



**National Parks Association of the ACT Inc.**

*conservation education protection*

## **NPA ACT Submission on the draft Action Plan to Prevent the Loss of Mature Native Trees in the Territory**

The Biodiversity Planning and Policy team  
Environment, Planning and Sustainable Development Directorate  
Via epsddcomms@act.gov.au.

### **Submission on the draft Action Plan to Prevent the Loss of Mature Native Trees in the Territory**

The National Parks Association of the ACT ("NPA ACT") welcomes the opportunity to comment on the draft Action Plan to Prevent the Loss of Mature Native Trees in the Territory ('the Action Plan').

The NPA ACT is a community-based conservation organisation with more than 60 years of experience in helping to protect our natural environment, particularly in the ACT and surrounding regions.

### **Comments**

The Action Plan addresses one of the important areas of conservation in the ACT. By protecting mature native trees (MNTs) we are conserving rich habitats which are important for so many of the ACT's important flora and fauna species. This is emphasised in Appendix A of the Action Plan where 25 species and ecological communities already under threat are listed as being further impacted by the loss of MNTs.

The Action Plan lists 30 actions to enhance the protection of MNTs and for the encouragement of recruitment. The NPA ACT has included its response to these actions in Attachment A to this submission. Overall, the NPA ACT agrees with the proposed actions but does make comments on how some can be improved. In addition, the NPA ACT notes that the proposed actions are not assigned priority levels. These would have been useful to focus the actions of land managers and policy makers and to assist in the budget bids that will be necessary to fund the actions.

The ability for the Action Plan to meet its objectives will be heavily dependent on legislation and associated regulation. In particular, protection of MNTs in urban and greenfield developments relies heavily on the content of the Urban Forest Bill.

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While the NPA ACT will be making a separate submission on the Urban Forest Bill it strongly encourages the Biodiversity Planning and Policy team to work with the drafters of the Bill to ensure it contains a strong and practical framework for the protection of MNTs in the urban and greenfield contexts. In particular the NPA ACT is concerned that the Urban Forest Bill fails to adequately value MNTs, therefore providing little economic incentive for the retention of MNTs.

The Action Plan (page 17) notes that trees around 60 years old are currently deemed to be approaching the end of their lives. In fact, such trees are only just reaching the mature phase of their lives where they provide their greatest ecological utility. The NPA ACT strongly supports the proposed actions of the Action Plan that seek to protect MNTs in the urban context and extend their lives far beyond 60 years.

In order to do so, the NPA ACT believes that an inventory of all MNTs in the urban environment needs to be prepared in order to monitor their preservation, guide greenfield development planning and guide the establishment of biodiversity connectivity corridors. (This is consistent with actions 5 and 6). Urban leaseholders with MNTs on their property could be encouraged to monitor and maintain the health of these trees through rate concession incentives.

Similarly in a non-urban context, it will be important to ensure that the Nature Conservation Act supports the actions of the Action Plan. The NPA ACT would support making the Conservator a wholly independent position with enhanced powers for tree protection.

The NPA ACT notes concerns from some parts of the community about the safety of native trees in an urban context. These concerns lead to the removal or structural damage to many native trees in the urban setting. However, it is possible that such actions can increase the threat to lives and property by altering wind patterns and speeds thereby increasing the likelihood of branch drops or tree failures. In light of this, tree removal should be a last resort and the NPA ACT welcomes the proposed actions to safeguard the integrity of MNTs while also enhancing public safety.

The NPA ACT also supports proposed educational programs for tree assessors. The NPA ACT was horrified to learn that approvals of applications for tree removals had reached 88% (page 18). This clearly shows a failure in the assessment process with a lack of attention to biodiversity function. The NPA ACT recommends the introduction of a quality assurance process over tree assessments with the aim of ensuring that trees are accurately and consistently assessed in accordance with regulatory requirements and an emphasis on the functionality of the tree being assessed.

The NPA ACT also strongly supports the introduction of conservation covenants over non-urban lands. These have been very successful in other jurisdictions but must be supported by economic or other incentives for the landholders with the covenant. These would complement Action 14 on land management agreements (LMAs). As part of the covenants and the LMAs, consideration should also be given to how the protection of MNTs and areas for recruitment might attract carbon credits.

The NPA ACT notes there is no reference to indigenous management practices in the Action Plan nor of their applicability for the preservation of MNTs.

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Given that fire is identified as a threatening process for MNTs (page 27), is the clearing of the surrounds of MNTs prior to hazard reduction burns (action 20) adequate for the protection of MNTs? The NPA ACT strongly supports the research in actions 22 and 23 and recommends that it includes research into the best ways of protecting MNTs from the impacts of fire.

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Should you require any further information on our comments or our organisation, please do not hesitate to contact the NPA ACT office, attention of Mr Rod Griffiths, convener, NPA ACT Environment Sub-committee.

