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To whom it may concern,

SUBMISSION FROM DANA WORTLEY MP, MEMBER FOR TORRENS – DRAFT PLANNING & DESIGN CODE

As the State Member of Parliament for the seat of Torrens, I write this submission on behalf of local residents, businesses and community organisations that may be impacted by the proposed Planning and Design Code in its current form. It is appreciated that the timeline was extended to allow further consultation with industry stakeholders and the community as the planning reform is a significant body of work that will have lasting impacts across South Australia.

I would firstly like to highlight a few points of feedback consistent through my interaction and consultation with my community.

The online portal and feedback process were described as difficult to navigate and access. Some people reported not being able to find their property on the portal and for many in the older demographics and for some others, it is impossible to access without the use of a computer.

Public meetings in the north-east were non-existent and clear examples of how the proposed changes would impact on residents, not easily located. Furthermore, the policies that were downloadable for each address were difficult to understand without assistance or a professional background in planning, development, design etc.

Areas of concern include but are not limited to:

- Reduced 'opportunity to influence' at a development approval level by individuals wanting to have their say.
- The lack of clarity around who is responsible, local councils, government, or departments.
- At the development application level individuals can only comment on individual aspects of a development that are 'not deemed to satisfy' even though in combination with other previously constructed buildings on the site, may not meet the 'deemed to satisfy' requirements (e.g. existing building structure of a garage be attached to a carport could exceed the 8 metre boundary rule).

- Minimum parking requirements under the proposed Code are not sufficient. This should be increased especially in high density developments such as Masterplan Neighbourhood Zones. In recent developments this has created numerous issues for residents as well as emergency vehicle and waste vehicle access. Unless there is sufficient public transport infrastructure like there is in some other states, people in our communities are going to continue to require the use of a private vehicle for study, work and recreation purposes.
- A minimum allotment size is not specified under the Masterplan Neighbourhood Zone. This is of significant concern as is the lack of clarity around who is responsible, local councils, government, or departments.
- Minimum private open space requirement being set at 24sqm will have a detrimental impact on residents and should remain at the current level.
- Overshadowing - solar panels on existing properties that will be significantly impacted by new development or extensions are not considered in the code.
- The 'creep in' of other land uses (e.g. commercial) into existing residential zones is of concern. This could see the radius for such activity increase, changing significantly the character of the area.
- Reduced 'opportunity to influence' at a development approval level by individuals wanting to have their say.
- I understand that Councils advocated for the designation of medium-density development as publicly notified development, which do not occur as part of the implementation of the DPA. It remains unclear whether this will be rectified as part of the Code, given that public notification requirements are not clear on what should and should not be notified.

Specific points of feedback to be considered in the final Planning and Design Code that were received from residents in the electorate of Torrens.

Topic	Concern
Overshadowing	Having been encouraged to install solar energy system, the Code has no provisions to protect residents who already have solar panels, from new developments
Overshadowing	Area will be swallowed up with high-rise buildings looming over existing single level properties. Should not allow up to 6 storeys in general neighbourhood zones
Overshadowing	Elimination of privacy due
Overshadowing	Drastically diminishing natural light and significantly decreasing air flow
Overshadowing	Will result in increased electricity costs for heating / cooling and lighting
Overshadowing	Lower return on solar panel investments

