

Executors for the Paech Family  
c/o Ms R Paech  
[REDACTED]  
Glenside SA 5065

10 January 2020

State Planning Commission  
GPO Box 1815  
Adelaide SA 5001

Attention: Mr M Lennon

Email: [DPTI.PlanningEngagement@sa.gov.au](mailto:DPTI.PlanningEngagement@sa.gov.au);  
[DPTI.PlanningReform@sa.gov.au](mailto:DPTI.PlanningReform@sa.gov.au)

Dear Sir,

RE: DRAFT PLANNING AND DESIGN CODE, DEFERED URBAN ZONE MT BARKER

We write in objection to the rezoning of our land at Mount Barker from a Residential Neighbourhood Zone and Restricted Urban Policy Area to a Deferred Urban Zone by implementation of the new Planning and Design Code.

We believe that should it be adopted on 1 July 2020, it will amongst other things, effectively 'de-zone' the land we collectively own, the majority of which is subject to a restrictive but flexible 'chicken buffer' in the western sector of Mt Barker.

Our property comprises Lot 22, Old Mount Barker Road, containing an area of approximately 26.9 hectares, of which some three quarters will be rezoned Deferred Urban. This property is identified on the Planning and Design Code Consultation mapping system, reproduced as attached.

The substitution of a Restricted Urban Policy Area with a Deferred Urban Zone destroys the residential economic use of the rezoned land, placing in jeopardy urban project economics, the timeliness and flexibility of future residential use, and eroding, by underutilisation, the community benefits of significant investment in urban infrastructure by land owners and the District Council of Mount Barker in the western sector.

Our principal concerns include;

- Present restrictions on urban use are not absolute compared with that of the Deferred Urban Zone. They apply as complementary policy and in balance by protecting both existing farming and importantly future urban use from encroachment by new agricultural uses.
- The proposed rezoning to a Deferred Urban Zone prevents rational and measured assessment of actual, rather than theoretical, poultry farm operational circumstances with the alignments of residential use at any appropriate time.
- Land use flexibility is crucial to the economic development of the land within the residential growth area. To redress the "down zoning" will require a future rezoning amendment which will be costly and excessively time dependant.

- Our single title land ownership will become fragmented, and any land division and provision of infrastructure will not be able to be planned in confidence to occur in a coordinated manner and in an orderly sequence as required by the Codes coordinated and orderly development policy outcome 2.1.
- The urban development industry notes that this rezoning reduces the scale of Newenham and its ability by critical mass to access resources, to innovate, test and deliver new housing products and infrastructure solutions, all of which are recognised in green fields master planning, as beneficial by their wider adoption. (Refer Page 48, Guide to the Draft Planning and Design Code, Oct 2019)
- Our land ownership is disrupted, preventing rather than encouraging as present, the staged development of infrastructure to be provided in a manner that supports an orderly expansion of urban areas and the economic provision of infrastructure and services as required by coordinated and orderly development policy outcome 2.2.
- It is evident that the standardised provisions of the new planning code do not lead to improved assessment or reduce delays or “faster and more efficient development process” (page 10 above doc.). It makes insufficient reference to Mount Barker local variations which are sensitive to long held local knowledge and community understandings that should take precedence, enabling residential development as circumstances permit.

We are informed that the Governments reform goal of consolidating South Australia’s 72 complex development plans into one set of easy-to-understand planning rules is acknowledged by the development industry to exhibit significant merit, however that has not been achieved by “standardisation’ of zones in our case.


A State Government introductory reform paper entitled “Blueprint for South Australia’s Planning & Design Code - Working Together to Develop the Code” stated;

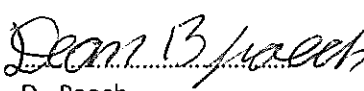
*We recognise that many councils and communities have a strong sense of ownership over policies that apply to their area. The State Planning Commission does not want to see positive policy discarded when drafting the Code and acknowledges the importance of policies that help implement the vision for local areas. However, we are also aware that we can streamline areas of policy conflict or constricting and duplicated policy.*

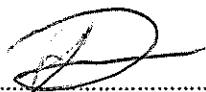
It is this acknowledged understanding that positive policy should be retained that should prevail, because it is evident that the Code will be discarding important local policies in the attempt to streamline process.

We request that the Deferred Urban Zone be removed from the draft Code and it remain foremost as a residential zone (Master-planned Suburban Neighbourhood). It is required to achieve a critical mass for efficient urban expansion within the township urban growth boundary to enable co-ordinated development to proceed with confidence in the future.

