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The Parliamentary Officer
Environment, Resources and Development Committee
GPO Box 572
Adelaide, SA, 5001
Via email: erdc.assembly@parliament.sa.gov.au

Friday 24 February 2023

Re: Submission to Parliamentary Inquiry into the urban forest

To the Environment, Resources and Development Committee,

The Nature Conservation Society of South Australia (NCSSA) appreciates the opportunity to provide a submission to your Parliamentary Inquiry into the urban forest. Since 1962, the NCSSA has been a strong advocate for the protection of native vegetation and biodiversity in South Australia with particular attention being paid to nationally and state listed threatened plants, animals and ecological communities and the management of protected areas.

The NCSSA generally focusses on the protection, better management and restoration of our remnant native vegetation. It therefore provides recommendations for reducing the effect of residential subdivisions, urban infill and higher density living on native vegetation, as an important part of our urban forest, in the attached pages.

However, whilst this submission focusses on native species, the NCSSA recognises its critical importance of all trees in our urban forest - both native and introduced - for a range of reasons, including that they provide habitat (such as for tree martins in Peel Street¹), cool and shade for people (particularly in a changing climate) and can be integrated with water sensitive design features that improve habitat quality, particularly in urban wetlands, creeks and rivers.

The NCSSA therefore supports **all efforts to better protect, manage and extend our urban forest** and commends this Committee for seeking to identify such improvements.

If you would like to clarify or discuss any of the content of this submission, please contact me on 0400 277 423 or via email at julia.peacock@ncssa.asn.au.

Yours sincerely,

A handwritten signature in blue ink that reads 'Julia Peacock'.

Julia Peacock
Nature Advocate
NCSSA

¹ <https://indaily.com.au/news/2023/02/21/call-for-tree-change-on-canopy-protection/>

NCSSA comments against the Terms of Reference for the Parliamentary Inquiry into our urban forest

General comments

The NCSSA is a member of the Conservation Council of SA and has been supporting their campaign for better protection and management of Adelaide's trees for several years.

The best available evidence suggests mature trees are being lost from our urban area at an alarming rate. There is no city-wide, comprehensive data on the scale of the loss, but the available research indicates somewhere between a 1–6% reduction in tree canopy (depending on the area and the timeframe).²

A particularly egregious example of mature tree loss was the felling of four very old and very significant River Red Gums to make way for a sports ground at Mount Barker in 2019.³ As well as being managed as "significant trees" under the land-use planning system, these trees were also "protected" under the *Native Vegetation Act 1991*, yet neither system saved these centuries-old giants from being needlessly removed.



One of the river red gums "relocated" in Mt Barker to make way for a multimillion-dollar Adelaide Hills sports hub. Picture: Tricia Watkinson⁴

Change is therefore needed.

The NCSSA has endorsed a series of reports published by the Conservation Council of SA that outline recommendations to better protect our urban forest,⁵ including native vegetation. The NCSSA includes the most relevant recommendations for the Committee's consideration against its response to the Terms of Reference for this Inquiry on the following pages.

² <https://www.conservation.sa.gov.au/trees>

³ <https://indaily.com.au/news/notes-on-adelaide/2019/11/08/if-a-tree-falls-in-mt-barker-is-it-really-dead/>

⁴ <https://www.adelaidenow.com.au/messenger/adelaide-hills/mount-barker-gum-tree-planted-to-die-in-giant-holes-has-come-crashing-down-during-wild-storm/news-story/6260488f871331c3c5f3d17f8fa20af6>

⁵ https://www.conservation.sa.gov.au/tree_resources

1. Best practice and innovative measures to assist in the selection and maintenance of site appropriate tree species to improve the resilience of the urban forest, with a focus on trees for urban infill developments;

Selection of trees

The NCSSA supports efforts to increase biodiversity by increasing the range of tree species planted in our urban forest. Locally indigenous species should always be prioritised, given the resounding cultural and ecological benefits that they provide. However, the NCSSA acknowledges that such species may not always be appropriate

As the climate in Adelaide is transitioning from temperate to semi-arid due to the impacts of climate change, consideration needs to be given to choosing species suitable for a semi-arid rather than Mediterranean climate. Future plantings should also consider understorey and mid-storey layers to further increase biodiversity outcomes.

