

TO: DIT.PlanningReformSubmissions@sa.gov.au

RE: Planning and Design Code Submission

Thank you for the opportunity to make comment on the Draft Planning and Design Code (PDC), with consultation closing December 18th, 2020.

Our particular concerns are with the issues of *tree canopy*, *tree loss* and *significant trees*.

Tree Canopy

Recently, the SA Government commissioned a study entitled *OPTIONS ANALYSIS: Costs and benefits of Urban Tree Canopy Options for Minor Infill Development in the Planning and Design Code* prepared by BDO Econsearch. This document notes on page iii of the Executive Summary that the SA Government's *30-Year Plan also sets a target to increase urban green cover by 20 per cent by 2045* and notes that *This target is at significant risk, with tree cover reducing from 21.5 per cent to 19.5 per cent across metropolitan Adelaide between 2013 and 2016*.

The Draft PDC contains manifestly inadequate measures for developments to be assessed as *Deemed to Satisfy* in respect of tree canopy. Under the Urban Tree Overlay Assessment Provisions PO1.1 viz *Trees planted or retained to contribute to an urban tree canopy*, the development is *Deemed to Satisfy* if a site up to 450 sq. metres only contains one small tree (spread of 2 metres minimum) and soil area of 10 sq. metres around the tree. This means that the tree canopy only needs to be approx. **1% of the site** in order to be automatically approved. The soil area only needs to be approx. **2% of the site**.

For larger sites, the percentages of tree canopy cover and soil area are only slightly larger: even for a site of over 800 sq. metres, tree canopy can be as low as that provided by four small trees (of 2 metre minimum spread) i.e. a tree canopy of **2% of the site** and soil area of 60 sq. metres or **7.5% of the site**.

With targets as low as 1 to 2% of tree canopy cover for new developments, there is no prospect of reversing the decline in tree canopy cover as evidenced in the *OPTIONS ANALYSIS* paper, let alone achieving an increase in cover as laid out in the 30 Year Plan. And this increase is essential if Adelaide is to have any chance of mitigating and adapting to climate change which is now upon us.

Other jurisdictions are aiming for much higher targets. In New South Wales, for example, the Government Architect has released its *Greener Places Design Guide*: refer to: <https://www.governmentarchitect.nsw.gov.au/resources/ga/media/files/ga/discussion-papers/discussion-guide-greener-places-2020-06-03.pdf>. The Guide sets out, on pages 34 and 35, the proposed targets for tree canopy cover. In the CBD of Sydney, the target is 15% or more of cover; in medium-high density areas of Sydney, the target is 25% or more; and in low density areas, the target is 40% or more.

Given these targets, and a land cost in Adelaide which is much less than in Sydney, why is the PDC aiming so low? The PDC will fundamentally affect our city and we must set a course which enables us to have a liveable city, despite climate change. The current PDC targets for tree canopy will not get us there.

We recommend that targets comparable to Sydney replace the tree canopy targets in the Draft PDC.

Tree Loss

The OPTIONS ANALYSIS paper also refers to the benefits that trees provide to the community. On page iii of the Executive Summary of the OPTIONS ANALYSIS paper, these benefits are summarised as urban cooling, biodiversity and carbon capture, improved mental health, placemaking and increased economic values, stormwater management and increased physical health – all well-recognised as benefits of trees.

On page ix of the Executive Summary, the current fee for removing a significant tree is listed as currently being 3 x \$150 and 2 x \$150 for a regulated tree.

Also, on page ix of the Executive Summary, the lost benefits to the community of removal of a tree are *estimated at \$3,435 for an average unregulated tree*. Given this figure, the current fees for removal of significant and regulated trees need to be substantially lifted.

We recommend that the fee for removal of significant trees be increased to 3 x \$3,435 (i.e. \$10,305), for removal of regulated trees be increased to 2 x \$3,435 (i.e. \$6,870); and the offset value for any unregulated tree be set at 1 x \$3,435.

Significant and Regulated Trees

A related issue is the preservation of regulated and significant trees in Adelaide. This is alluded to in the PDC but is the specific subject of the Development (Regulated Trees) Variation Regulations 2011 (refer [https://www.legislation.sa.gov.au/LZ/V/R/2011/DEVELOPMENT%20\(REGULATED%20TREES\)%20VARIATION%20REGULATIONS%202011_237/2011.237.UN.PDF](https://www.legislation.sa.gov.au/LZ/V/R/2011/DEVELOPMENT%20(REGULATED%20TREES)%20VARIATION%20REGULATIONS%202011_237/2011.237.UN.PDF)).

These regulations do not convey protection of many significant or regulated trees within 10 metres of an existing dwelling or swimming pool. In practice, this means that Adelaide is losing its green-heritage trees at an alarming rate: there are few significant and regulated trees on private land which have any form of protection. These regulations need substantial change.

These concerns and a range of recommendations for action are outlined further in “What’s Happening to Adelaide’s Trees June 2020” at https://drive.google.com/file/d/1ff1Ofe9llieL-u6ftKQw_QtIB8Svlyda/view.

We recommend that Regulations relating to significant and regulated trees be amended to provide actual protection of our green heritage. A suggested starting point is the previous version of these regulations.

We are happy to meet to discuss these matters further and provide specific examples of concern.

Yours sincerely

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