Housing Density	Minimum block size requirements should be increased and there should be restrictions on building to the fence line
Housing Density	New builds should meet current best practice eco principles and be sustainable
Housing Density	The detrimental affect density housing has on the "look" and other unwelcome factors on already established suburbs not only during the development phase but also when the Project is established. When six apartments are sandwiched in between existing homes all privacy of residents on each side is lost. Many who had no intention of selling do so in order to escape the daily imposition of people from the apartments having a full view of what those residents are doing in their own backyards. Why is this allowed and where is the concern for resident's rights to privacy were questions asked by many. If density housing is essential, appropriate sites need to be found away from existing suburbs which were not designed to accommodate increase in traffic and other amenities and where new infrastructures/roads/parking availability etc are developed to accommodate the needs of the influx in population living on these developments. And for these developments not to be crammed in between existing suburbs as is the case with Lightview. And also, not beside existing retirement homes where older people have a right to some peace and quiet
Open Space	New homes should have trees and lawn in the application
Open Space	The Code does not address public open space provisions. In existing communities (Neighbourhood Zones) where high density development does not currently exist or is starting, there is no land available for Council to create more public open space. This means that sub-divisions and high-density developments that have a minimum requirement of 24sqm of public open space, will not have anywhere in the local area to exercise, take their children and pets or utilise for recreation.
Open Space	The minimum requirement for private open space needs to be significantly increased or the current rates retained

Open Space	More provision for green space is essential as trees bring heat down in the local area
Open Space	Climate change must be in the forefront of planning therefore all developments must include MORE space for plantings and recreation
Open Space	Often street trees have been removed to make way for extra driveways and have not been replaced. So now, the garages are seemingly used as storage areas. This suggests that there should be a mandate for each newly constructed dwelling to have separate storage sheds to free up the garages to be used as they are meant to be used.
Open Space	It should be mandatory for new developments to have gardens that contain native trees and other vegetation. There should be no exceptions verges should contain native ground covers and small plants and NOT gravel, cement or fake lawn. There should be greater protection for existing trees.
Increased Traffic	Access onto arterial roads have been poorly addressed and with continuing housing development in this area, this should be a top priority
Increased Traffic	With an increase in high density housing developments, there needs to be better designed public transport routes and increased infrastructure to support this. Concerned about the Masterplan Neighbourhood Zone that the new Oakden development will be under in relation to the DIT roads such as Fosters Road and Sudholz Road. There needs to be infrastructure put in place for our roads to cope with the increase in population
Increased Traffic	Concerned about putting pressure on local roads that were not designed to carry heavy traffic such as Sir Ross Smith Boulevard. This needs to be considered with regard to Masterplan Neighbourhood Zones.
Reduced Parking	The parking policy in the Code will create problems for everyone. Minimum number of car parks per dwelling needs to be increased.

Reduced Parking	<p>More on street parking clogging up the streets will mean that in suburbs where the streets are narrow, it will make it difficult for emergency services and rubbish trucks to get down. This is a big concern. There should be a larger minimum requirement for street widths.</p>
Other	<p>Page 7> PO 6.3 >DTS/DPF 6.3 <i>(c) does not result in more than one facility being located on the same allotment.</i></p> <p>Whats the problem? It restricts two owners of each floor of a double story residential property to lease/rent each floor for long or short-term lease/rent.</p> <p>Background of the solution: As South Australia encourages tourism in the state. It is slowing down the earning potential of each story owner. It restricts or terminates the possibility of even this to happen to a single owner. (Like Airbnb and other private rental sites.)</p> <p>Solution: Give power to single or two owners of each floor to rent their floors for short/long term renting/lease. That is either drop this totally or make amendments to facilitate for this to happen.</p> <p>General Neighbourhood Zone Page 99>PO 1.4>DTS/DPF 1.4 It does not discuss or makes any provision for above stated problem</p> <p>Page 3824>Detached dwelling> “Development will not result in more than 1 dwelling on: or an existing allotment an allotment granted development authorisation under the <i>Planning, Development and Infrastructure Act 2016</i>” Above lines are the source of problem.</p>

	Page 7574>Urban Renewal Neighbourhood Zone There is no mention of anything related to Double storey rent/lease thing.
Health Risks	Due consideration needs to be given to risk factors to the health wellbeing and quality of life of local residents living close to these high-density developments. Pollution, dust from excavations and building materials, noise from building equipment and heavy vehicles travelling to and from building sites affects peoples' health and quality of life.

The concerns raised regarding the proposed Planning and Design Code should be given genuine consideration as these planning reforms will have long lasting social, economic and environmental impact across South Australia.

Kind regards,



Dana Wortley MP
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