

Submission regarding Tree Policy in the Planning and Design Code

Thank you for the opportunity to comment

The Discussion Paper's opening sentence regarding "Current policy ..." is a clear and damning indictment on the policy. The focus on "keeping and increasing tree canopy cover" is undoubtedly not working. There will be many interlocking reasons I imagine, however it is clear that many policy changes must be made **and enforced**.

Somewhere in the Planning and Design Code it must be acknowledged that every tree saved from the developer's chainsaws is contributing to Australia's commitment to Climate Action. Our State, Federal and Local Governments all profess to meeting various targets linked to global warning so we need to save what trees that remain.

The idea that Councils "try to increase canopy ..." is a flawed concept without legislative back up and enforcement. We must force the issue through the Planning and Design Code and any other Act that is relevant. We have been way too complacent ... the targets for canopy cover ought to be met easily. I think the targets need to be increased because of the previous and continued lack of action.

The Paper indicates that the Native Vegetation Act (1991) applies to trees not in the Adelaide metropolitan area. Are trees in the metropolitan area subject to the same laws? If this Act gives more protection then that should apply. Which is the overriding Act? We need to make sure there are no loopholes for developers to evade any measures to increase tree protection.

The Urban Tree Canopy needs to specify at least double the number of trees to be planted for a new dwelling. What about the situation (very common in Blackwood) when an existing house is demolished, all the trees on the block are removed (sometimes six or more fully grown, 100 year old specimens), a new house is built and the Code specifies "plant two trees". That is unacceptable.

The Discussion Paper has not provided detail on the Regulated and Significant Tree Overlay for the Code.

One could imagine from the title that this Overlay may help protect trees ... not so, at least where I live in Blackwood. Hundreds of Significant and Regulated trees are being removed every year. Whenever I contact the Council I am told that if the trees are within 20 metres of a building they can be removed. It thus follows that pretty well every tree that I can see from my roof can legally be removed. Yes, it seems unbelievable, but that is the sad state of affairs that our current laws have created.

It seems to me that the 'private open space' regulations are a critical issue for increasing trees (and other vegetation). Apparently the minimum private open space for a block less than 300 sq. m. is 24 sq. m. This is unacceptable. Nearly all new subdivisions are creating urban ghettos with houses built eave to eave, no trees and no space for trees on blocks. Minimum block sizes are clearly too small. The Private Open Space requirements are too small. The current new subdivisions North, South and in the Hills are an absolute disgrace, a blight upon the environment and are a major contributor to our growing health and social problems.

I agree with the Panel's three key issues (from the discussion Paper). The Panel's second point needs further clarification because it is a fact that "**urban infill policies** and development are contributing to the loss of trees ...". I do not understand why the Panel appears to be weakening this statement by prefacing the point with "the real and perceived view".

The PDI Act is extremely biased towards developers and biased against trees.

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The minimum trunk circumference for a regulated tree certainly needs to be revised. The Eucalyptus Microcarpa, (indigenous to Blackwood and part of an endangered ecosystem) is very slow growing and can have a trunk much smaller than two metres, yet still be critically important for its canopy and contribution to the ecosystem. All trees of this species in the Adelaide Hills should be protected, with due cause having to be established prior to removal.

The difference between 'regulated' and 'significant' trees is confusing. In my experience, neither definition has protected trees that needed protection. The '20 metre rule' seems to allow pretty well any tree to be removed ... and with no replacements! I believe that building and development approvals should not be approved without taking into account existing trees.

The Panel "considers there is merit in requiring ...one tree is planted for each new dwelling...". I hope you are having a laugh. How about calculating the carbon dioxide given off by the concrete and other building products and processes then offset that by the number of trees needed. Like offsetting the carbon footprint of each house. Let's be really serious about these horrible "master planned/greenfield areas". How dare this kind of development be allowed. What about ten trees for every dwelling, including two on every block? What about equivalent green spaces for every five dwellings? What about minimum block sizes of 500 sq. m.?

The Offset Scheme. So according to this idea we don't actually have to increase or even keep our tree canopy. Incredible! Just pay and get going with the chainsaws and no need to plant. Pleasing to know the Panel accepts there is "scope to refine the fees". We need way more than that. If planting trees is supposedly not feasible then the design is faulty and cannot be approved. If tree removal is planned then due cause must be shown. We have perfectly satisfactory houses in Blackwood, surrounded by trees. There does not need to be wholesale destruction of trees to build bigger houses. If we as a society cannot get the planning right, then the dollar cost will have to be increased tenfold. It is not the cost of planting and maintaining a tree that is important, it is the overall value of any tree removed.

The Discussion Paper mentions the ability of a landowner to remove a tree within ten metres. There seems to be some fiddling with the definitions here. Where I live, any tree within 20 metres of a building (not necessarily a dwelling) can be removed. And they are being removed every weekend! Some agency needs to make particular decisions for particular circumstances, with no decent sized tree allowed to be removed unless agreed. Local Councils used to have this role. I think a huge part of our deforestation problem is that the Planning powers have been removed from Council. So often I hear that Council has not approved an application but then it is over-ruled by the State Government's planning and development system.

So, in summary, the system and all its related parts is deliberately and undeniably working against the best interests of our community. Major reform is well overdue. We need a strict and simple regulatory framework that is enforced by Council based compliance officers. We need a system that follows Council recommendations.

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