

From: [REDACTED]
To: [DPTI:Planning Reform Submissions](#)
Subject: Draft Planning and Design code
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State Planning Commission

To Whom it May Concern

SUBMISSION ON PLANNING & DESIGN CODE - PHASE 3 (City of Burnside)

In response to the draft Planning and Design Code – Phase 3, which is currently out for public consultation,

I wish to register my strong objections to a number of issues as summarised below.

1. General Neighbourhood Zone

The draft Code places some areas (RPA2 & RPA3) of my Kensington Gardens & Magill Ward, in the General

Neighbourhood Zone. The policy in this new zone is entirely at odds with current zone policy and allows for

a far greater intensity of development than existing. The current zone focuses on preserving character rather

than accommodating change and infill and does not envisage a greater range and intensity of development.

I request that you move all residential areas to the Suburban Neighbourhood Zone with TNVs to match existing conditions.

2. All Existing Residential Areas

Non-Residential land use: Currently in the City of Burnside's residential areas, shops, offices and educational

establishments are non-complying. In the new Code existing residential areas will allow these non-residential uses

which will adversely impact traffic, parking, noise, neighbour's amenity and the character of our suburbs. This is unacceptable.

Uses which are currently non-complying in our residential areas (eg. office and shop) should be "restricted development"

Alternatively, a new zone should be created purely for residential land use.

Siting and Setbacks: Under the Code, building setbacks from side and rear boundaries will noticeably decrease,

particularly at upper levels. This will severely impact amenity and privacy. Existing siting,

setback and floor area criteria should be maintained throughout all our residential areas. Bigger and bigger

uses are being built on the existing allotments, using almost the entire lot size, and seemingly ignoring the

40% site coverage which used to be the rule. There is no room for any appreciable garden size, and certainly

room for trees. There is no thought of flowers or fruit trees, so birds and animals and bees, have no where to feed.

If we do not make it possible for bees to feed, there will be no bees, and our food growing industries will fail.

c) Density and Allotment Sizes: The draft Code contains a number of errors and omissions. It is important that removing

restrictions on the decreasing current minimum allotment sizes, permitted heights and reduced frontage widths

do not turn our character suburbs into better located Lightviews. People who buy into an area for the bigger allotment

sizes, character homes, and trees, do so in the expectation that the area will not be turned into lookalike suburbs to those which they chose

NOT to live in, by rapacious developers, and government with an eye to ever increasing rates and tax grabs, and urban infill

rather than urban sprawl. Daily, more character homes in the zone are being lost, and the sound of chain saws is a constant reminder of the

loss of tree cover, and creation of heat sinks. Go for a drive down Desaumarez Street in Kensington Park on a hot day, and then

take a trip up to the new subdivision at the old Magill Training Centre site, and see where you would rather live, and don't forget to

have a heat gague with you.

In a few years we will have to take children to Open Gardens on weekends to show them what a garden is, and how it used to be,

where everyone had a bit of land to grow fruit trees, and hit a ball in the yard, instead of being on a screen.

.3. Historic Area Overlay

The lack of identification of Contributory Items in the Code, by either a map or list of addresses, will create uncertainty

and confusion for owners, prospective buyers, neighbours and developers.

More Character homes need to be given Heritage listings, and whole streets if necessary, just to preserve some

history for the next generations.

4. Commercial Centres

The Code places large scale centres in the same zone as small local shops, allowing large scale development and

more intensive land uses throughout all these areas. This is inappropriate. A hierarchy of centres should be maintained.

Additional zone(s) are needed to cater for the lower intensity local centres, particularly in older established areas.

And no one in Kensington Park or anywhere else in the ward wants an On The Run service station at the Ozone

site, no matter how many times the plan is re-submitted. Sometimes NO has to mean NO!!. The site is too small,

There is too much traffic already using the intersection at Marryatville, making it difficult to turn out of Tusmore Avenue,

and the addition of the elderly coming out of the facility directly over the road bottles up that corner badly already.

Pembroke Traffic before and after school also affects that corner. Say NO and stick to it.

There is a service station a hairs width down the road already, and we do not want another one.

5. Public Notification

The Code should reflect the City of Burnside's current Development Plan policy with respect to the notification of neighbours and the public.

The Code should include notification for all development that increases development intensity, including additional dwellings on the site,

two storey development, earthworks where new dwelling is located 600mm above ground level, and change of use from residential to non-residential.

6. Tree Canopy and Climate Resilience

The 30-Year Plan calls for an increase in tree canopy cover, however, the draft Code works directly against this by facilitating larger

developments and the easier removal of trees on both private and public land. This will result in a significant reduction in canopy cover,

habitat loss and climate resilience, due the increased infill development opportunities, reduction in minimum site areas, site coverage,

setbacks and increased number of street crossovers. We already have a situation where countless people have poisoned their river red gums,

and got away with it. If it is an offence to kill or cut down a tree, FINE the offenders. If all the trees in a yard suddenly die, it is really a no brainer

who is responsible. It is too easy to build close to a tree, then apply to cut it down.

The development application should protect the tree before during and AFTER the process. Once they are gone, they are not coming back.

If we are all in a tizz about CLIMATE CHANGE, we are heading in the wrong direction, stripping out every tree, and replacing them with hardscape surfaces

which are hot and exacerbate the problem. MORE Trees, not less trees.

Unless the above issues are addressed and the draft Code is amended to reflect these concerns, there will be an unacceptable

loss of local character and amenity in my neighborhood.

I trust that the concerns detailed above will be given your full consideration.

Yours sincerely

J P SHORT