

REFORM OF THE PLANNING CODE

Submission by
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I commend the following aims of amendments to the planning code, such that they are able to:

- *protect the character and heritage of our local communities*
- *ensure greater tree canopy coverage and green open spaces*
- *provide certainty to business, industry and communities by implementing appropriate design standards; and*
- *improve the e-planning system and processes.*

However:

- I consider that insufficient protection is given to mature trees where land is redeveloped. Planting new trees on public land is good but developers should have to show why a tree needs to be removed and consider modifications to proposed buildings designed to preserve trees, e.g.; setting buildings further back or creating a courtyard. Significant/regulated trees in particular need protection.
- There is a need to preserve solar access where possible. This is in reference to photovoltaic installations on buildings. Where an existing solar system is threatened with overshadowing by a new building or extension of an existing building, modification of plans for the proposed building or relocation of solar modules should be undertaken. This provision should not apply to overshadowing by trees.
- Provision should be made to ensure safe storm water disposal, whether by open space, porous paving on private land or roads or by rainwater tanks. (However, the last will eventually overflow if rainfall is heavy enough)
- Consideration should be given to risk of flooding, especially from rivers and sea level rise, before approval is given.

I submit that the review:

1. should consult with community representatives within the reviewing panel.
2. should address the PDI Act and the PD Code implementation issues so that they:
 - a) ensure certainty of planning rules, including quantitative criteria and standards by which standards such as “seriously at variance” and “performance assessment” can be objectively determined in relation to, for example, height, storey numbers, mass, energy conservation and open space capacity;
 - b) put local future desired character statements, and local character, heritage, environment and sustainability, at the forefront of the minds of those who administer the Act and Code, and paramount in the assessment of an application for planning approval;
 - c) expressly specify adherence to local desired future character and strict quantitative limits for height, storey numbers, mass and open space capacity;
 - d) provide accessible rights of appeal for owners and occupiers beyond 60 metres, and proportionate to the size, mass, or impact of the proposed development;
 - e) provide for fairness, transparency, and giving of reasons for all planning decisions,
 - f) give accessible rights for review of a planning decision by adjacent and nearby affected residents and landowners, including community associations if the development application concerns more than one title, or land owned or controlled by a local or state government entity;
 - g) require that whenever a local government entity is an applicant or beneficial owner of land the subject of a development application, the entity is to provide for, and meet, the reasonable costs of independent representation of nearby or affected residents and ratepayers who may otherwise have been provided for, but for the entity’s conflict of interest in having a direct or indirect interest in the development application;
 - h) consider environmental energy ratings in building approvals; but consider how best to ensure that any costs arising from improved planning and building requirements are not automatically passed

on to residential customers, and do not place home ownership further out of reach of South Australian families

- i) Mandate the provision of public transport within walking distance of homes and community facilities for all new substantial housing developments unless these are already in place. Consider location issues and reward use of locations in proximity to existing public transport. Where this is not feasible the development should not proceed. I recognise the Government's responsibility to arrange and fund public transport.
- j) Adequate footpaths should be provided. This includes provision of new foot paths to greenfields developments and repair of existing footpaths new buildings or renovations in established areas. The provision of footpaths in greenfields developments and repair of footpaths in established areas should be at the developers'/builder's expense.