

Joanna Wells

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Netherby, 5062
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Dear DPTI Team,

I'm a long-term resident of Netherby (but not really all that old!) and I am writing to provide feedback on the Draft Planning Code, as I am concerned about the negative effects on our suburbs generally and on Netherby in particular of in-fill development.

Netherby has had the mis-fortune to have been designated as Res. Code and this has essentially seen dreadful losses in terms of amenity and tree canopy. Poorly constructed brick veneer homes which are unsustainable to run are built by developers as cheaply as possible. These developers remove all vegetation from the block and if you're lucky, they put in a few piddly shrubs to "replace" the beautiful old trees they've ripped out.

This has been touted as "making housing more affordable" but in fact the opposite has been true. My experience of some 25 years in the area is that housing has in fact become less affordable and that it is the developers who have made it so, by outbidding young families.

The Code has some great new suggestions, which I whole-heartedly endorse. It's great to see single cross-overs so that verge space is maximized and also to see the inclusion of minimum tree sizes according to block size. I am also pleased to see that the current tree laws in place to protect significant and regulated trees will be transitioned across to the new Code. At least we're not losing anything on that front, after so much erosion by the Parliament of these laws over the past few years. Thank you for maintaining their place in the Code.

As you may have deduced from the above paragraphs, I am a supporter of trees for all the benefits they provide to us: shade on hot days, cooling of our streets and roads (where they overhang them), mental health, habitat for wildlife and thus the maintenance of bio-diversity, as well as those things which to most of us seem more difficult to put an actual figure on, but where, in fact, good scientific research has been done and shows they do make a really important contribution, things such as mental health and property values.

You'll no doubt conclude from this that I support strengthening the Code to support the retention of older trees and those that provide canopy (regulated, significant or otherwise), whether they are natives or exotics. We cannot afford to lose more canopy than we already have done and we need to keep all trees (unless their health is such that they pose a huge risk to well-being) that provide us with canopy, no matter what their origins. A strong component of this is to ensure larger minimum block sizes rather than smaller.

I'd also like to see restrictions put in place on the removal of trees. Did you know that demolition companies charge more to demolish a house and keep the trees on the block, and that this is referred to as an "abnormal" block? I was horrified to hear that this is the case. Perhaps there can be some

bonuses applied to developments that retain trees, with a deposit on the retained trees, which is refunded to the developer five years after completion of the development if the trees are still healthy and alive? Perhaps the flip side of this would be financial penalties for developers who remove all trees from the block. There simply is not enough public land to plant so-called replacement trees for all the trees that are being removed from private land, so it is obvious that we need to do both things – firmly encourage at the very least – personally, I’d make it mandatory, but I’m an ex-secondary school teacher! – the retention of existing larger trees and plant “replacement” trees. It’s time we started to recognize existing trees as the community asset that they are and understand that individual landowners do not actually own them as such but are responsible for them as custodians, to keep them in good health and pass them on to coming generations. The value of neighbourhood amenity cannot be under-estimated.

I have on my block a grey-box blue-gum (below) which is old and part of the remnant bushland that used to cover this area before it was subdivided. Grey-box blue gums are never listed as either regulated or significant as they never gain the girth required for this, but it is a huge tree and provides a large canopy not only to my garden but to other gardens in the area (3 other gardens in fact, as it sits near the corner of the block).



I'd also like to see some additions made to the trees that are protected by our tree laws. Without making it too unwieldy changing it to "regulated, specific and canopy trees" would go a long way towards protecting our trees and the canopy that they provide (and that we so desperately need), without making the rules encyclopaedic in size. I'm also concerned that the current tree laws are in some places too subjective. For instance, the test for retention of significant trees talks about "retained where they make an important visual contribution to local character and amenity". Clearly this is subjective and would be better changed to simply state that "Significant trees should be retained". I also believe that in the case of significant trees the test should be included where "all other remedial treatments and measure have been determined to be ineffective" before removal is approved.

Another improvement to the fate of our trees would be to not allow too much variation to natural land level. There's just been a metre of soil dumped on part of the root zone of the above tree (and then really well compacted), as this obviates the need for a pump to bring things up to the street. Huge loss of amenity for us with a 3 metre fence imposed on us – 1 metre retention, 2 metres colourbond – and if the tree goes too, well I can't bear to think about that. The amenity of our area has already been destroyed with the removal of close to one dozen mature trees by the developer from the block in order for this "development" to go ahead. I think that's the other thing that really annoys people about developers getting away with this kind of thing; we're talking about someone who has absolutely no interest in the amenity of the area, who has no intention of living there; they are only interested in making money and they don't care who pays the price for it. Essentially we all do, because the area where we continue to live is the poorer for the development.

Furthermore, I believe that all developments that involve trees (ie: any removal of a tree) should have to be applied for through local council and should be therefore subject to public notification and consultation, and that this consultation should be open. The tree below was approved for removal by my local council after the former landowners sought approval to do so, in order to make the block more valuable for developers. They told the council it had a history of dropping limbs. What they failed to tell council was that it is fact a very healthy tree that has not been watered, by anything other than natural rainfall for the last 35 years. They rented the house out to tenants and not one of them EVER gave it any water, not even during the millennial drought. Had there been some kind of public consultation process, permission may not have been granted. Whilst on private property, it's the standout tree in the street and is not even 40 years old, so has so much of its life ahead of it.



