



Environmental Defenders Office

17 February 2020

Comments on draft Phase 3 Amendment to the SA Planning and Design Code- Urban Areas

COMMENTS DUE BY MIDNIGHT FRIDAY 28 FEBRUARY 2020

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Many proposed planning policies have changed from current development plans (sometimes they are weaker) and areas have been rezoned incorrectly so different and sometimes weaker policies apply. The Code is full of errors, omissions and inconsistencies. More time is needed to correct these problems and include appropriate policies which protect the environment and the amenity of neighbourhoods.

1. State Planning Policies on Climate Change and Biodiversity need to be reflected fully in the Code. Specific references to biodiversity protection on public land needs to be included in relevant overlays and zones to acknowledge the importance of long lived, large trees and their contribution to ameliorating the impacts of climate change
2. Whilst requirements for new developments to have space for tree plantings and landscaping is supported, protection of trees and other vegetation on private land requires policy improvement eg changes to the Regulated Trees Overlay to Include reference for significant trees to indigenous to the local area, important habitat for native fauna, part of a wildlife corridor and importance to maintenance of biodiversity being criteria for considering retention. In addition the retention test "*retained where they make an important visual contribution to local character and amenity*" should be replaced with "*Significant Trees should be preserved*". In the case of significant trees include test of "*all other remedial treatments and measures have been determined to be ineffective*"
3. Proposed policies and rezoning will encourage inappropriate infill development
 - a. Smaller allotment sites in some proposed zones - current 2 for 1 infill developments could extend to 4 for 1 or greater,
 - b. New zones allowing shops, offices and educational establishments to be built in residential streets.
 - c. Increases in building heights in residential areas
 - d. Reduced minimum setbacks from side and rear boundaries and reduced frontage widths.
4. New Water Sensitive Urban Design policies are supported but need to be more widely included in overlays and zones.
5. Built heritage policies in the Historic Area Overlay are weaker particularly in regards to demolition, for example one demolition trigger is solely based on considering the contribution of the building façade to the streetscape not all of a building's heritage values. A high fence, vegetation or a few out of character alterations could lead to inappropriate demolition. Many local and unique built heritage policies currently in development plans are missing and should be included in subzones.
6. Planning decisions will be subject to far less public consultation. Types of development which are currently notified will no longer be subject to public notification
7. Far fewer planning decisions than is the case currently will be subject to legal challenge as fewer types of development will be classified as restricted - the only category where a legal challenge is possible as to the merits of a planning decision. Developers will have more appeal rights.

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