Yours sincerely,

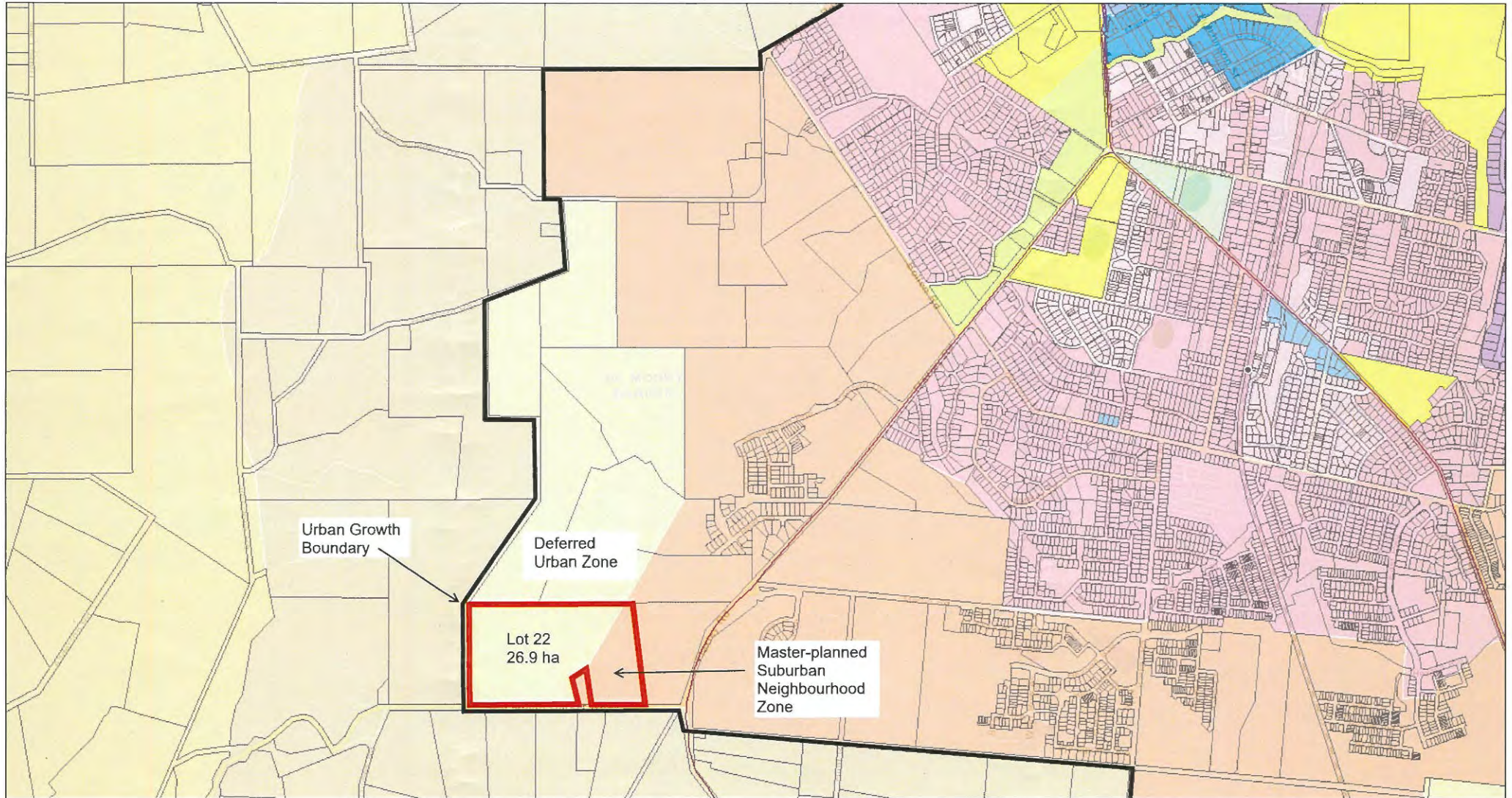
  
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R. Paech,

  
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J. McDonald *MACDONALD J.M.*

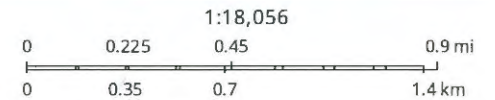
Executors for the Paech family, Lot 22, CT Volume 5429 Folio 217, Plan 159899.

# Planning and Design Code Consultation Map



12/2/2019, 2:06:48 PM

- Parcel Cadastre
- State Maintained Roads



## OBJECTION TO PLANNING & DESIGN CODE REZONING to DEFERRED URBAN ZONE

Paech Family Land

Lot 22, Old Mt Barker Road, Mount Barker.