

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 that concern us and the location of our property in Kensington Park and listed below.

1. **General Neighbourhood Zone**

The draft Code places our home along with many others in development areas (RPA2 & RPA5) of the Kensington Park Ward in the City of Burnside, into the **General Neighbourhood Zone**. The policy in this new zone is entirely at odds with current zone policy and allows for a far greater intensity of development than existing. The current zone focuses on preserving the character, environment, ambiance, noise, biodiversity and habitat rather than accommodating the ability to change and infill and does not envisage a greater range and intensity of development. I request that you move all residential areas to the **Suburban Neighbourhood Zone** with Technical and Numerical Variations to match existing conditions.

2. **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 proposed 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 (eg. office and shop) should be "restricted development". Alternatively, a new zone should be created purely for residential land use.

b) **Building Positioning 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 as is currently applicable.

c) **Density and Allotment Sizes:**

From what I have seen and discussed the draft Code contains a number of errors and omissions in it's released details. It is important that current minimum allotment sizes, heights and frontage widths match the existing details.

3. **Historic Area Overlay**

The lack of identification of Contributory Items in the Code, by either a map or list of addresses, will create uncertainty and confusion for owners, prospective buyers, neighbours and developers. Existing protections and identification of Contributory Items should be maintained. This sort of uncertainty will have a detrimental effect on property values in the present and future.

4. 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 especially in our location along the edges of Magill Road and would apply to other areas in the City of Burnside. A hierarchy of centres should be maintained and additional zone(s) are needed to cater for the lower intensity local centres, particularly in older established areas.

5. 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 notification is critical to maintain the integrity of the residential area and enable existing residents to be informed and have the ability to express any concerns before the development is approved or even completed.

6. Tree Canopy and Climate Resilience

The City of Burnside has a 30-Year Plan that 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. 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. In this current time the environment is more than critical and anything we can do to improve it is better than going the opposite way to destroy more and more just for the sake of bigger developments.

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 our neighbourhood. We are not against change, but change for the worse is not acceptable.

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

Yours sincerely

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