



Conservation Council SA

Mr Michael Lennon
Chair, State Planning Commission
GPO Box 1815
ADELAIDE SA 5001

c/o: DIT.PlanningReformSubmissions@sa.gov.au

18 December 2020

Dear Michael,

The Conservation Council SA is an independent, non-profit and strictly non-party political organisation representing around 60 of South Australia's environment and conservation organisations and their 90,000 members.

Thankyou for providing an additional opportunity for feedback.

On behalf of our membership, we appreciate there has been considerable effort made to fix up mistakes and improve inadequate policy description. However, the revised Code remains inadequate due to its many errors, inconsistencies and omissions.

The implications are outlined in the submission of the Environmental Defenders Office:

"If it remains unchanged the revised Code will facilitate larger developments, the easier removal of trees on both private and public land, increased infill development opportunities, increased number of street crossovers, less community consultation and appeal rights and reductions in minimum site areas, site coverage and setbacks. This will result in a significant reduction in canopy cover, habitat loss and climate resilience. In our view the revised Code needs further improvement and until this occurs full implementation should not occur. There is no need to rush implementation and every effort should be made to improve the Code and all such efforts should be transparent."

As the peak body for the environment sector in South Australia, many of our member groups have been heavily engaged in the planning reform process.

We support the submissions of the Nature Conservation Society of SA, National Trust and Community Alliance SA, as well as the Environmental Defenders Office.

In particular, we would like to emphasise two key themes that require significant, additional policy development:

1. Urban Tree Canopy Cover

In partnership with a number of other organisations, we have prepared a comprehensive report outlining the case for better protection of Adelaide's mature trees.

We encourage you to consider this Report and its findings in identifying areas for Code improvement.

The Report can be accessed here: <https://www.conservation.sa.gov.au/trees2020>

The planning system has a vital role in retaining and increasing canopy cover, by addressing barriers and providing incentives for the retention of existing trees and requiring an adequate minimum level of green space in master plan development.

While we recognise the overlays for significant and regulated trees have been strengthened in this draft, it remains a lower level of protection than currently exists. For example, the proposed criteria for a tree damaging activity in the Regulated Tree Overlay does not reference the current test that "all other reasonable remedial treatments and measures must first have been determined to be ineffective". Equally, significant trees have a lesser assessment test for retention "retained where they make an important visual contribution to local character and amenity" compared to current "Significant Trees should be preserved".

The value of mature trees, particularly in the context of rising urban heat, cannot be over-emphasised, and this value needs to be recognised in the Code through strengthened, not reduced, policy protection. This should also be recognised through a substantial increase in the cost of removing, replacing and responding to damage to mature trees throughout the Code and associated policy.

We strongly recommend the abandonment of a proposed 'offset' scheme. The requirement to plant a reasonably sized tree as part of a proposed development should not be circumvented by paying money into a tree fund as this would allow the erosion of tree canopy in that specific location. The likely practice, unless the cost was set phenomenally high, is for this to default to a standard additional cost added on to all development, with no change in levels of tree planting.

2. Climate Change

Our rapidly changing climate will transform every aspect of our landscapes, economy, transport choices, water and energy resources and the safety of our community.

An updated Code should set up the South Australian community for success in adapting to change by encouraging development activities that increases resilience and safety and strongly discouraging those that will exacerbate risks.

While references to climate change have been strengthened, and some of the directions regarding tree cover and WSUD are positive, the Code falls manifestly short in responding responsibly to the challenge ahead of us in terms of scale and pace.

This is deeply disappointing and will ensure the continuation of damaging trends in our urban and per-urban landscapes at a time when we need to urgently and aggressively prepare and respond.

There is urgent work still required to identify best practice approaches to how the Code can better respond to the risk from the projected increase in frequency and severity of bushfire, flood and other hazards.

If you require further information, please contact me at [REDACTED]@conservationsa.org.au

Yours sincerely,



Craig Wilkins

Chief Executive