

COMPLETE

Collector: Web_Link_Prod (Web Link)
Started: Friday, February 07, 2020 8:16:52 AM
Last Modified: Friday, February 07, 2020 8:47:48 AM
Time Spent: 00:30:56
IP Address: [REDACTED]

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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 Australia Personal 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 **Carolyn Marlow**
Address [REDACTED]
Your Council Area **Burnside**
Suburbs/Town **Toorak Gardens**
State **Sa**
Postcode **5065**
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 **Specific Topics for example : - Rules of Interpretation - Zones and Sub-zones - Overlays - General Provision - Mapping Land Use Definitions - Administrative Definitions - Referrals - Table of Amendments**

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Q5 Enter your feedback for Rules of Interpretation

The phrase "economically restore it" referring to buildings within Historic Area Overlay is incredibly vague and very open to abuse. We all are aware it generally costs more to extend and renovate an old home, than to knock down and rebuild a new home with the same square footage. Or this is at least cost comparable. On that basis alone developers can argue, likely successfully based on the new wording, to demolish almost any home in this area and rebuild. What planners forget is that people buy homes in these areas because of the historic feel, which also helps to keep maintain home values. We bought in a heritage conservation zone for these reasons and it was reassuring to know we would not have a "McMansion" built next door. Your policy wording leaves uncertainty for home owners and opens the door for developers and lawyers. You need to tighten this definition in monetary terms at least to leave no doubt.

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

Character Area Overlay

the wording 'economically restore it' is too ambiguous and open to legal challenge regarding demolition of historic properties

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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 Definitions
click 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

Respondent skipped this question

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

Resident_Submission_Letter__Rose_Park__Toorak_Gardens1.pdf (131.8KB)

State Planning Commission

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

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. 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.

2. 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.

3. 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.

4. 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.

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

Yours sincerely

Dr Carolyn Marlow

