

From: [Andrew Dyson - Kensington Residents' Association](#)
To: [DPTI:Planning Reform](#)
Subject: Draft Planning & Design Code
Date: Saturday, 30 November 2019 9:59:25 AM

Dear Sir/Madam,

The Kensington Residents' Association requests that you accept this submission submitted on 30th November, one day after the consultation period was concluded. Up until yesterday, we were under the impression that we did not need to make a submission until the end of February.

Our Association makes this interim submission on the Draft Planning & Design Code and requests that it to be taken into consideration by the Commission. In doing so we reserve the right to make a more detailed submission before the end of February.

In the meantime, please consider this submission for both the Phase 2 and the Statewide Code timelines.

It was our understanding that there would be a 'like for like' transition from the current City of Norwood Payneham & St Peters (NPSP) Development Plan (DP) to the new code. It is obvious that this is not the case.

We have many concerns about the Draft, particularly as it relates to the NPSP Historic areas. We have yet to consider the effect on the non-historic parts of the district, however we expect that the concerns will be similar.

In brief, our concerns include, but are not limited to the following:-

- “ The Draft is incomplete and riddled with errors and should not have been released for public consultation.
- “ The Draft Code is incomprehensible even for professionals.
- “ The interactive mapping tool is obviously still in a development phase and is almost impossible to navigate,
- “ The Code will not make planning easier, quicker, simpler, and more equitable.
- “ It will be a 'goldmine' for lawyers, planning professionals, and consultants.
- “ Lack of the promised Historic Area Statements to enable proper consideration.
- “ Lack of Sub-zones to provide for local area variation.
- “ Errors in referencing to tables of zone provisions.
- “ Minimum site areas incorrect and different from the existing minimums.
- “ No protection for development on the NPSP laneways as contained in the current NPSP DP.
- “ Inconsistent or missing frontage provisions.

- .. Loss of minimum site coverage provisions.
- .. Loss of fencing detail provisions.
- .. Loss of, or inconsistent, front and side setback provisions.
- .. Loss of details of materials.
- .. Maximum height provisions different to the current DP.

The Commission has tried to assure the concerned community that changes can be made after April 1st (for Phase 2) and July 1st (for Phase 3) to change and rectify these errors. This is an absurd proposal, and will allow a Code to be implemented which is clearly not fit for purpose.

In addition, there has been no confirmation about a “companion document” to be issued which corrects the many acknowledged errors and omissions. Therefore, there will be no opportunity to properly consult on the final Code before it is released.

The lack of ease of workability of the Code, confusion of the process, poor community consultation (it has been **presentation** of material, not consultation), broken promises, and general inept implementation of the whole planning process has resulted in a Code which is clearly not fit for purpose. In addition, the proposed date of implementation (Phase 2, April 1st) and Phase 3 (July 1st) is clearly unrealistic and this time frame should be extended to ensure an outcome which works for the state of South Australia.

According to the Chair, State Planning Commission (DPTI Planning Ahead e-newsletter – Edition 27):

“Earlier this month I gave an important briefing to South Australia’s Cabinet members on the draft Planning and Design Code. The main point I wanted our parliamentary representatives to take away was that this first generation of the Planning and Design Code is largely about transitioning and consolidating existing contemporary policy from individual council development plans into the Code.”

Quite clearly, the draft does not transition and consolidate the existing Council Development Plans into the code!

Yours faithfully

Andrew Dyson

Secretary

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