

Dear State Planning Commission,

Thank you for the opportunity to provide feedback on this once in a generation planning reform. As I am sure you have plenty to do, I will get straight to it. As a resident of the Mitcham Hills, I wanted to provide specific comments regarding:

1. Residential Neighbourhood Zone
2. Sloping Land Overlay
3. Regulated Tree Overlay
4. Native Vegetation Overlay
5. Requirements for trees and permeable landscaped areas as discussed in the People and Neighbourhoods Policy Discussion Paper

Residential Neighbourhood Zone

The desired outcome of the Residential Neighbourhood Zone (RNZ) will fit well with the Mitcham Hills (Blackwood, Belair, Glenalta, Hawthorndene, Eden Hills and Bellevue Heights). There is substantial community concern over what urban infill would do to the hills and the character of the local area as well as increased concern over bushfire egress due to the limited road network.

As this zoning is currently only applied to the Mitcham Hills and areas of Stirling, Aldgate, Bridgewater and Heathfield, I believe that the zone could be renamed to Residential Hills zone to more accurately reflect the suburbs it covers.

The desired outcome statement for (RNZ) does not specifically mention a desire for detached dwellings which I think is important. The exclusion of semi-detached dwellings from the deemed-to-satisfy development types is well considered.

The proposed minimum allotment sizes are a concern. The 1,200sqm reflects the current minimum allotment size for the Mitcham Hills and is appropriate for the area. However, I am concerned that the minimum allotment size is not determined by the slope of the land. I would propose something similar to the current development plan for the City of Mitcham:

- Slope less than 1:8 = 1,200sqm minimum
- Slope between 1:4 and 1:8 = 1,500sqm minimum
- Slope greater than 1:4 = 2,000sqm minimum

It is my understanding that the Adelaide Hills Council has a similar system currently in place, where the slope determines the minimum block size. There is the potential for a profound change to the Mitcham Hills area if the minimum block size remains the same. There is also the possibility that an increased visual erosion of the Hills Face Zone would be possible. A number of properties in Belair and Eden Hills that back onto the Hills Face, could subdivide the bottom of their property, resulting in houses built further down the hill and substantial clearing of native vegetation.

KEY POINTS

1. Residential Neighbourhood Zone for the Mitcham Hills is an appropriate zone choice
2. Potential to highlight the intention for 'detached dwellings' in the outcome statement
3. Concern over minimum block sizes not being determined by the slope of the land

Sloping Land

The intent of the Sloping Land Overlay is very much supported, as it is important for the area where I live. I do not believe that the intention of applying the Sloping Land Overlay as it is currently done, will achieve the desired outcomes of the overlay. The current application appears to be applied to properties that have a gradient of 1:4 or greater, resulting in an inconsistent application. I would urge the State Planning Commission to reconsider how this is applied, potentially with the intention of applying it across entire zones, certainly those classed as RNZ. It would appear, that there is the potential for developers to undertake earthworks prior to lodging applications.

KEY POINTS

1. Inclusion and intention of the Sloping Land Overlay is supported
2. Concern over the inconsistency of its application
3. Unless improved, potential for less than desirable outcomes in the Mitcham Hills

Regulated Tree Overlay

I am encouraged by the inclusion of a Regulated Tree Overlay in the new Planning and Design Code. As the commission is aware, the importance of retaining our tree canopy cover and community angst over this issue has been increasing in recent years. Trees add valuable economic and social benefits to our community and natural environment. I believe that the desired outcome could make recognition of the importance that our tree canopy provides in being an intergenerational asset, that helps to sustain habitat, biodiversity and neighbourhood amenity while financially and emotionally benefiting residents. I would also request that the proposed Regulated Tree Overlay:

1. Changes the test for retention of significant trees from “retained where they make an important visual contribution to local character and amenity” to “Significant Trees should be preserved”
2. In the case of significant trees to include the test of “all other remedial treatments and measures have been determined to be ineffective”
3. To make all tree affecting development applications subject to public notification and consultation

