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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 **Shirley Rowe**
Address [REDACTED]
Your Council Area **Norwood Payneham St Peters**
Suburbs/Town **Kensington**
State **SA**
Postcode **5068**
Country **Australia**
Email Address [REDACTED]

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

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

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Q5 Enter your feedback for Rules of Interpretation

Respondent skipped this question

Q6 Enter your feedback for Referrals

Respondent skipped this question

Q7 Enter your feedback for Mapping

Respondent skipped this question

Q8 Enter your feedback for Table of Amendments

Respondent skipped this question

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Q9 Please enter your feedback for overlaysclick next at the bottom of the page for next topic

Respondent skipped this question

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Q10 Please enter your feedback for zones and subzonesclick next at the bottom of the page for next topic

Respondent skipped this question

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Q11 Please enter your feedback for general policyclick next at the bottom of the page for next topic

Respondent skipped this question

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Q12 Please enter your feedback for Land use Definitionclick next at the bottom of the page for next topic

Respondent skipped this question

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Q13 Please enter your feedback for Admin Definitionsclick next at the bottom of the page for next topic

Respondent skipped this question

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Q14 Please enter your general feedback here

SUBMISSION - DRAFT PLANNING AND DESIGN CODE

1. I have tried on many occasions to read the documents in the proposed Planning and Design Code. It is very frustrating because I can't find out information that I want to know about, eg density, privacy, appeal rights, tree canopy/biodiversity and definitions of the new zones. I have read motherhood statements re biodiversity but have not located specific rules on how the greening of suburbs will occur. I have tried to find information in the Resources tab but to no avail except for locating the current development plan for my council area of Norwood and the current planning legislation (not much help because all the details of interest seem to be in policy documents which have been difficult to find).

1.1 I received definitions from the Planning Reform Team for Suburban Business and Innovation and Business Neighbourhood Areas because I was curious to find the differences between the two areas. These areas are opposite each other at The Parade, Beulah Park and Kensington respectively. Why have two separate areas when they are along the same stretch of The Parade and both suburbs will be Suburban Neighbourhood Areas?

1.2 How will the proposed code deal with all of the options that currently appear in the Norwood development plan, eg complying buildings and non-complying buildings in Light Industry zones, and all of the other items listed in the current plan?

1.3 Is this proposed Code being set up to centralise planning for the State and take councils out of the planning regime?

2. I have many concerns regarding the proposed Planning and Design Code and how it will affect the current heritage and character areas, in particular, the code relating to the City of Norwood, Payneham and St Peters (Norwood).

2.1. The current development plan for Norwood has many guidelines which, when reading them, make sense for ensuring development in the variety of areas that the council covers, suits the specific area. Norwood has the Linear Park and has developed guidelines for that area, for example. It has character and historic conservation zones. The draft Historic Area Statements and Character Area Statements for Norwood do not provide much detail for these areas and considering the following wording in the draft (my emphasis in bold type):

"The Statements should be used to determine the prevailing styles and patterns of development for the purposes of interpreting all policies within the Overlays. Councils will be able to evolve these statements over time."

why can't the current Norwood council wording be incorporated from the outset?

3. "It is acknowledge that at the current time, different Council development plans have different rules applying to Local Heritage Places. The Commission has proposed an approach to heritage protection which is consistent across council boundaries." (page 4 of the Historic Area Statements and Character Area Statements Proposal to Amend Phase 3 (Urban Areas) Planning and Design Code Amendment City of Norwood Payneham and St Peters)

My concern with this statement is how did the Commission arrive at the consistent approach to heritage protection. Is this consistent approach explained by the Attachment Checklists in the document entitled "State Planning Commission Practice Guideline (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019"?

4. "The intention of the Historic Area Overlay is to ensure Historic Conservation Zones and the contributory items within them are subject to a consistent assessment process and the same level of protection. In this way, the Overlay will bring equality and fairness to land owners regardless of where they live." (page 4 of the Historic Area Statements and Character Area Statements Proposal to Amend Phase 3 (Urban Areas) Planning and Design Code Amendment City of Norwood Payneham and St Peters)

4.1 My suburb of Kensington is currently a Historic Conservation Zone with many contributory items. Will the same demolition controls mentioned in "State Planning Commission Practice Guideline (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019" apply to the contributory items in the Historic Area Overlay?

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and Character Area Overlay) 2019 apply to the contributory items in the Historic Area Overlay.

4.2 I am not sure that equality and fairness to land owners will happen - as the number of demolitions increase and there is less of the contributory items left, will the decision makers suddenly not allow any more demolitions so as to preserve what is left of the character that originally made up the historic areas? Those who come later into the historic area will not be able to maximise the value of their sites, unlike those who get in early with demolition applications. How is that fair for all landowners?

