

**From:** [Thebaters](#)  
**To:** [DPTI:Planning Reform Submissions](#)  
**Subject:** State Planning Commission - SUBMISSION ON PLANNING & DESIGN CODE - PHASE 3 (City of Burnside)  
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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 as summarised below.

### 1. General Neighbourhood Zone

The draft Code places some areas (RPA2 & RPA5) of my Kensington Park Ward, in 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 character rather than accommodating 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 TNVs 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 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) Siting 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.
- c) Density and Allotment Sizes: The draft Code contains a number of errors and omissions. It is important that current minimum allotment sizes, heights and frontage widths match existing.

### 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.

### 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 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.

### 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 my neighbourhood.

I am particularly concerned that in the proposed code, I would not be notified of developments on properties with shared boundaries to our family home, nor have the right for submission consideration regarding the proposed development. AS our family home is our largest investment, decisions like this have the potential to significantly impact upon our financial future. We bought into the neighbourhood at a premium for the qualities of the streetscape, heritage and quality of neighbourhood amenity. Developments that would be allowed under the new code will reduce the sale value of our home, and therefore impact upon the financial security of us and our children. It's not OK to take that protection away from hard working Australians.

Streets are already congested in the neighbourhood, the local primary schools are at capacity and unable to offer places for children in the zone – adding higher density living in the new code will only add to these pressures.

Noise of air- conditioning systems in the summer months is already loud in our street. I'm also highly concerned about the loss of vegetation, bird life and bee sanctuary. Green spaces are essential to community wellbeing, and cannot be achieved by concreting the suburb and replacing 1 home with 3 apartments.

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

Yours sincerely

Meg Bater



Kensington Park

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