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Dear Daniel

### **Lighter Footprints' Submission on Draft Tree Canopy Strategy and Action Plan**

The Council is to be congratulated on releasing its draft Tree Canopy Strategy and Action Plan for public consultation. However, despite its worthy aims and the many commendable actions proposed, the draft strategy's lack of ambition is very disappointing.

The continuing major challenges in maintaining and increasing Boroondara's tree canopy are clearly set out in the draft, including the annual losses occurring on private and public land (700 and 800 trees respectively) and the impact of major projects. The change in baseline canopy measurement (from 28% to 25.7%) suggests on-going significant loss of canopy<sup>1</sup>.

Almost half the actions in the strategy are to 'develop', 'investigate' or 'explore' plans, programs etc. In view of the declining canopy and the CAP commitments made in 2021 (including the canopy target), it is concerning that more of these actions are not yet at the implementation stage.

In this context, urgent, focused and ambitious action is now called for. It is recognised that there are limits to the Council's power to reverse the loss and drive increases in canopy. However, the Council needs to ensure it is doing everything possible to maximise the tree canopy, including devoting significant additional resources to the task. The draft strategy fails to convey an appropriate sense of urgency or of pushing beyond 'business as usual'.

Comments on specific aspects of the draft are as follows:

#### *Narrow scope*

The draft strategy is too narrowly focused. Recognition of the importance of the tree canopy is welcome, but an integrated strategy for the urban forest as a whole is needed (i.e. including all vegetation except grass and groundcover). The sustainability, community wellbeing, climate and other benefits of the canopy and the urban forest obviously overlap. Rational planning for the tree canopy should consider planning for the remainder of the urban forest to ensure the best use of land and the health of vegetation.

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<sup>1</sup>It is understood that the 28% baseline is a 2014 measurement. A 2019 study (Hurley, J et al. Urban Vegetation Cover Change in Melbourne 2014 – 2018, Centre for Urban Research, RMIT University) indicated that there was a loss of more than 1% of canopy cover in Boroondara between 2014 and 2018. This suggests that the difference between the 28% (2014) and 25.7% (2022) baselines of 2.3% over 8 years is a reasonable indication of actual losses, despite the differing measurement methods used.

The need for integrated planning is recognised in Action 2.11 of the Climate Action Plan (CAP), to ‘Develop an Urban Forest/ Urban Greening Strategy for Boroondara with an associated planting plan’. Many other Councils in Melbourne have adopted an integrated approach, including most of those surrounding Boroondara.

#### *Relationship to the Biodiversity Strategy*

The strategy should also be more clearly linked to the Biodiversity Strategy. Although there are a number of references to the Biodiversity Strategy in the draft, it does not clearly articulate how the two strategies are related and will be coordinated. Both strategies should be amended accordingly.

#### *Lack of detail in the Action Plan*

The draft Action Plan generally provides relatively high level descriptions of the actions, limited detail about timing and no information about priorities, budget or resourcing (excepting Action 2.2.1). Wherever possible, more detail should be included to increase transparency and give the community more confidence that the Council will deliver the strategy. See below for further comments on resourcing of the strategy.

#### *Inadequate tree canopy target*

The draft strategy’s lack of ambition is most obvious in the tree canopy strategy target of 27% by 2040 across public and private land (despite the claim in the introduction that this is an ambitious target). This is a significant weakening of the aspirational target of 30% by 2030 adopted by the Council in the CAP of 2021. The strategy notes that with ‘improved data on our baseline position our target is now to increase our canopy cover by 2% from a lower baseline position of 25%’. The Council has also pointed to canopy loss from the Surrey Hills Level Crossing Removal and the North East Link Project as reasons for the change, as well as its inability to guarantee canopy growth on private land.

It is acknowledged that achieving the CAP target would be difficult, particularly given the limited time remaining until 2030. However, the new target indicates a lack of real commitment to reverse the current trend and increase the canopy. Given the declining canopy, the purpose of the target should be to challenge current practice (which is clearly not effective) and to drive consideration of new approaches and an increased level of effort/resources. It is true that a completely unrealistic target may lose credibility and be ignored, but a target which is not challenging will have little effect. Unfortunately, the new target appears to fall into the latter category. The weakness of the new target is clear:

- Although the draft strategy refers to a 2% increase in canopy cover (as in the CAP 2030 target), the actual increase from the new baseline is only 1.3%. And the CAP increase is over 9 years, compared with 16 years for the new target.
- 30% canopy cover is widely accepted as the minimum desirable for liveability, community health and ameliorating the effects of the heating climate<sup>2</sup>. As noted in the draft strategy, 30% is the State Government target for Melbourne.

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<sup>2</sup> See for example Konijnendijk C C, 2023. Evidence based guidelines for greener, healthier, more resilient neighbourhoods: Introducing the 3–30–300 rule, J. For. Res. (2023) 34:821–830.

- Assuming the average rate of change in canopy implied by the target (1.3% over 16 years), 30% canopy cover would not be achieved until 2077.
- The ArborCarbon report (2022) indicates that there are significant opportunities for new planting, including 16,852 potential sites in road reserves. The strategy should be aiming to exploit the full available potential at the earliest possible date and allocating resources accordingly.
- The targets adopted in other Melbourne Councils' urban forest strategies are universally more ambitious, if not in the absolute value of the target, then in the magnitude of the change aimed for. Considering only recent strategies (post 2020), the targets for Bayside (30% by 2040) and Whitehorse (27% by 2031), both starting from a much lower baseline (16% and 18.4% respectively), are clearly stronger. Moreover, the magnitude of the change in canopy targeted in these and other recent strategies (Glen Eira, Banyule) far exceeds the draft Boroondara target. Averaged over a 10 year period, increases range between 4.4 and 8.6 percentage points, compared with 0.8 for the draft Boroondara target. Including older plans in other municipalities gives a similar picture.