5. "As in the former planning system, demolition within Character Areas will not require planning approval, however proposals for replacement dwellings will undergo rigorous assessment to ensure that existing character is maintained or enhanced." (page 5 of the Historic Area Statements and Character Area Statements Proposal to Amend Phase 3 (Urban Areas) Planning and Design Code Amendment City of Norwood Payneham and St Peters)

5.1 With regard to Character Areas and the continuation of the current situation of demolition not needing consent; won't this eventually lead to the destruction of the Character Areas slowly by the gradual removal of the older homes. If so many Character Area homes are demolished, how can an assessment be made of the context and streetscape into which the new building has to fit?

5.2 Does this mean that a Character Area where one house per block with wide setbacks (street and side) is the norm, no infill housing will be allowed?

6. "Part 5 – Character Areas

1- In relation to Character Area Statements

1 – The Character Area Statement identifies the key characteristics and elements of importance in a particular area. This Statement should be used to determine the prevailing styles and patterns of development for the purposes of interpreting all policies within the Character Area Overlay.

2- Contextual Analysis

1 – A Contextual Analysis Report (refer checklist in Attachment 2) must may be provided to support any new development in the Character Area Overlay. The Report should be prepared by an architect or other suitably qualified expert, and should outline how the proposed development addresses the existing streetscape, having consideration to the key elements and characteristics outlined in the Character Area Statement." (State Planning Commission Practice Guideline (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019)

"Must may" in the above sentence - which word is correct?

7. Will the Significant Tree legislation be included in the overlays?

8. I am also very concerned about the use of private certifiers in the building industry. The construction problems in apartment buildings that have occurred interstate plus a local apartment building at Henley Beach that has not been able to rectify a ground water issue all give cause for alarm. Is this Code going to provide the councils with ways to ensure that buildings are being built correctly?

9. I attended a talk given by Professor Chris Daniels regarding biodiversity entitled "What is the impact of urban infill on biodiversity" in February 2020. It was a very interesting talk and Professor Daniels offered some solutions to this ongoing problem within our suburbs. We are fortunate to live in one of 15 listed biodiversity hotspots in Australia so we should be doing everything we can to ensure the continuation of having many species in good abundance working in a circular system providing us with good biodiversity which then links to sustainability. If urban infill continues unabated, the need for public open space, community gardens etc is paramount. The safety of children should also be paramount in designing communities. It would be far better if houses had enough land for backyards in which children could play instead of only having access to public realm developments.

9.1 Professor Daniels also mentioned that open space could have multiple uses so spaces are shared; different thinking is required about how streets are used in urban infill. He also talked about how this could generate participation by everyone in the area, eg events, nature play, citizen science projects. Cities need nature to enhance and save them : biodiversity conservation, sustainability, climate resilience and sense of place (so people have good memories of their childhood).

9.2 The environment must be the driver for social change. How can developers ensure that ghettos are not formed in the future. Is the

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proposed Code capable of stopping over-development and lack of greening?

9.3 We have to accept that the motor vehicle will be around far into the future with electric vehicles eventually. How will the Code overcome the current problems caused by too narrow blocks, garaging and streets? The Code and housing developers need to take into account the need for practical and 'true to life' building dimensions for the future to counteract the current problems.

10. Another concern about the draft Code is that developers will be allowed to provide sub-standard developments because they may be able to have variations done after development approval is given. What controls will the Code have to ensure variations are not allowed?

11. "How will I find out what development is planned in my area?"

There will be different processes for assessing applications for new developments.

Where a development meets the planning rules, a quick and certain decision will be made. In this case, there is no requirement for public notification so you would only find out about the planned development if you checked the register of applications on the ePlanning Portal, or when works commence.

However, where development doesn't meet the rules in a way that impacts on neighbours, the application will be publicly notified. In these cases, notification will occur through letters posted to neighbours within 60 metres of the development site, as well as through a sign placed on the land. The sign is a new requirement under the Planning, Development and Infrastructure Act 2016. The time for people to comment will increase from 10 days to 15 days (or 20 days if the development is classified as 'restricted'), and any interested person can make a submission." (page 18 Frequently Asked Questions Guide)

11.1 How is the distance 60 metres measured, eg is it a circular measurement so neighbours behind the proposed development included in the notification?

11.2 I noticed that notification is not required if a block with one house will be subdivided into an extra 3 buildings, so 4 new buildings. Will this type of infill be allowed to occur in Historic and Character Areas?

12. As the system will be electronically accessed, I hope there is enough funding to allow many users to access the platform simultaneously.

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Q15 Do you have any attachments to upload?(pdf only)

Respondent skipped this question
