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To Whom it May Concern

SUBMISSION ON PLANNING AND 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.

Introduction

I have lived in Adelaide continuously since 1984 and with my wife since 1989. We have been very fortunate to live in Prospect, Medindie, St Peters, Unley and now Rose Park. We have owned investment properties in Adelaide, North Adelaide and Bowden. We have therefore had dealings with the following Councils: Town of Walkerville, City of Prospect, City of Norwood Payneham St Peters, City of Unley, City of Charles Sturt, City of Adelaide and now the City of Burnside. We have been very appreciative of the huge commitment that most of these Councils have made to preserving the unique heritage of our inner metropolitan suburbs.

The State Government says it is making a huge commitment to attract new industries to our State such as the Space Agency. Many of the senior executives that these new industries will need to attract will come from Sydney or Melbourne. They may well be wealthy already and have previously owned high quality homes in the high cost suburbs close to the harbour or coast in Sydney and in comparable locations in Melbourne. The Adelaide metropolitan area needs to offer these people homes in attractive suburbs preferably close to the CBD. This generally means land areas in excess of 2000 m² and suburbs that are homogenous in nature

Rose Park was spoilt by bad planning decisions in the 1960's or 1970's when low quality buildings containing many flats were constructed and in one case a ten storey (or more) complex of flats was built nestled amongst old homes many of which are now 120 years old. These flats attract tenants that often live a totally different lifestyle to the majority of residents in the area. You will probably say that I am being elitist but it would be smarter to group like minded people together so that suburbs can be harmonious.

Every time a decision is made to replace a single home with two townhouses, the Council concerned has made an irrevocable decision that changes the character of the neighbourhood **for ever**.

For over 23 years we lived on Robe Terrace, Medindie in a home that is now over 150 years old. We were only the third family to own this property and whilst we owned it, we were very aware that we were the fortunate people to love and maintain this property for future owners in future generations. It had magnificent trees and, during the millennial drought, we invested \$35,000 in a 180,000 litre water tank so that we could preserve those trees if the SA Government had moved to

the next step of banning all outdoor watering. We are not alone in taking great pride in protecting the heritage of Adelaide.

Four years ago, we purchased a home in Rose Park that was built around 1895. Some people would have tried to knock it down to build multiple dwellings but the Historic Conservation Zone and Contributory items rules make that hard to achieve which is a good thing. We have re-wired and re-plumbed the whole building and added a garage / shed at the rear to make it good for another 100 years or more.

Expensive homes in beautiful tree lined streets will help to attract the industries and executives that we need in this State.

All Existing Residential Areas

- a) **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.** All uses which are currently non-complying in our residential areas (e.g. office and shop) should be "restricted development". Alternatively, a new zone should be created purely for residential land use.
- b) **Siting and Setbacks:** Under the Code, building setbacks from side and rear boundaries will noticeably decrease, particularly at upper levels. This is unacceptable and will severely impact amenity and privacy. Existing siting, setback and floor area criteria should be maintained throughout all our residential areas.
- c) **Density and Allotment Sizes:** The draft Code contains a number of errors and omissions. It is important that current minimum allotment sizes, heights and frontage widths match existing.

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. Existing protections and identification of Contributory Items should be maintained. How can anyone buy a home, especially at auction, if they do not know what development is or is not allowed?

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.** If you need an example, drive down Rundle Street, Kent Town almost any day of the week and discover the effect of the Bunnings store on that neighbourhood. This is probably not even considered a large centre. **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.

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. Developers will not agree with this but **I believe that the owners of a street have ownership of the street** environment and owners of a suburb have ownership of the suburb. It is our relationship with our Council that

enables this to be achieved. **That is why it is called Local Government and why we get to elect our Council. This should not be usurped by the State Government.**

If Council maintains email addresses of all owners as it should, then this is not an onerous process to notify owners of developments. From their mapping program, it is simply a case of selecting the relevant properties and either sending the documents by email or sending a link to the documents. Councils could easily set up databases where owners could indicate, using an online process, which blocks they wish to be advised when a development application is lodged. Google can probably do it for us and make money out of it!

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.

Surely we can get creative and devise a scheme that whenever a tree is removed from private land, it is replaced by a tree on the same block if possible or in a local park at the owners expense. If the tree is removed from public land, it must be replaced by two trees.

Conclusion

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 neighbourhood.

I trust that the concerns detailed above will be given your full consideration and that the **implementation of the new regulations will be delayed by at least one year.**

Yours sincerely

Stephen D English