In terms of ensuring a diversity of tree species are planted from a range of genera and families, the Committee may wish to consider the following guidelines, which the NCSSA understands apply in Melbourne:

- No more than 5% of any one species (e.g. River Red Gum; *Eucalyptus camaldulensis*);
- No more than 10% of any one genus (e.g. *Eucalyptus*); and
- No more than 25% of any one family (e.g. Myrtaceae, including *Eucalyptus*, *Corymbia*, *Melaleuca*, etc.)

The NCSSA supports research to help guide plant species selection for positive outcomes for nature and people. Specifically, the NCSSA understands that there is “Future Trees” research work being undertaken by the University of Adelaide which needs further support and extension.

Further, the NCSSA refers the Committee to the work already undertaken by the University of Adelaide which provided this summary of considerations for tree selection in new plantings:

“When a tree is planted for the future then we are really making a decision for the next 50 or more years. There are many things to consider:

- Will the tree be the right size and shape for the place it is planted?
- Will it add to the general vegetation of the area in a positive way?
- Will it help to cool the area where it is planted?
- Will it attract and protect other biodiversity (birds, insects, lizards etc.)?
- Will it store a significant amount of carbon?
- Will it survive and thrive during climate change?”⁶

The NCSSA recommends that the committee continue to engage with similarly positive examples of policy for biodiversity sensitive urban design. Green Adelaide’s upcoming *Blueprint for a Nature Positive Adelaide* is positioned to set clear targets for biodiversity and should be used to guide policy upon its release.

Trees around infrastructure

These criteria should also be extended to consideration of which species are suitable for planting near urban infrastructure, such as water pipes and electricity cables. Again, the NCSSA advocates for the greatest choice possible in tree types to help promote biodiversity.

⁶ <https://blogs.adelaide.edu.au/environment/2022/09/14/trees-for-good-project-budding-scientists-barking-up-the-right-tree/>

A particular issue that the Committee could address is reviewing the guidance provided by SA Water⁷ and SA Power Networks (SAPN)⁸ regarding planting trees in the vicinity of electricity and water infrastructure. The NCSSA understands that the lists of suitable trees provided limit the species allowed for selection substantially and possibly to an excessive degree and that there is an opportunity to rationalise guidance to maximise the number of appropriate tree species choices that can be safely planted around urban infrastructure.

Further, the presence of **existing trees** should also deter the placement of new infrastructure. The NCSSA understands that regularly pruning trees, including remnant native vegetation, under powerlines is a large cost to SAPN, yet the construction of new power lines over existing vegetation persists. Avoiding existing vegetation, particularly remnant native vegetation, should be prioritised in new route selection. Spaces such as Melbourne's Fisherman's Bend Urban Forest Precinct have exemplified these principles and have actively considered the values of existing vegetation in their planning.⁹

2. Legislative and regulatory options to improve the resilience and longevity of trees comprising the urban forest; and

Whilst adding new trees to the urban forest is important, the NCSSA believes that **retaining the urban canopy** we currently have, including native vegetation, should be a priority, and suggests the following regulatory changes to achieve better protection.

Definition of regulated and significant trees

Ensuring that regulations that are designed to retain tree canopy extend to the full range of trees in need of protection in our urban environment is an issue of high priority.

One step towards this would be to widen the definition of a 'regulated tree', which is currently too narrow. The NCSSA suggests the Committee could consider recommending South Australia be brought into line with NSW and Victoria, so the definition of a regulated tree would be one that:

- a. Has a trunk circumference of 50cm or more measured 1m above the ground
- b. Has a height of 6 metres or more or
- c. Has canopy over 9 sqm

This would significantly widen the definition of a tree and therefore extend the associated protections, which would help achieve the objectives of, at a minimum, retention of urban canopy¹⁰.

