft Planning and Design Code – Phase 3, which is currently out for public consultation, I wish to register my strong objections to a number of issues, as summarised below.

1. All Existing Residential Areas

- a) Non-Residential land use: Currently in the City of Burnside’s residential areas, shops, offices and educational establishments are non-complying. In the new Code existing residential areas will allow these non-residential uses which will adversely impact traffic, parking, noise, neighbour’s amenity and the character of our suburbs. This is unacceptable. All uses which are currently non-complying in our residential areas (e.g. office and shop) should be “restricted development”. Alternatively, a new zone should be created purely for residential land use.
- b) Siting and Setbacks: Under the Code, building setbacks from side and rear boundaries will noticeably decrease, particularly at upper levels. This is unacceptable and will severely impact amenity and privacy. Existing siting, setback and floor area criteria should be maintained throughout all our residential areas.
The current trend for building right up to- or nearly so- the boundary across a property severely diminishes, for the neighbours, the sense of privacy and that one’s *home* is a place of sanctuary from the stresses of modern life. Not only that, it introduces very great problems for future maintenance of such encroaching buildings, which can only adversely affect neighbouring properties and their inhabitants.
Furthermore, the reduction in capacity for vegetation planting, wildlife habitat and groundwater replenishment via ground rainfall capture directly is harmful to the environment.
- c) Density and Allotment Sizes: The draft Code contains a number of errors and omissions. It is important that current minimum allotment sizes, heights and frontage widths match existing.

2. Commercial Centres

The Code places large-scale centres in the same zone as small local shops, allowing large-scale development and more intensive land uses throughout all these areas. This is inappropriate. A hierarchy of centres should be maintained. Additional zone(s) are needed to cater for the lower-intensity local centres, particularly in older established areas.

3. Public Notification

The Code should reflect the City of Burnside’s current Development Plan policy with respect to the notification of neighbours and the public. The Code should include notification for all development that increases development intensity, including additional dwellings on the site, two-storey development, earthworks where new dwelling is located 600mm above ground level, and change of use from residential to non-residential.

This is a particularly insidious aspect of the suggested new conditions. It is absolutely unacceptable that a developer or builder (e.g. someone who has bought an existing property, razed the house and intends to build a new house) should be able- depending on the design of the proposed new house- without any impediment, to utterly destroy aspects of the locale that are central to those neighbours’ enjoyment of, and satisfaction with, their homes- and may be amongst the very reasons why they chose to reside where they do.

For example, a new two-storey house where there previously was only a single-storey house (or a vertical extension to an existing single-storey dwelling) would result in loss of privacy for the neighbours as well as destruction of what may be a cherished view from their home- quite apart from the very simple and substantial imposition of now having a potentially large (and very often architecturally uninspiring and insipid) structure looming over one’s property.

That such a construction would be able to go ahead without the potentially affected neighbours having any advance recourse to objection is utterly and completely unacceptable, and makes a mockery of the term “planning”.

Any such course of action can result only in tension and acrimony between residents- the very opposite of what good planning regulations should be about.

What this would amount to is developers and new builders essentially being given free licence to do whatever they want, and for existing residents to have no say at all as to what goes on in their areas- no say at all with regards to activities that may have very significant and detrimental influence on the quality of their lives.

The current trend towards massive, two-storey dwellings with extensive footprints is a market and consumer choice- it is absolutely not a necessity. Families can live perfectly well in carefully-designed single-storey homes, homes that do not invade the privacy of neighbouring properties, do not diminish the natural environment, and which place respect for others and for the environment above selfishness and greed.

4. Tree Canopy and Climate Resilience

The 30-Year Plan calls for an increase in tree canopy cover, however, the draft Code works directly against this by facilitating larger developments and the easier removal of trees on both private and public land.

It is plain to see that recent developments (e.g. subdivision, larger dwelling footprints, etc) substantially *reduce* vegetation- not only are established gardens lost, the new dwellings take up a larger proportion of a given property- and the overall effect of this is a loss of vegetation, and in particular of larger trees. Taking a look at virtually *any* new development or house construction will show this to be so.

This will result in a significant reduction in canopy cover, habitat loss and climate resilience, due the increased infill development opportunities, reduction in minimum site areas, site coverage, setbacks and increased number of street crossovers.

Furthermore, the very idea that a single Code can be applied across a variety of areas is simplistic and inappropriate in the extreme. A dwelling design that might cause no issues in one council area would be completely unsuited to another; the considerations that must be made in each case may concern similar issues- but the relevance and importance of those considerations is manifestly *not* identical in all areas.

Planning codes should address quality of life and quality of environment for the residents of an area (and this must, now more than ever, encompass the health of the natural environment as a major factor)- they should not, and must not, be made lax and simplified for the benefit of developers or for those who want the largest possible dwelling on their piece of land.

Just because something is “streamlined”, or “simplified”, does not mean that it is better. Very often those terms mean that something has become less adaptable and less relevant to actual existing conditions.

“Planning” should not be simple- it should be a safeguard, a standard which should encompass protections and a level of excellence that must be aspired to- not devolved to a lowest common denominator intended to make things quicker and cheaper.

Unless the above issues are addressed and the draft Code is amended to reflect these concerns, there will be an unacceptable loss of local character and amenity in my neighbourhood.

I trust that the concerns detailed above will be given your full consideration.

Yours sincerely,

Dr. Padric McGee, Burnside