

**From:** [Schubert EO](#)  
**To:** [DPTI:Minister Knoll](#)  
**Subject:** Anne Wharton - FW: Re Draft Planning & Design Code  
**Date:** Tuesday, 11 February 2020 12:44:54 PM

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**From:** Anne Wharton <[REDACTED]>  
**Sent:** Tuesday, 11 February 2020 12:31 PM  
**To:** Schubert EO <[REDACTED]>  
**Subject:** Re Draft Planning & Design Code

Dear Minister Knoll

**Re Draft Planning & Design Code:**

I wish to express my despair at many of the provisions of the draft Planning and Design Code. I believe the process of the Code must be stopped and its implementation postponed. Some of the critical points are as follows:

- The Code is hard to access for the general public. It is incomplete and inaccurate with ongoing additions and modifications. Full comprehension and proper feedback is impossible and the so-called 'consultation' process is flawed.
- The inaccessibility of the draft Code is a direct and major breach of the Community Engagement Charter mandated under the *Planning, Development and Infrastructure Act* (2016). The process is undemocratic.
- The Code contains many policy provisions and implications that are detrimental to character and amenity in both urban areas and in historic towns.
- Despite being recognized as issues in the 2016 Act, sustainability, biodiversity, open space, greening and climate change have received little attention in the code. It is all about bricks and mortar, and the construction and development industries.
- The overall 'tree policy' in the Code means that there will be diminished protections for trees. And more trees will be lost as crowded urban infill is implemented. Surely this is a key issue given the terrible bushfires we have seen in 2019-2020 – we need to be doing everything in our power to protect the tree cover and vegetation that still exists.
- Zoning policy changes for national and conservation parks and wild life reserves blur the boundaries between conservation areas and pastoral and other zones. Whatever else we look to in the future it must be the preservation of our parks and natural environment.
- There will be less protection from demolition of our important Contributory Items which contribute so much to our historical and character areas.
- The Code will make it easier to gain approval for demolition of state heritage areas.
- Potentially some streets could become a series of row housing. In some proposed zones, current 2 for 1 infill developments could extend to 4 to 1 or greater. In areas such as these the population density will increase by 50% without accompanying improvement in infrastructure.

- New multi-storey and infill developments will be under-resourced for on-site parking. There is ample evidence of this already with narrow streets cluttered with overflow off-site parking, causing problems with neighbourhood congestion, traffic flows and dangerous inhibition of emergency vehicle access.

The draft Planning and Design Code is not fit for purpose and contains unacceptable provisions for built and natural heritage. The 3 month extension is totally inadequate. It must be substantially deferred, repaired, re-constructed and submitted to a proper community consultation process so that key stake holders and the public are included in the process.

Yours faithfully

Anne Wharton, [REDACTED], Malvern 5061

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Phone: [REDACTED]

"Society grows great when old men (or women) plant trees whose shade they know they shall never sit in." (anonymous Greek proverb)

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**From:** [Anne Wharton](#)  
**To:** [DPTI:Planning Reform Submissions](#)  
**Subject:** Submission on Phase 3 (Urban Areas) of Draft Planning & Design Code  
**Date:** Tuesday, 31 March 2020 8:24:18 PM

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I am very concerned that the Draft Planning & Design Code has a huge number of errors in it as well as considerably weakening the current controls on demolition, overdevelopment and crowded infill. The Government and the State Planning Commission have both acknowledged that there are errors and omissions in the Code. These errors have also been highlighted by highly qualified practitioners as well as the Local Government Association, many councils and community groups. I urge you to postpone the date for commencement of the PDC (Urban Code) in order that these errors and flaws can be rectified as well as the whole community being properly consulted before it is presented to Parliament.

I have a special interest in the loss of our tree cover, especially given the warming climate. The Significant and Regulated tree overlay for the whole state needs to be accurate and incorporated into Biodiversity and Climate Change policies.

**I support more accurate valuations on mature tree benefits.** For example, Dr Jennifer Gardner of Waite Institute is involved in Waite Arboretum trees being valued – on the basis of species, size, location, and environmental benefits. Although only half way through the survey of existing trees in the Arboretum, the estimated value of mature trees to date is \$13,000,000. As all trees in the Arboretum have grown without watering, the use of the **value** of trees for urban plantings would provide a better range of species selection for the planting of an urban forest in the Greater Adelaide Area.

We have been gradually seeing the increasing destruction of our regulated and significant trees, especially on private land, since the planning protection laws were weakened dramatically in 2011. I cannot see that the Planning & Design Code in its present form is going to improve this situation.

The methods used for demolition are particularly worrying – development sites are being cleared of buildings and all vegetation. Demolition firms charge more if retention of trees is required. Developers should be given incentives to retain current vegetation or to plant new vegetation. I believe that the following is critical for retaining our tree cover:

1. It should be mandated that there has to be 1 street tree per standard house block.
2. It should be mandated that there be minimum crossovers per standard house block.
3. There should be a minimum %, say 15%, deep root zone mandated for landscaping for every development.
4. A realistic value should be put on trees, so they are a natural asset to a property and private owners are encouraged to retain them.

Other points of great concern are:

- The status of Contributory Items under the new Code. While no heritage or character preservation classification provides absolute protection from demolition, it is also true that the intent of Contributory Item classification has provided appropriate protection to dwellings from unnecessary demolition. Contributory Items should be transferred to the new Code to ensure that this important part of SA history is protected into the future.
- I am appalled that there may be a change to the interface building envelope angle from 30 degrees to 45 degrees (Councils advocated strongly against this in the first round of Urban Corridor Zoning proposals by the Minister).
- I am also appalled of a possible new policy allowing 30% additional height bonus for “strategic development sites” where it meets certain criteria. This should never be allowed.

We do not want to condemn future generations to a metropolitan Adelaide beset with ugly, crowded infill development in a hot, sterile landscape, devoid of adequate open space, greenery and tree canopy cover. We need to recognise that issues around trees, greening, sustainability

and our lived amenity are inextricably intertwined.

Yours faithfully

Anne Wharton

, Malvern 5061

Sent from [Mail](#) for Windows 10