Yours sincerely

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Rod Griffiths  
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National Parks Association of the ACT

27 May 2022

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### Attachment A - Comments on Proposed Actions

<b>Acti on #</b>	<b>Action Description</b>	<b>Support ed by the NPA</b>	<b>Comments</b>
1	Develop formal policy for ACT Government employees and contractors, to protect existing MNTs in the Urban context.	Yes	<p>The principal outcome should be avoiding the removal of MNTs wherever possible. To assist in this the Action should incorporate a quality assurance process over assessment processes to review decisions prior to the removal or structural damage of an MNT. The quality assurance program can be graduated so that assessors who meet decision standards are assessed less frequently than other assessors. It would also be preferable for assessors to be qualified arborists.</p> <p>The NPA ACT supports the ‘avoid, mitigate and offset principles’ in this action but offsets should only be an absolute last resort. The loss of an MNT is a loss of biodiversity utility which is not able to be replaced by</p>
2	Review regulated tree and other criteria under the Tree Protection Act.	Yes	<p>Noting that these are being superseded by the Urban Forest Bill. Inclusion of biodiversity functionality should be an important</p>
3	Incorporate quantitative criteria to identify ‘exceptional’ trees for registration under the Tree Protection Act based on current research in Disallowable Instrument DI2018—50 Tree Protection (Criteria for	Yes	<p>The ecological criteria should also consider the ability of a tree to support recruitment and appropriate native understoreys.</p> <p>There also needs to be a mechanism to ensure registered</p>
4	Use of LIDAR and modelling to estimate current populations and to identify MNT population trends.	Yes	<p>While this action is specifically for the urban context it also has applicability in non-urban contexts. However, in the urban environment, the NPA ACT believes there are benefits for monitoring the condition of MNTs, creating an inventory of all</p>

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5	Develop policy for identifying and evaluating isolated public urban trees of high ecological	Yes	There is the potential for the development of citizen science projects to assist with this action.
6	Develop educational materials to increase awareness of the habitat value of MNTs in urban	Yes	Agree. Education of the community about the values of MNTs and the small risk from MNTs is a key step in
7	Increase monitoring and compliance efforts for breaches of Tree Protection Act by leaseholders and assess approval rates for regulated native trees.	Yes	A lack of monitoring and compliance activities would severely undermine the policy positions in the Action Plan. The current extremely high tree removal approval rates indicate a failure in the tree protection process and achieving a significant reduction
8	Research actions in the urban	Yes	Strongly supported.
9	Management of dead trees as habitat trees.	Yes	It is important not to lose the functionality of MNTs, even after
10	Encouragement of the artificial creation of hollows in dead	Yes	The NPA ACT supports this but would like to see further research on
11	Encouragement of developers to increase recruitment.	Yes	It is vital that green field developments identify all MNTs and develop actions to not only protect the MNTs but to provide adequate
12	Plant more native trees in urban open space, urban reserves and greenfield development.	Yes	Note replacement planting would not be required if an MNT is not removed. Where there is no alternative to the removal of an MNT then the NPA ACT supports the policy of requiring ongoing maintenance and replacement of each planting until it is well
13	Include landscaping to protect small trees, add coarse woody debris and understory species to community plantings in	Yes	Agreed that this is a positive way of enhancing public safety and providing educational opportunities on the values of MNTs.

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14	Management of MNTs via Land Management Agreements.	Yes	To assist this action there should be an inventory of existing MNTs on agricultural land against which LMAs can be drafted to ensure protection. The introduction of covenants would complement LMAs. Means of compensating
15	New estate development plans should explicitly address MNT retention and recruitment and demonstrate effective	Yes	It is vital that green field developments identify all MNTs and develop actions to not only protect the MNTs but to provide adequate
16	Encourage/facilitate, via grant funding and provision of expert support, the retention of understorey and ground cover species along with MNTs,	Yes	Agreed, the retention or encouragement of native understorey is vital to the long-term survival of MNTs and recruitment of their successors.
17	Use of grants to encourage tree protection practices in a rural	Yes	Agree, this is consistent with Action 16.
18	Encourage/facilitate via grant funding and provision of expert support active plantings of native tree species, particularly	Yes	Agree, this is consistent with Action 16.
19	Encourage landholders to retain understorey and ground cover species along with MNTs, particularly where groups of	Yes	Agree, as per comment on Action 16.
20	In consultation with land custodians, evaluate appropriate clearing of flammable material from around the base of dead standing trees	Yes	Agreed, MNTs should not be lost through prescribed burns. Are there alternate ways of protecting the MNTs?
21	Continue or expand the ACT Environment Grants program to increase planting of native trees. Consider offering ACT Government expert assistance to volunteer groups in preparing	Yes	Agreed.
22	Ensure additional reserves, such as offsets, and revegetation activities are	Yes	This should be informed by an ACT wide identification of connectivity channels and sites of key



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<b>Acti on #</b>	<b>Action Description</b>	<b>Support ed by the NPA</b>	<b>Comments</b>
23	Conduct further research on whether prescribed burns have quantitatively different effects on hollow bearing trees than wildfire.	Yes	Noting that prescribed burns can vary in intensity.  The NPA ACT would also encourage the teaching and use of very low intensity prescribed burning, designed to reduce ground layer vegetation, and encourage the
24	Continue research on the effect of fire on these systems, including incorporation of new insights from climate change research. Incorporate into fire	Yes	Agreed, given the significant impact that fire can have on MNTs.
25	Evaluate utility of aerial sowing or other potential interventions to regenerate Alpine Ash forest	Yes	Is there evidence of the utility of this practice from other jurisdictions?
26	Continue research to: a. quantify changes in distribution and abundance of deer b. identify long-term changes in	Yes	Noted. It is understood that this is an area requiring additional research in the ACT and Australia.
27	Continue field monitoring and analysis of dieback and associated variables to better understand the causes and	Yes	Agreed. Is there the potential for citizen science projects on this topic?
28	Build on past research conducted in the ACT and elsewhere to better understand the implications of climate	Yes	Agreed this is a key area of required research.
29	Develop and implement policy regarding active translocation/ assisted colonisation of species consistent with expected	Yes	With the results of such research being made widely available to the community.
30	Develop policy regarding the choice of seed provenance for revegetation and translocation under projected climate	Yes	Wherever possible, the NPA ACT believes that local seed should be used. However, it may be that special characteristics, such as