

Charlotte Nitschke

To the Expert Review Panel

Dear Panel Members,

I greatly appreciate the opportunity to address my concerns regarding our new Planning and Design Code.

My key concerns are regarding protection of Adelaide's *crucial* tree canopy, in particular, changing the definition of a 'significant' tree to appropriately reflect the value that the tree provides and removal of harmful and irresponsible practices that allow a truly shocking number of trees to be removed in Adelaide annually.

This has had a detrimental impact on my local area, resulting in the heartbreaking loss of many significant trees that are not deemed significant under our current, inadequate laws.

There is an enormous body of scientific evidence demonstrating that tree canopy is one of the most effective ways to mitigate against urban heat island effect. The urban heat island effect is becoming more dangerous as climate change continues to progress at an alarming rate. We must move swiftly to ensure that we leave the best possible outcomes for our children and grandchildren, and protect the elderly and vulnerable, where heat stress due to the urban heat island effect is often life-threatening.

The evidence is irrefutable and mounting: trees have enormous, positive impacts on our health and well-being. These are just some of their priceless benefits. They:

- Purify the air, reducing health complications associated with air pollution
- DECREASE the severity and impact of bushfires (when properly maintained)
- Reduce deaths due to heat stress
- Vastly decrease our stress levels and improve our mental health
- Reduce injuries on adults, children and pets due to the heat island effect and the extreme temperatures of cities in hot months
- Contribute to climate change mitigation through the removal of carbon dioxide

For these reasons I implore you to support the following key priorities:

- 1) Remove exemptions from existing Regulated / Significant Tree Protections and Native vegetation Regulations
  - a. 10m and 20m Rules – Planning, Development and Infrastructure Act Regulations covering Regular and Significant Tree Protections. There are no protections for large native trees within 10 metres of a building. The 20 metre rule is frequently used to

override the Native Vegetation Regulation (NVR). The differentiation between buildings and dwellings adds further confusion for homeowners, especially when the building or dwelling is not even required to be on the same property, for it to be considered a reason to remove a tree.

- b. Review and modify the list of tree species exempt from being classified as regulated /significant to better reflect the South Australian Environment
  - c. 10m and 5m fence Rules – Native Vegetation Act Regulations
- 2) Bring SA into line with VIC and NSW by changing the definition of regulated tree to one that:
- a. Has a trunk circumference of 50cm or more measured 1m above the ground or
  - b. Has a height of 6m or more or
  - c. Has canopy over 9sqm

Many species, due to their growth rate or pattern, will never reach the size required for protection, especially as they are being cut down at such a high rate.

- 3) Incorporate Vegetation Overlays into the Planning and Design Code, similar to those used in Victoria, to better reflect the expectations of local communities by allowing for the protection of significant urban vegetation
- 4) Implement new bushfire clearance allowances that reflect the Bushfire Attack Level rating for the property

The current regulations regarding trees and bushfires do not reflect the science. Trees can trap embers, reduce wind speeds and act as a radiant heat shield, decreasing bushfire risks when properly maintained.

- 5) Remove the ability to prune up to 30% of a regulated / significant tree without requiring council approval and implement a system that requires the use of the AS4373 Standard
- 6) Increase the use of arborists to assess applications affecting significant trees and allow for streamlined approval process for applications to remove regulated trees
- 7) Restore the requirement for the Department of Infrastructure and Transport and the Department of Education to publicly consult and gain planning approval to remove regulated trees
- 8) Modify the Urban Tree canopy Offset Scheme to better reflect the value of trees to the community by;
  - a. Increasing the fees to match the costs incurred by Councils to plant, establish and maintain replacement trees; and
  - b. Increasing the number of trees to be planted

This is crucial. We must value trees appropriately from an economic sense, or they will not be protected. While the value they provide is in fact, priceless – cities would be unlivable without them – we must make the value such that they will not be removed without careful consideration.

- 9) Introduce the following requirements where permission is granted to remove a protected tree:
  - a. Homeowners to replant or make a financial contribution for the loss of that tree at a set rate significantly higher than currently set
  - b. Developers to replant and make a financial contribution which will depend on the size and location of the tree they are seeking to remove

10) The removal of protected trees should not be allowed until all relevant planning and development approvals have been granted.

I look forward to the panel making recommendations that match interstate best practice. South Australia is a leader in terms of waste diversion and recycling practices and it is unacceptable that we fall so far short in terms of canopy protection. Allowing councils greater say over which trees are protected and in which circumstances would do this and would also meet community expectations for their local area.

Your sincerely,

Charlotte Nitschke