I would urge the Planning Commission to highlight to Minister Knoll that the current significant and regulated tree laws are failing to protect our tree canopy cover and undermining the goal in the 30 Year Plan for Greater Adelaide to increase tree canopy cover by 20% by 2045. Metropolitan Adelaide has some of the lowest levels of tree canopy cover of any major city in Australia. This, combined with our dry and warming climate, means that it is becoming increasingly difficult to reach this important goal. While the regulated tree laws are not a part of the consultation for the Planning and Design Code, the weakening of the laws in 2011, undermine the proposals from the State Planning Commission to increase our tree canopy cover. For example, species such as Lemon Scented Gums and Ironbarks are excluded from any protections if they are within 10m of a dwelling or pool. Furthermore, the introduction of a 20m rule for bushfire risk areas in 2011 is resulting in the countless removal and complete devastation of some of the greenest suburbs in Adelaide, including my own suburb of Glenalta. The intention of this law originally was to allow homeowners to implement their bushfire action plan. This is more than understandable but failed to recognise that

the CFS do not have an issue with large trees and are more concerned by the management of understorey growth. Importantly, as there is no requirement to demonstrate the tree removal was due to a bushfire risk, the original intention of the law is being exploited for numerous other intentions. We are seeing trees that existed before European settlement being removed because they 'make a mess' or because homeowners want to put solar panels on their roof. Of note, is the abuse of this law to further subdivision and development. There have been numerous examples in suburbs like Eden Hills, where developers have used an existing house to clear the entire block (normally containing numerous Grey Box trees which are federally endangered), demolish the house and then subdivide. This is also a failing of the Native Vegetation Regulations.

KEY POINTS

1. Inclusion and intention of the Regulated Tree Overlay is supported
2. Suggestions for further improvements to the Regulated Tree Overlay
3. Proposed change to the test for the retention of significant trees
4. Concern of the existing regulated and significant tree legislation which is undermining goals from the government and State Planning Commission

Native Vegetation Overlay

It is pleasing to see the earlier involvement of the Native Vegetation Act for new developments. While I understand that large tree and native vegetation regulation is not a part of this community consultation, I would like to highlight the confusing and disjointed nature of the current 'protections' in place. The Mitcham Hills is proposed to have overlays for bushfire, regulated tree and native vegetation. The combination of these, results in the potential for the vast majority of the area to be cleared without requiring any approvals - regulated and significant trees included.

KEY POINTS

1. Inclusion and intention of the Native Vegetation Overlay is supported
2. Concern over the confusing interaction between Bushfire, Regulated Tree and Native Vegetation Overlays

People and Neighbourhoods Policy Discussion Paper

I would like to commend the State Planning Commission on two specific proposals in this document:

1. Requirement for tree planting (or retention of existing trees) for faster approval times
2. Proposal of minimum site % for permeable landscape

Both of these proposals will play a vital role in retaining and improving the liveability of our suburbs, reducing the heat island effect and better preparing communities for a warming climate. While I understand that the exact specifics of the one tree per development are yet to be worked out, this is a critically important step in growing Adelaide's tree canopy cover. The cost of not having trees in our urban areas, or purely relying on street trees will be significant if measures like this are not

adopted in the final code. While I understand that the new code does not specify specific species for planting, I would suggest that in areas covered by the Native Vegetation Overlay, that native species would be required.

It is my understanding that the Mitcham Council's current development plan has always required a minimum amount of open space. I am pleased to see that this could be applied across the state. South Australia's original planning vision for 'garden suburbs' has been undermined with recent infill. As a result of this original planning intention, there is a lack of community open space compared to cities like Singapore and throughout Europe. I believe however, that South Australia should follow the lead of places like Scandinavia and Singapore, where urban infill is done by maximising population densities through height, while reducing building footprint and increasing public open space. The current tendency of 2 for 1 (or more) developments seems to be causing more problems than it solves.

KEY POINTS

1. Substantial support for mandatory tree planting (or retention of existing trees) for faster approval times
2. Suggestion that areas covered by the Native Vegetation Overlay would mandate native tree species to be planted
3. Substantial support for minimum areas of permeable landscape per development

Finally, I would like to reiterate my thanks to the Planning Commission on the ability to comment on this important, once in a generation planning reform. To this extent, I would urge the commission to pressure Minister Knoll to allow for a second public consultation on the code, once all of the legacy errors and feedback from community members, development groups and councils has been considered and acted upon. It has taken me a substantial amount of time to get my head around the code, the language used and the implications for my local area without the e-planning system and would appreciate the opportunity to submit further comments on a 'final' version of the code.

Thank you for your time,

Tom Morrison