

Hobbs
[REDACTED],
North Adelaide SA5006

SA 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. They will result in detrimental development outcomes both on my property and the surrounding neighbourhood, which will be affected by significant changes to the current planning policies some of which are summarised below:

1. Inadequate Policy for Residential Historic Conservation Zones and Residential Character Zones

Policy guidance is reduced under the Planning and Design Code, particularly for areas affected by the Historic Area Overlay and the Character Area Overlay. The removal of Desired Character Statements and other local policy details results in less emphasis being placed on the established character of these areas and is therefore likely to result in substantially poorer design outcomes.

The Historic Area Overlay and Statements lack detail and are not an equivalent replacement for current planning policies. These current policy requirements should not be replaced with non-statutory guidelines which have no legal applicability to new development proposals.

Increased subdivision will be able to occur for areas currently zoned as Residential Character Zones. The Code requires changes to reflect the current restrictions on subdivision in Residential Character Zones.

2. Entirely new Nomenclature for Contributory Items

We understand although the Planning Minister has agreed to Contributory Items being transferred to the new Code the Department will change the nomenclature to a newly coined one; "Representative Building". We see no good reason for this reclassification as the previous descriptor was well accepted in South Australia, Victoria, Queensland and New South Wales. We suspect this change to enable future weakening of demolition protection for those former Contributory Items.

3. Commercial Development in Residential Areas

Currently in my council's residential areas most shops, offices and consulting rooms, are non-complying land uses. Under the new Code, these non-residential uses will be allowed in existing residential areas, which will adversely impact traffic, parking, noise, neighbour amenity, and the character of our suburbs. The range and scale of new commercial land uses in residential suburbs is unacceptable. A new sub zone should be created purely for residential land use. Residents should also have the opportunity to be consulted on new non-residential uses next door to them, through the public notification process.

4. Building on the Boundary

Boundary development is often contentious due to the immediate impacts on adjoining property owners. The Code enables greater opportunities for boundary development, including side boundary walls being discouraged in Historic (Conservation) Zones. The revised draft Code extends the opportunities for building on the boundary up to 11.5 metres in length in some residential areas. 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 requirements for length of boundary walls of 8 metres be maintained in current Residential Code areas and side

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boundary walls be addressed through increased (and more restrictive) policy guidance in Historic and Character Overlay areas.

5. Public Notification

The draft Code should reflect our council'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, development on the boundary and change of use from residential to non-residential.

6. Energy Efficiency

The draft Code appears to contain nothing at all about Energy Efficiency Standards. The National Building Code of Australia standards are a very low bar and South Australia while at the forefront of green energy generation should also be promoting exceeding the National Standards in line with some other countries. Modern buildings are mainly designed with low thermal mass, limited insulation, no shading and poor sun orientation, to rely on highly energy consuming air conditioning systems rather than being designed not to rapidly heat up/cool down.

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 and increased number of street crossovers. This will result in 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.

8. SCAP

SCAP is the antithesis of the democratic process and needs to be much more transparent with full rights of public attendance of all meetings.

9. Private Assessment of Development

Each of the design and land uses issues raised above are critical given the increased role of private planning consultants in the decision-making process. Private assessors should not be able to make 'judgement' calls where proposed development deviates from Deemed to Satisfy criteria or where it involves the interpretation of minor variations.

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

George and Eleanor Hobbs