



1 March 2023

The Parliamentary Officer
Environment, Resources and Development Committee
Urban Tree Forest Inquiry
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Parliamentary Inquiry into the Urban Forest: Submission from the Australian Institute of Landscape Architects

Dear Parliamentary Officer

The Australian Institute of Landscape Architects, South Australian Chapter (AILA SA) extends its appreciation to The Environment, Resources and Development Committee to provide feedback for the inquiry into the urban forest with a focus on tree species selection and other measures to preserve and improve the tree canopy in metropolitan Adelaide and a focus on trees for urban infill developments.

Our submission is provided in response to the Terms of Reference below:

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;
2. Legislative and regulatory options to improve the resilience and longevity of trees comprising the urban forest; and
3. Any other related matters.

1. Who we are: AILA SA represents Landscape Architects

AILA SA leads a dynamic and respected profession, creating great places to support healthy communities and a sustainable planet.

Landscape Architects work together to create healthy communities, connected urban green infrastructure, and liveable, sustainable cities and regions. Our 2,800+ members are driven by AILA's values and our advocacy, driven by our [Strategic Plan](#) core values of Connection to Country, Climate Change and AILA SA is committed to creating *'A greener, healthier, inclusive and climate resilient South Australia'*.

The work of South Australian landscape architects is recognised for creating more liveable cities, healthy active spaces, and sustainable design outcomes for everyone. Our 200+ South Australian members have helped shape many projects across the State, creating the vibrant community spaces for all.

2. What we do: AILA SA's advocacy

AILA SA has been an active and positive participant advocating for improvements to the Planning and Design Code over many years.



Our principal objective has been to protect existing Significant and Regulated trees (primarily on private property) in partnership with the Conservation Council of South Australia, through the following publications:

- [Comparison of Australia's Capital Cities Tree Laws \(2022\)](#)
- [Comparison of Australia's Tree Laws \(2021\)](#)
- [Myth Busting Our Trees 2021](#)
- [A Call to Action: Protecting Adelaide's Tree Canopy \(2021\)](#)

Our own [Advocacy Manifesto](#) focuses on positive improvements to protecting, enhancing and creating a more sustainable and inclusive South Australia, including:

- 1. Creating a new, single, government agency to coordinate the planning, design, and delivery of South Australia's green infrastructure.**
- 2. Protecting South Australia's Trees**
- 3. Improving South Australia's connectivity by creating better streets for people.**
- 4. A new approach to Designing on Country.**

3. Reviewing the Planning and Design Code

AILA SA has positively engaged in the process of planning reforms in South Australia over many years and we applaud the State Government's current review, with particular regard to the Planning and Design Code (the 'Code').

AILA SA has advocated for positive planning changes to amend the rapid loss of private property greening, which has been a side effect of the conflicts and exemptions with the Significant and Regulated Tree Act and has led to clear felling of housing blocks across Adelaide and the Adelaide Hills. This has been consistently the main criticism from our members on the Code in particular.

As we have provided comprehensive and detailed feedback on many aspects of the Code in previous submissions to a range of agencies, the following is a summary of our feedback which may assist the *Inquiry into the Urban Tree Forest*:

1. Reviewing the interaction and conflicts between the Significant and Regulated Tree Act 2011 and the Code – this remains one of our principal concerns with the Code
2. Performance of the Tree Offset Scheme – how is it performing? Has it worked? How many trees have been offset? How much has been paid into the Fund? Who has been administering the process, and what are the key findings?
3. Reviewing the structure and approach of calculating tree offsets – we have provided detailed submissions on using a better calculation which is more meaningful, and is focused on ensuring developments work around existing Significant and Regulated Trees, and making the Scheme mandatory and not voluntary
4. Reducing pressure on local and state governments to provide tree canopy cover on public land to make up for the losses on private land
5. Protecting Significant and Regulated Trees on private property in the Code
6. Integrating climate adaptation and mitigation within the Code
7. Reviewing all State-funded projects and how the Code (and a revised Tree Offset Scheme) may be applied to health, education and infrastructure projects.

