

DIT:Planning Reform Submissions

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Sent: Sunday, 13 December 2020 10:45 AM
To: Joanna Wells; DIT:Planning Reform Submissions
Subject: SUBMISSION ON REVISED DRAFT PLANNING & DESIGN CODE - PHASE 3

State Planning Commission

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

To Whom it May Concern

SUBMISSION ON REVISED DRAFT PLANNING & DESIGN CODE - PHASE 3

In response to the revised draft Planning and Design Code – Phase 3, I wish to register my strong objection to a number of key issues in the draft Code, which will result in detrimental development outcomes both on my property and the surrounding neighbourhood. These are summarised below:

1. Proposed Zoning of Residential Areas

The proposed code is inconsistent and incompatible with many current zone policies. There is no emphasis on the established character of many of our most beautiful areas and the result of this will be significantly poorer design outcomes. I live in Netherby, where we had the misfortune to be placed on Res Code some years ago. This had led to the destruction of the character of the area. New buildings show absolutely no sympathy to existing homes and the same must be said of the people who chose to build these homes. The stress that results from having such things built adjacent one's own property is enormous. I could put you I touch with several people who have been through really trying times recently, caused by these new planning rules. This is unacceptable. The new code will make this even worse and do so right across Adelaide, as it removes any possibility of local councils or residents having any kind of say in what is built around them. Local councils know their council area best – far better than the planning department and certainly far better than any developer coming in with the sole aim of making a profit.

2. Setbacks from Boundaries:

I am extremely concerned that the current requirements for setbacks for development from side and rear boundaries will be substantially reduced, particularly for two-storey development. This will severely impact the amenity of both my property and the streetscape, particularly in relation to access to privacy, sunlight, overshadowing and the space in and around buildings.

3. Building on the Boundary

The revised draft Code continues to allow for development on the boundary up to 11.5 metres in length. This is a substantial increase from the current maximum of 8 metres and will result in increased overshadowing and loss of amenity. I request that the current requirement of 8 metres be maintained in all residential areas.

4. Commercial Development in Residential Areas

Under the new Code shops, offices, and educational establishments will be allowed in existing residential areas, 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 should be "restricted development". Alternatively, a new zone should be created purely for residential land use.

5. Historic Areas

The term "representative building" is potentially misleading. It infers that current Contributory Items are only of "representative" value, rather than each being of individual historic value as a significant

member of the historic collective group, irrespective of their form or design. I suggest instead using the term “Contributory Building” or “Nominated Building”.

6. Public Notification

The draft Code should reflect 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, development on the boundary and change of use from residential to non-residential. The Code should also mandate for the public notification of any removal of regulated and significant trees.

7. Tree Canopy and Climate Resilience

The draft Code facilitates larger developments, the easier removal of trees on both private and public land, increased infill development opportunities, increased number of street crossovers, and reductions in minimum site areas, site coverage and setbacks. This will result in a significant reductions in canopy cover, habitat loss and climate resilience. The requirement to plant a reasonably sized tree as part of a proposed development should not be circumvented by paying money into a tree fund as this would allow the erosion of tree canopy in that specific location. Requirements for minimum tree planting size and ongoing maintenance should be written into both Code policy and conditions of approval.

The proposed tree sizes for blocks over 800 square metres are inadequate. It should not be possible to plant either 1 x 8 metre tree or 2 x 4 metre trees or 4 x 2 metre trees. It should be one 8 metre tree and this should not be negotiable. 2 metre trees are not trees – they are shrubs. The problem with removing our mature trees is amongst other things, the canopy and habitat removal that comes with doing so. 2 and 4 metre trees do not provide the canopy which we so desperately need to help cool our streets and homes.

Removal of regulated and significant trees should be publicly notified.

Increase minimum requirements for deep root zones & for garden areas.

Favour permeable paving and gravel over traditional paving for driveways and outdoor living areas adjacent gardens.

Better define good design to ensure that homes are not only affordable to buy, but affordable to run. Do this by mandating:

Deep eaves (no box gutters!)

Solar water service with electric backup (this can use battery stored solar down the track as this becomes more prevalent – and it is only a very short matter of time before it does!)

Larger rainwater tanks

Garden areas mandatory at front and rear of house and gardens at the side of the house do not count as garden space unless they are a minimum of 1.5 metres deep. Reason – narrow beds at the side of a house and against a colourbond fence (in reality, that’s where it will be) are not happy and healthy gardens where shrubs can grow and thrive. They never add anything to the amenity of the surrounding area, either, as nothing big enough to be seen above a fence line or scramble up to the top of it and over is ever able to grow here. These are service areas essentially to access the back of the house and are not used by garden or amenity space by residents. This are should not count as garden if it is not big enough in reality for a garden to be grown there. Otherwise, people are cheating!

The State government’s biodiversity policy is meant to underpin all of this, so please be more proscriptive about what people can grow. Mandate to favour:

Evergreens over deciduous – where block size and passive heating/cooling allows for it

Natives over exotics

Plants endemic to the Adelaide region rather than imported natives from interstate. (A great resource for info on this is [The Native Plants of Adelaide: Returning the vanishing natural heritage of the Adelaide Plains to your garden](#), Phil Bagust and Lynda Tout-Smith, Urban Forest Biodiversity Programme 2005) This is far easier than you might think and a lot of them are really lovely plants.

Vegetation should provide habitat and food for native animals, insects and birds.

Tree net inlets – make these mandatory in all new developments and bring in a government subsidy for existing homeowners to put them in. (This may require legislation as the verge is council property, but this can be done if there is the political will for it.) This would ensure the survival of street trees, as their survival would no longer be totally dependent on them being watered by home owners. My understanding is that tree net inlets are actually quite a cheap piece of technology, so we would get a good return on investment. An added bonus is that they will take water that would otherwise go down the street and out to sea full of pollutants and nutrients would be prevented from doing so.

8. Private Assessment of Development

I'm horrified by the increased use of private certifiers. Who pays the piper calls the tune. Private certifiers should not be allowed to sign off on "minor variations". An application either meets criteria or it doesn't. It can't almost meet them. Any application that does not meet criteria should have to be assessed by Council.

The removal of the 5 day limit for assessment should be removed. This idea of deemed consent is abhorrent and has no place in planning. It's unrealistic to expect Councils to assess applications and to check those approved by Private certifiers on a smaller income base than they have previously had. No doubt rates will have to increase to pay for this.

Unless the above issues are addressed and the revised 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

Joanna

Joanna Wells


South Australia is losing unprecedented amounts of canopy cover from both private and public land, resulting in hotter, unlivable cities and suburbs. You are not powerless. You CAN do something about it. Retain, water, plant a tree in your garden. Tell your local member you'd like to see our tree laws strengthened.