The other thing that would be well worth looking into is the system they have in Brisbane, where people interested in a property can simply go online, look up the property address and see exactly what trees are on the block – significant, regulated and so on. Anyone making a purchase does so in the full knowledge that these trees are there and **cannot be removed.**

With regard to garden spaces in developments, generally, I recommend:

Increase minimum requirements for deep root zones & for garden areas.

Give “discounts” for designs that use ideally gravel or, for a lesser discount, permeable paving, instead of concrete paving.

Better define good design to ensure that homes are not only affordable to buy, but affordable to run. Do this by mandating:

Deep eaves (no box gutters!)

Solar water service with electric backup (this can use battery stored solar down the track as this becomes more prevalent – and it is only a very short matter of time before it does!)

Larger rainwater tanks

Garden areas mandatory at front and rear of house and gardens at the side of the house do not count as garden space unless they are a minimum of 1.5 metres deep. Reason – narrow beds at the side of a house and against a colourbond fence (in reality, that’s where it will be) are not happy and healthy gardens where shrubs can grow and thrive. They never add anything to the amenity of the surrounding area, either, as nothing big enough to be seen above a fence line or scramble up to the top of it and over is ever able to grow here. These are service areas essentially to access the back of the house and are not used by garden or amenity space by residents. This are should not count as garden if it is not big enough in reality for a garden to be grown there. Otherwise, people are cheating!

The State governemnt’s biodiversity policy is meant o underpin all of this, so please be more proscriptive about what people can grow. Mandate to favour:

Evergreens over deciduous

Natives over exotics

Plants endemic to the Adelaide region rather than imported natives from interstate. (A great resource for info on this is [The Native Plants of Adelaide; Returning the vanishing natural heritage of the Adelaide Plains to your garden](#), Phil Bagust and Lynda Tout-Smith, Urban Forest Biodiversity Programme 2005) This is far easier than you might think and a lot of them are really lovely plants.

Vegetation should provide habitat and food for native animals, insects and birds.

Tree net inlets – make these mandatory in all new developments and bring in a government subsidy for existing homeowners to put them in. (This may require legislation as the verge is council property, but this can be done if there is the political will for it.) This would ensure the survival of street trees, as their survival would no longer be totally dependent on them being watered by home owners. My understanding is that tree net inlets are actually quite a cheap piece of technology, so we would get a good return on investment. An added bonus is that they will take water that would otherwise go down the street and out to sea full of pollutants and nutrients would be prevented from doing so.

Whatever you come up with the developers and their lobby groups are going to push back hard against, so it is really important, to my mind, to start with a significant minimum requirement. That way, if it is eroded over time, we have at least started from a healthy position. If you start with what you think it should ultimately be, or simply start with a smaller amount because you don't want to be too "demanding" we will all end up in a significantly weakened position. We have got to keep as much tree canopy and garden space as we possibly can. I firmly believe that owning land comes with responsibilities, one of which is to plant and maintain upon that land garden and tree canopy. If people want to live on a block which is close to 100% concrete, they need to go and live in an apartment instead. There are enough of them around these days for this not to be an unreasonable expectation.

One last thing, I would ask that the implementation of the Code be delayed, as per Mark Parnell's bill before State Parliament. This would not only give more time to find errors and omissions, but would also allow further time for the department to further scrutinize problem areas for the best possible solution and to strengthen protection for our natural heritage. Once it's gone, it's gone forever! There is literally no getting it back!

Thank you for taking the time to read this. I look forward to your feedback on these recommendations.

Best regards – and keep up the good work!

Joanna Wells

From: [J.W](#)
To: [DPTI:Planning Reform Submissions: Heather Holmes-Ross](#)
Subject: Planning Code Draft - Feedback
Date: Tuesday, 25 February 2020 11:05:02 AM

Dear DPTI Team and Mayor Holmes-Ross,

Just a quick email to express my concerns re the lack of voice that will be available to ordinary people under the proposed new code, concerns shared by many others.

I understand the aim of having deemed to satisfy criteria. Unfortunately, though, it seems that the balance has been lost with these and that they do tend to favour the developers.

Recent years have seen Netherby, where I live, on Res. Code and the developments that have been allowed to go through have been dreadful.

People have found it very distressing to have blocks sub-divided in order for 2 storey dwellings to be built on them (often occupying approx 90% of the block and going as close as possible to the fence line).

As if this is not bad enough, to have no right to express your concerns is something that people have found quite distressing. When you add into the mix the fact that there is no longer any requirement for houses to be built in sympathy with existing stock, it's easy to see why people are unhappy.

People in Adelaide are not used to being overlooked by their neighbours, so if urban infill is going to be the solution to our housing woes - and clearly we can't keep carving up really good farming land - it must be done in such a way that those people who are already living in these targeted suburbs are respected.

Unfortunately, when developments such as this are carried out by developers who have no intention of living there and are simply making money, they have no interest in developing a good long term relationship, as they won't be living next door! They also could not care less about loss of amenity - not their problem!!! We see this all the time and have had enough, frankly.

A person should not be able to make a profit at the expense of other people - one man's profit should not be another's loss of amenity.

Recommendation: That infill projects should remain available for public comment, through the current notification processes.

Sincerely,

Joanna Wells

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South Australia is losing unprecedented amounts of canopy cover from both private and public land, resulting in hotter, unlivable cities and suburbs. You are not powerless. You CAN do something about it. Retain, water, plant a tree in your garden. Tell your local member you'd like to see our tree laws strengthened.