

To: The 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)

We have read the 'Planning, Development and Infrastructure Act 2016' as presented on the State government 'saplanningportal'. We have also read the 'Community engagement Charter Guide 2018. Both documents are comprehensive and developed and written using language that typically confounds a simple understanding of the unfortunately necessary legal presentation of significant information. Using the information we have understood, and considering information from people in our community and local council information, we present our submission for consideration.

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

1. General Neighbourhood Zone

The draft Code places some areas (RPA2 & RPA5) of Kensington Park Ward, where we live, in the General Neighbourhood Zone. The policy in this new zone seems to be at odds with current zone policy and allows for a far greater intensity of development than is currently allowed. The current zone focuses on preserving character whilst accommodating change, and the proposed code supports a greater range and intensity of development. We request that you move all residential areas to the Suburban Neighbourhood Zone to match existing conditions, and thus maintain current minimum allotment sizes, building heights, and allotment frontage widths.

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 new Code it appears this non-complying rule 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) Siting and Setbacks: Under the Code, building setbacks from side and rear boundaries will noticeably decrease, particularly at upper levels. This is unacceptable as it can severely impact amenity and privacy. Existing siting, setback and floor area criteria should be maintained throughout all our residential areas.
- c) Density and Allotment Sizes: It is important that minimum allotment sizes, heights and frontage widths match what currently exists.

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. The designation of local heritage value, by a 'commission', is not clearly explained.

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. A hierarchy of centres should be maintained. Additional zones 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. There needs to be the opportunity to comment and appeal neighbourhood developments.

6. 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. 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.

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. An overall reading of the proposed Code seems to clearly be of benefit to developers and builders.

There is also a somewhat opportunistic inclusion of 'policing' by the inclusion of a section [124] regarding the 'creation of fortifications'.

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

Yours sincerely,

David and Marilyn Betchley


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