

Hello,

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. Hills Neighbourhood Zone
2. Regulated and Significant Tree Overlay
3. Native Vegetation Overlay
4. Urban Tree Canopy Overlay
5. Public Notification Requirements

Hills Neighbourhood Zone

The desired outcome of the Hills Neighbourhood Zone (HNZ) 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.

I am very supportive of the creation of this new zone given the unique characteristics of the local area. The inclusion of site areas based on gradient is excellent.

The desired outcome statement for HNZ could be altered slightly from "Low density housing minimises disturbance..." to "Low to very low housing minimises disturbance..." which would match closely with the previously consulted Residential Neighbourhood Zone desired outcome for the area.

KEY POINTS

1. Introduction of Hills Neighbourhood Zone is highly supported
2. Introduction of allotment sizes based on site gradient is highly supported

Regulated and Significant Tree Overlay

I was encouraged to see community concerns over the retention of large trees in our suburbs appearing as a key theme in the "What we have heard report". 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. Suggested improvements for the Regulated and Significant Tree Overlay include:

1. Changing 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. Making all tree affecting development applications subject to public notification and consultation

Finally, while not included in this consultation, there is an urgent need to review the regulated and significant tree regulations which are failing to protect our tree canopy cover and undermining the goals outlined in the 30 Year Plan for Greater Adelaide to increase tree canopy cover by 20% for

areas with less than 30% canopy cover and see no loss in canopy for areas over 30% canopy cover. 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. Significant weakening of the laws in 2011, undermine the efforts in the new Planning and Design Code to increase canopy cover. Strengthening the regulations to retain existing large trees must be done and should be considered as a part of this generational reform. It is the only way to increase our canopy cover.

KEY POINTS

1. The Regulated and Significant Tree Overlay is supported
2. Change the test for retention of significant trees to “Significant trees should be preserved”
3. The overlay alone will not protect mature trees unless changes are made to the underlying regulations, especially to undo much of the damage done by the 2011 changes

Native Vegetation Overlay

The inclusion of a Native Vegetation Overlay is a fantastic idea and will hopefully improve the retention of native vegetation during development. However, the aim of DTS/DPF 1.1 is significantly undermined due to the current exemptions in both the Native Vegetation and existing regulated and significant tree laws. In most cases, development in my local area will occur in an area with an existing dwelling. As a result, this dwelling can be used in conjunction with the exemptions to clear the property of all native vegetation. From here the dwelling can be demolished and development can continue. This needs to be addressed should the overlay have any chance of being effective.

KEY POINTS

1. Inclusion and intention of the Native Vegetation Overlay is supported
2. Exemptions and loopholes in existing regulations undermine the aim of this new overlay

Urban Tree Canopy Overlay

As in my submission to the first round of consultation, I would like to commend efforts of the new Planning and Design Code to include a requirement for tree planting in exchange for faster approval times and the permeable landscaping requirements.

It was unsurprising to see the cost benefit analysis for the tree planting come back in favour of the measure. I am concerned however, with the proposal to setup an off-set scheme for this system. This would seem to undermine the fundamental purpose of the tree planting in the first place and will most likely result in no trees being planted and the cost of the offset being passed on directly to the homeowner. While there was pushback from the development industry on this proposal, cities around the world are setting tree canopy goals. From this perspective, the canopy requirements are not very ambitious when compared to other cities (such as Sydney) and appear to continue to guarantee a decline in canopy cover across metropolitan Adelaide.

While I understand that the new code does not specify specific species for planting, I would still suggest that in areas covered by the Native Vegetation Overlay, that native species would be required. This idea seemed to be supported by other submissions to the first consultation as mentioned in the "What we have heard report".

KEY POINTS

1. Strongly support mandatory tree planting (or retention of existing trees) for faster approval times
2. Do not support the potential of an off-set scheme
3. Canopy requirements are not ambitious enough, when compared with other cities such as Sydney
4. Suggestion that areas covered by the Native Vegetation Overlay would mandate native

Public Notification Requirements

I am concerned about the lack of public notification required for developments. Although the notification is improved when required, I believe that many in the community will express their anger over the changes in this area. I am unsure who really benefits from the lack of notification that will be required for many developments. Developers who have no interest in the local area or forming relationships with neighbours are nearly the ones who I could see benefiting from this new system. The new planning system should be designed to facilitate developments that create a cohesive community. If people can demolish and build a two-storey house without any notification requirements for neighbours, this will create substantial community backlash to not just the lack of notification requirements but to the entire Planning and Design Code.

The lack of appeal rights for neighbours is also concerning and appear to pander to a view that development at all costs is acceptable. I do not believe that this will be accepted by a vast majority of the community.

KEY POINTS

1. Notification requirements must be improved so that people are at least aware of what is happening next to them
2. Lack of appeal rights needs to be reviewed

Thank you for this opportunity to comment on this important, once in a generation planning reform. The new e-planning system has made this consultation much easier to understand. While a significant improvement on the first consultation, there is still a lot of work to be done on the e-planning system. With the use of acronyms and planning specific language, the intent of this portal, to allow people to understand what they can do with their property, is lost unless you have a very good understanding of the code. I hope that this can be improved before the final release.

Thank you for your time,

Tom Morrison