

DIT:Planning Reform Submissions

From: Katharine S [REDACTED]
Sent: Friday, 18 December 2020 10:32 PM
To: DIT:Planning Reform Submissions
Subject: Fwd: Fw: Scan
Attachments: [REDACTED]
Categories: [REDACTED]

Please find my submission on the draft Planning and Design Code attached.

18 December 2020

The Hon. Vickie Chapman MP
Minister for Planning
Parliament House
ADELAIDE SA 5000

Dear Minister

PUBLIC CONSULTATION ON THE PLANNING AND DESIGN CODE

I am a resident of the Hawthorn area, and am writing in response to the “public consultation” on the Planning and Design Code (the “Code”).

Community Engagement Charter: Ensuring Effective Consultation

I have not been briefed on the current version of the draft Code by the Government or the Council. The documents on the SA Planning website are complex and difficult to understand. Further steps need to be taken to ensure that South Australian residents understand how this key piece of legislation will impact on them in practice. I call on the Government to conduct a full and transparent community consultation, in accordance with the principles set out in the Community Engagement Charter (the “Charter”) before the Code is finalized and implemented.

Open Space Fund

I believe that the “Open Space Fund” should be used to its stated purpose: to restore what is lost when our tree canopy and green space is damaged or destroyed. I do not agree with the fact that the Government has drawn down on this fund to finance the Code and E-Planning System, as this is not its proper purpose. The Government’s practice of robbing the fund must stop.

Trees and Green Space

The trees and green space of the Mitcham Council Area are one of the reasons that my family has made our home here for the last three generations. I am very concerned that the Code makes this area an easy target for developers, who will raze blocks and cover them with new-builds, erasing green spaces and habitat for birds and wildlife. Once lost, mature trees cannot be replaced overnight. I call on the Government for tree loss to be directly addressed in the Code. Proper penalties for razing blocks need to be established and enforced. The current \$300 fee does not reflect the seriousness of this behaviour by developers. **I call on the Government to develop a comprehensive strategy to protect our mature trees and and green space backed up by meaningful penalties.**

Preliminary Comments on the Revised Draft Planning and Design Code

I am surprised and concerned that large parts of the Mitcham Plains Area have been left with no special overlay of protection, and will be designated as part of the “General Neighbourhood Zone”. There has been no effective consultation with residents of this area by the Government or the Council. I think many residents of the Adelaide Metropolitan Area are completely unaware of the devastating impact the Planning and Development Code will undoubtedly have on life in the suburbs and our ability to access green space.

Whilst further comment must await a public consultation in conformity with the Charter, I make the following provisional comments:

1. Whilst my immediate area is proposed to be established as a "Special Residential Character Zone", I believe that this does not have sufficient teeth in the Code. The proposals are simply to provide guidelines to developers – there are no hard and fast rules to prevent razing of character and heritage homes, and replacing them with soulless monoliths. **I call on the Government to ensure that the character features, appropriate set backs and scale limitations are maintained and enforced.**
2. The revised draft Code places much of the Mitcham Plains area in the General Neighbourhood Zone. I believe that **Mitcham, Lower Mitcham and Torrens Park should be given the status of Special Residential Character Zones**, as areas with significant original housing stock, consistent set-backs, significant green spaces, and character streetscapes.
3. I believe that the proposals to use "accredited professionals" (builders and planners) as "relevant authorities" to outsource and fast track development applications is not a way to establish a credible planning system. This system allows developers to effectively pay their mates to do a quick tick-boxing exercise for a small fee and will end in disaster for local residents, who will not be represented. **I call on the Government to ensure planning decisions are made by independent authorities that can win the confidence of all stakeholders** in the process, including local residents.
4. **The current provisions of the Development Plan with respect to notification of neighbours and the public should be retained.** Residents need to be fully informed on planning applications affecting their local area, and have a right to respond.
5. The revised draft Code allows for development on the boundary up to 11.5 m in length. This is a substantial increase from the current eight metres and will result in overshadowing and loss of amenity of homes and gardens. The eight metre limit should be retained.
6. The draft Code facilitates infill and easier removal of trees on public and private land. As outlined above, this will result in significant reduction of canopy cover, habitat loss and loss of climate resilience. **Requirements for minimum tree retention and planting size and maintenance should be written into the Code** and conditions of approval.

In summary, I call on you as Minister for Planning and Infrastructure, to ensure a full and fair consultation on the Code, and to ensure these concerns have been addressed.

Yours sincerely,



Katharine Shepherd