Finally, we note there are a range of issues that have become heightened during the recent worldwide pandemic and the impacts of a changing climate, and these include:



- Increasing tree canopy loss in our cities
- equitable and safe access to quality, local, and green parks and open spaces
- equipping our cities, towns, and regions to be climate resilient in a warming, dry climate
- supporting more people walking and cycling
- authentic and effective reconciliation with First Nations people

4. A new Australian Standard Handbook: Urban Green Infrastructure (DR SA HB 214:2022)

A new Handbook has been prepared by Standards Australia Committee PC-002, *Urban Green Infrastructure*.

The objective of the document is to provide guidance for the commissioning, design, planning, approval, construction, maintenance and operation of urban green infrastructure elements, systems, and networks.

The Handbook introduces terminology and definitions related to urban green infrastructure that can be adopted widely to generate a shared understanding.

It has been designed and is intended to be read in conjunction with AS 2303, AS 4419 and AS 5334.

The document defines urban green infrastructure (UGI) and relevant terms for an Australian context. It establishes a planning framework and a decision framework for the management of UGI in new greenfield and urban in-fill developments. The document covers retrofitting and planting of UGI, works on existing streets, plazas, parks and other public land as well as private lands in urban contexts. The document applies to a broad range of UGI systems and elements at regional, precinct and local scales as shown in [Figures 3 to 5](#).

UGI includes remnant vegetation, designed and cultivated green spaces, and engineered vegetation systems on public and private land as well as buildings in an urban context. Examples of engineered vegetation systems include green roofs, green walls and raingardens., Some forms of infrastructure, such as bioswales, wetlands or vegetation in stormwater retention basins, include both blue and green elements.

Remnant native vegetation should be prioritized for retention in urbanised, and urbanising, landscape contexts. It includes large remnant or native trees, but also valued (rare or endangered) vegetation communities, such as native grasslands, ephemeral wetlands and heathlands. New UGI should be designed to complement and buffer such existing native or exotic UGI and natural ecosystem function connectivity should be promoted for social, environmental and biodiversity benefits.

The new Handbook is highly recommended for the development of future policy and strategy across South Australia.

5. Selected Submission Extracts

Over the course of the process of the Code's implementation, AILA SA has submitted numerous responses, submissions and presentations to the Department and the Commission.



The following may also be relevant to the *Parliamentary Inquiry into the Urban Forest*.

5.1 Letter to Minister for Planning, Tree Offset Scheme, 9 February 2021

In a [letter](#) to the previous Minister for Planning in February 2021, we wrote to express our serious concerns regarding the treatment and requirement for trees on private property in the Code and requested further independent review of the basis of the proposal (including the new Urban Tree Off-set Scheme).

Our view remains that the Tree Offset Scheme will not incentivise tree planting on private property, and we are yet to see how this will achieve increased private greening, let alone incentivise it despite assurances from the Commission and staff implementing the Scheme.

In a presentation to industry on 29 January 2021, the Commission confirmed that the Scheme is entirely voluntary, viz: *'the Scheme will not require or mandate payment into the Fund, but an applicant may elect to pay into the Scheme in lieu of planting a tree as required in the Urban Tree Canopy Overlay'*.

The presentation then outlines the payment levels should a voluntary payment be made. These are extraordinarily low and do not represent the true cost and value trees provide. We analysed the report commissioned by the Commission titled *'Costs and Benefits of Urban Tree Canopy Options for Minor Infill Development in the Planning and Design Code'* (the Report) and many of our members have contacted us with concerns.

However, there is need to consider complementary actions and incentives inside and outside the Code to achieve the public and private greening of Adelaide. The onus should be on the Code to incentivise private tree planting for the all the benefits we have previously outlined.

