

**From:** [Mark Nykiel](#)  
**To:** [DPTI:Planning Reform Submissions](#)  
**Subject:** new statewide planning and design code - opposed  
**Date:** Thursday, 20 February 2020 7:38:36 PM

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I am writing to oppose the proposed state wide planning and design code (the code)

The increased ability under the new code to insert non residential land use in residential areas without due consideration to local area amenity is not right.

The new proposed code does not adequately protect historic neighbourhoods

The new proposed code does not adequately address due process for notification currently available under council laws

The new code allows for increased urban intensity without local input placing additional costs with local councils for infrastructure and rates without local councils having an ability to support the cost of these changes

The preservation of tree canopy is compromised by the ability for poorly controlled infill, reduced setbacks etc.

Historic overlay provisions under the new proposed code will not address local area specific attributes and contributory items specifically, the proposed assessment process is open to ambiguity and abuse.

Regards

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Resident – [REDACTED] Toorak Gardens  
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**Mark Nykiel**