The target should be significantly strengthened, as a minimum to **30% canopy cover by 2035**. This would still place Boroondara at the lower level of ambition of other Councils based on the change in canopy targeted.

#### *Additional targets*

In addition to the municipality wide target, separate canopy targets for Council land and private land should be set, reflecting the very different strategies needed in these areas. Consideration should also be given to more detailed targets based on land use categories (open space, roads, residential etc.). Similar targets should also be set for urban forest cover.

#### *Inadequate Council planting program*

The Council has reported that the number of street trees at 30 June 2023 had declined to 63,984, compared with the baseline of 66,000 in the CAP, and the draft strategy notes that approximately 800 trees are removed from streets and parks every year. In view of these losses and the continuing loss of canopy across the municipality, the proposed Council tree planting program of 2,000 trees per year (Action 1.1.1) is clearly inadequate, and needs to be significantly boosted. As noted above, the ArborCarbon report indicates that there are significant opportunities for new planting, particularly in road reserves.

The updated planting plan (Action 1.1.2) should be directly linked to the canopy target and made available publicly, together with underlying modeling.

#### *Strengthening tree protection – the Local Law*

The actions to protect the tree canopy (2.1 – 2.4) are welcome, but (as noted above) it is disappointing that so many of them are to 'investigate' or 'explore', rather than more concrete commitments to take action which will make an immediate difference. The recent minimalist amendments to the Tree Protection Local Law do not give confidence that the Council is committed to urgent and strong action. Further amendment to the law (Action 2.1.2) should be a priority, and should include (at a minimum):

- Significantly increasing the scope of the law to include sizable smaller trees (including less mature trees) that make (or will make) a contribution to the canopy cover. A recent review of Australian tree

protection regulations<sup>3</sup> recommends a trunk circumference of 50 cm, compared with 110 cm in the current law.

- Providing greater protection of trees covered by the law from excavation/disturbance;
- Requiring substantial bonds for developers when trees covered by the law are at risk during construction. Bonds could be based on tree valuations, possibly with an indexed floor value and including the replacement cost<sup>4</sup>.

Action 2.1.2 should be amended accordingly to indicate the scope of proposed changes.

Council's decision in May to continue its advocacy for higher penalties under the law and to publicise prosecutions on the website and in Council publications are strongly supported. Council should also consider posting notices of proposed removal (as for planning notices) and the use of 'shaming' signs when the law has clearly been flouted.

Council officers are to be commended for their usual responsiveness when community members ring with concerns about tree removals. Council should establish a well-advertised formal system (including a hotline) which encourages community members to alert Council to likely or actual breaches of the law. The focus should obviously be on intervention prior to loss of a tree.

#### *Strengthening the planning/regulatory framework*

The actions to implement broad regulatory protection (Action 2.1) and minimum canopy cover measures on private land (Action 2.3) are very welcome. In addition to the proposed Planning Scheme amendments, the possibility of regulation via building regulations should be considered.

Action 1.4.4 to implement incentive programs to promote canopy growth (another very welcome strategy) may also require regulatory change. The option of creating incentives via Council rates should be considered<sup>5</sup>.

In line with the comments above, the proposed changes should address the entire urban forest, not just the tree canopy, and cover issues such as permeability, the percentage of green cover and provision of deep soil.

As the changes will require State government approval, a properly resourced and focused advocacy campaign will be essential, and this should be the subject of an additional action in the strategy. The possibility of coordinated or combined advocacy by like-minded Councils should be considered, possibly via CASBE.

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<sup>3</sup> Belder, R. L. et al, 2022. *Urban tree protection in Australia - Review of regulatory matters*, University of Adelaide. [https://plan.sa.gov.au/\\_\\_data/assets/pdf\\_file/0011/1087886/Urban\\_tree\\_protection\\_in\\_Australia.pdf](https://plan.sa.gov.au/__data/assets/pdf_file/0011/1087886/Urban_tree_protection_in_Australia.pdf)

<sup>4</sup> See *ibid.* for an overview of regulatory practice and proposals for bond structuring; some Australian Councils have maximum bonds of more than \$100,000.

<sup>5</sup> In 2022 the City of Unley proposed higher rates for new developments not meeting minimum canopy requirements until the minimum is achieved; the proposal was not approved by the State Government. See [https://plan.sa.gov.au/\\_\\_data/assets/pdf\\_file/0008/1335185/City-of-Unley.PDF](https://plan.sa.gov.au/__data/assets/pdf_file/0008/1335185/City-of-Unley.PDF)

*Raising community awareness*

Raising community awareness of the benefits of trees and increasing support for protection and growth of the canopy will obviously be critical to the success of the strategy, and creating this change is a major challenge for the Council. Actions 1.2 and 1.4, to establish partnerships with landowners/managers and to educate and support the community to increase the canopy on private land are commendable, but they do not give a sense that a program of the magnitude required to shift community attitudes is envisaged.

A well-resourced and proactive program which reaches out to all sections of the community is essential, including contacting new owners when properties change hands. Council should consider engaging external expertise to design an effective program that will make a real difference and change the current widespread lack of concern for tree canopy in new developments.

*Ensuring sufficient resources*

Despite setting a 30% target for the canopy in 2021, the Council appears to have made very limited progress to date on implementing measures to reverse the trend of declining canopy. The Council clearly needs to give greater priority to preserving canopy and driving growth. The draft strategy indicates that only one additional relevant staff member is proposed in the next 2 years. Council should consider a significant increase in the resources devoted to implementing the strategy and a commitment to ensure the necessary resources to expedite implementation should be included.

Thank you once again for the opportunity to comment on the draft strategy. We look forward to seeing an updated version.

Yours sincerely,

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