

DTI:Planning Review

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Sent: Friday, 16 December 2022 4:26 PM
To: DTI:Planning Review
Subject: submission

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Dear expert panel members

Thankyou for the opportunity to provide input into the review.

Unfortunately, in my opinion, the Planning Act and Planning and Design Code are failing to protect the environment, amenity and lifestyles of Mount Barker District. It seems to me that development is favoured over built and natural heritage.

TREES

Mount Barker District is losing mature remnant trees, due to development and road improvements, at an alarming rate. South Australia has some of the weakest tree protection laws in the state.

I recommend that:

The circumference size required for categorisation as a significant or regulated tree be reduced to capture more trees, in line with other states.

10 and 20 metre exemptions be removed. Trees can be advantageous in bushfire situations through capturing embers and shielding radiant heat.

Ability to remove 30% of canopy without permission should be revoked and there should be requirements for formal qualifications for anyone pruning regulated trees.

The Code should require planting of trees on new allotments wherever practical and street trees mandated in new developments.

Public authorities should be required to provide accurate information on impending tree removal. Recently DIT misled the Mount Barker community on impending tree removal for roundabout construction on Wellington Road.

Overall, the emphasis needs to change to make tree retention the default position, with development needing to prove a case for tree removal. Currently it is too easy for developers in Mount Barker to remove all or most trees at greenfield sites, when careful design and a small reduction in number of allotments would enable retention of more trees.

HERITAGE

The category of contributory items to a heritage zone should be reinstated to enable protection of buildings which contribute to a heritage zone.

DEMOCRACY IN PLANNING

Councils and the community have been largely overridden by implementation of one complex code for the state. Removal of development plans for individual councils has removed local knowledge, context and community input.

In Mount Barker, most new housing is built to be dependent on airconditioning. Council does not have the ability to mandate better energy efficiency requirements.

Poor quality commercial buildings of featureless facades of concrete tilt up panels, devoid of aesthetic qualities, are being built. A recent example is a Drakes supermarket in Aston Hills subdivision in Mount Barker, where two facades on a corner development, fronting a popular café and outdoor recreational area, lack windows or any other features.

Councils should have greater authority restored to ensure better quality development through their development plans, without state override clauses.

The geographical zone of notifications should be enlarged and more residents enabled to lodge submissions.

APPEALS

The Council Assessment Panel should have more elected members, as was previously the case.

Most appeals arrive at the CAP with Council recommendation for approval. It is a long time since an application before CAP in Mount Barker was refused.

The process is out of balance. I once represented respondents who opposed construction of a 24 hour service station and car wash adjacent to 3 heritage buildings. I had only five minutes to represent views and then no right of reply to the planning lawyer representing the applicant. Although I could identify how the proposal was seriously at variance with development principles for the zone, it was approved. I believe that the CAP members knew that if they refused it, the applicant would go to state government and receive approval, as the project was valued at over \$3 million. This was borne out when Adelaide Hills Council CAP refused a similar application by the same applicant, who then went to the State Planning Commission, which overrode the CAP's decision.

Mount Barker is experiencing industrial creep into primary production zoned areas. This loss of scenic amenity threatens lifestyles and the developing tourism industry and currently CAP is not functioning to prevent it.

I welcome the review and hope that outcomes from it satisfy the growing demands of a disillusioned community.

Ian Grosser

Councillor

Mount Barker District Council

The views above are personal and do not represent Council