Further, the NCSSA understands that there are 24 species of trees that are exempt from being classified as regulated or significant but that are common in suburbs and backyards. This list of exempted trees needs to be reviewed and modified to better reflect the South Australian environment, especially in the context of our changing climate

Changes to the land use planning provisions to better protect our urban forest

Under our land use planning provisions, trees within 10 metres of a dwelling or pool can be removed without any restriction (other than *Agonis flexuosa* and any species of *Eucalyptus*).

The NCSSA understands that this exemption is part of the reason we are losing our urban forest at such an alarming rate, and therefore believes it should be repealed. Removing such trees would then be subject to

⁷ https://www.sawater.com.au/_data/assets/pdf_file/0006/53196/Tree-Planting-Guide.pdf

⁸ <https://www.sapowernetworks.com.au/public/download.jsp?id=310705>

⁹ Source: ufpp-fishermans-bend-precinct.pdf (melbourne.vic.gov.au)

¹⁰ https://livingadelaide.sa.gov.au/_data/assets/pdf_file/0003/278265/Target-5.pdf

the considerations of the general land use planning provisions, including if that tree was recognised as regulated.

Rationalising the land use planning and Native Vegetation Act 1991 provisions

There are parts of Adelaide where both the provisions of the *Native Vegetation Act 1991* and land use planning provisions for tree management both apply. These areas include parts of the Cities of Mitcham and Burnside (see these [maps](#) for further detail).

These two regulatory systems set out different requirements for managing vegetation around properties and fences. The NCSSA suggests the Committee explore where these two sets of regulation should either be amended and/or rationalised to improve the retention of our urban forest, including remnant native vegetation.

Specifically, the Native Vegetation Regulations allow for the removal of trees within 5 metres of a fence line and 10 metres of a building, including homes, sheds and carports without any need to seek approval. The NCSSA understands that removing vegetation for safety, including bushfire risk (covered in more detail in the next section of this submission), may be required at times. However, removing such trees in urban and peri-urban settings may not always be necessary. Therefore, these exemptions should be modified. The NCSSA suggests the Committee consider recommending:

- Changing the Native Vegetation Regulations to require permission to remove large trees within a property's asset protection zone within metropolitan Adelaide, and
- Change the exemption that allows clearance within 5 metres of fence lines to only apply outside metropolitan Adelaide.

Overhaul the system for tree removal for bushfire management

It is important that properties be made as bushfire safe as practical, particularly in a drying climate. However, there are misconceptions about bushfire risk – for example, in many situations, large trees can play a role in trapping embers, reducing wind speeds and acting as radiant heat shields. These factors are often not well understood by the community nor accurately reflected in vegetation clearance regulations.

The NCSSA recommends the Committee review the Conservation Council of SA's report¹¹ comparing bushfire clearance exemptions across Australia. It highlights the need for consistency and the urgent need for reform in the application of automatic clearance exemptions across South Australia's peri-urban areas.

By way of brief summary, the report recommends repealing the current exemptions under our land use planning system that allow for removing any tree within 20 metres of a dwelling in Medium and High Bushfire Risk areas and shifting to vegetation management around a property being based on the individual Bushfire Attack Level for a given dwelling. To achieve this more nuanced approach that would help retain canopy where appropriate, the Country Fire Service would need to be resourced to undertake the necessary assessments to establish the Bushfire Attack Level of individual properties. The Committee may wish to further explore this proposed approach through this Inquiry, and/or could recommend a pilot in selected high bushfire risk locations.

Other recommendations from this report that the NCSSA wishes to highlight to this Inquiry are changing the definition of 'native vegetation' to include any tree native to the area (regardless of whether it was planted or is remnant), and greater transparency in the establishment of bushfire risk zones under the land use planning system.

¹¹ <https://drive.google.com/file/d/1ETbwN-piK2xyj7diQWxFWeH6Gt8mIH30/view>