5.2 Presentation to Parliamentary Inquiry into Urban Green Spaces, 17 July 2020

AILA SA [presented](#) several recommendations to the Parliamentary Inquiry in 2020 on Urban Green Spaces, which are relevant to the Parliamentary Inquiry into the Urban Forest.

- Recommendation 1: New legislation to create a single agency to coordinate the planning, design and delivery of South Australia's Green Open Spaces
 - A new single agency with responsibility to plan, manage, design, deliver and maintain South Australia's green spaces with oversight of infrastructure projects will ensure greening targets are not only initiated and delivered, but managed and protected over time
 - We recommend a green infrastructure policy is developed and owned by one department with targets and reporting as well as grant funding – which will demonstrate commitment and leadership at the State Government level

- Recommendation 2: Government Stimulus Opportunity – COVID 19: The State Government leads by example in projects across government agencies including infrastructure and education projects and includes:
 - Minimum tree canopy retention and increase
 - Minimum targets for new areas of quality green open space
 - Minimum targets for stormwater retention, reuse and treatment
 - Minimum targets for biodiversity and habitat increase



There is no South Australian policy or strategy on green infrastructure, and AILA would strongly encourage a position is developed for the state with targets, linked to Recommendation 1. The NSW Government recently launched a state policy which is a benchmark and worthy of analysis.

Detailed commentary is included in our [full submission](#), but we would reference the Greener Spaces Better Places 2020 Vision – which outlines a range of national targets as well as a national map of Canopy Cover and Heat Mapping.

South Australia had a guide to green infrastructure in government projects that was defunded. It was led by the Botanic Gardens, and the only evidence left of the Green Infrastructure Project is Plant Selector which many Landscape Architects continue to use: <http://plantselector.botanicgardens.sa.gov.au/home.aspx>

6. Summary

AILA SA has positively contributed advocating for protecting our Urban Forest over many years.

Our recommendations for consideration by the Panel are:

Recommendation 1: Review the conflicts between the Code and the Significant and Regulated Tree Act

Review the interaction and conflicts between the Significant and Regulated Tree Act and the Code, recommending amendments to the legislation to remove the exemptions that allows tree removals from private property, and provide clarity in the Code on existing Significant and Regulated trees on private property.

Recommendation 2: Review performance of the Tree Offset Scheme

Review the current scheme and provide data on how it has performed. Has it worked? How many trees have been offset? How much has been paid into the Fund? Who has been administering the process, and what are the key findings?

Recommendation 3: Change the Tree offset value calculations and make payments mandatory

Review the structure and approach of calculating tree offsets – we have provided detailed submissions on using a better calculation method which is more meaningful (using the City of Melbourne process as a benchmark), focused on ensuring developments work around existing Significant and Regulated Trees, as well as making the Scheme mandatory and not voluntary to change development behaviours.

Recommendation 4: Increasing tree canopy cover on private property

The current Code is leading to a loss of tree canopy cover on private land, as outlined in the reports and submission links above as well as the conflicts with the Significant and Regulated Tree Act.



The pressure on local governments to provide tree canopy cover on public land to make up for the losses on private land is increasing and at odds with the State's vision for a cooler, greener Adelaide. Maintaining and protecting Significant and Regulated Trees on private property is a start, as is promoting more room for larger trees on private property.

Recommendation 5: Integrate Climate Change mitigation and adaptation measures in the Code

The Code is relatively quiet regarding how the planning system can proactively address the impacts of climate change. We recommend measures and policies to embed mitigation and adaptation measures are introduced.

Recommendation 6: Consider the role of State-funded projects and the Code - the State leading by example

Many (if not most) infrastructure projects avoid current planning system requirements – particularly roads and rail projects. However, many health and education projects suffer similar avoidance of the Code. We recommend reviewing all State-funded projects and how the Code (and a revised Tree Offset Scheme) may be applied to health, education and infrastructure projects to lead by example, creating cooler, greener and more biodiverse outcomes for their communities.

We welcome the opportunity to present our recommendations in person if the opportunity arises.

Yours sincerely,

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