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Project Manager
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Standards Australia
Committee EV-018

By email: ashwini.sharma@standards.org.au

DR AS 4970 - DRAFT PROTECTION OF TREES ON DEVELOPMENT SITES

Dear Committee

The Urban Development Institute of Australia (UDIA WA) is pleased to provide feedback on the draft **DR AS 4970 Australian Standard for Protection of Trees on Development Sites**. UDIA (WA) is the peak body representing the property industry in Western Australia with members engaged in a range of disciplines including land development, planning, architecture, urban design, landscape architecture, infrastructure and engineering.

UDIA would like to state upfront, that the draft document provides comprehensive guidance on the retention of trees as it represents best practice as far as tree retention is concerned. However, we question how it may be applied to broad scale land development. It is UDIA's view that trees for retention should be identified at the structure planning stage of a development so that the planning and engineering objectives are aligned and understood by all parties and incorporated into the design of a development. We support the statement on page 4, "Early identification and protection of important existing trees on development sites is essential from the outset and will avoid the problems of retaining inappropriate trees".

One of UDIA's principal objectives is the efficient and affordable supply of land and housing to the community. The Institute therefore aims to ensure that regulations and standards meet these objectives without placing additional pressure on housing affordability, particularly in the current economic climate.

UDIA's overriding concern with the draft document is the impact the standard might have on industry's ability to deliver land to the market in the most economically favourable way. The retention of trees is widely required by a number of agencies as part of the approval process in Western Australia and the measures prescribed in the draft document are duplicating existing statutory requirements. The cost implications of the proposed requirements are articulated below:

Requirement for arborist

- UDIA supports the use of a qualified arborist where there is dispute and certification is required however, the requirement for a mandated project arborist to carry out

tree mapping is unnecessary and superfluous to needs and puts additional costs onto a project.

Currently an arborist may or may not be specifically involved as tree assessment is a visual process typically undertaken by a project team which generally includes a Landscape Architect. The health or otherwise of existing trees is visually assessed and their future lifespan reasonably estimated dependent on species, size etc. The local authority and other authorities make their own assessments and both assessments are correlated and resolved / agreed. Where agreement cannot be reached, an arborist should be called in.

Erection of individual tree fencing (Figure 4)

- Typically a whole site is controlled at its boundaries via a construction contract. Specific critical trees or stands of trees are already marked and specific instructions issued to construction contractors with clearing penalties included within most specifications. In individual cases pegs and site tape mark boundaries usually in excess of the setback standards stated. The application of the fencing standard to the extent as shown in this standard could be regarded as excessive in many instances.

Final assessment report

- The need for a final assessment report after the fact serves a limited purpose. Most maintenance contracts have provision for observation and consideration of retained vegetation, supplementary pruning etc and trees fail naturally over time for many reasons despite everyone's best efforts.

The following requirements also imply higher levels of expenditure for project proponents without appropriate benefits:

- Clause 2.2 refers to the consideration of "legal controls" at the earliest stage of site development. This statement needs to be clearly explained and will depend on the land tenure as when the land transfers to residents there does not appear to be any affective way to enforce the retention of trees. Legal controls also imply increased costs;
- Clause 2.3.3.2 The level of detail recommended for the Preliminary Report is much greater than current practice and the cost implications of need to be understood by the Committee;
- Clause 4.4 refers to 1.8m height of fencing which is significantly higher than current standards and implies additional costs;
- Clause 5.4 refers to extensive monitoring during stages of the project but these need to be kept in context and to be mindful of costs. Some authorities may refer to the Standard and require such measure which may impact on the viability of a project.

Application of the proposed standard for broad scale land development

- We caution against the blanket application of the standard across whole sites with numerous trees as the cost implications of undertaking all the provisions within the standard for every tree are onerous and will render projects unviable;

- The level of detail prescribed could not reasonably be achieved for a typical land development; it would be more appropriate once key trees or groups of trees for retention have been identified at a larger scale;
- The standard is based "*on plant biology and current best practices as covered in recently published literature*" and is accordingly narrow in scope without proper regard to other relevant considerations such as conservation of ecological values off site, responsibility for ongoing maintenance, and unacceptable impact on the development (e.g. preventing essential earthworks or infrastructure alignments);
- Protected trees may not survive without their local habitat regardless of how much care is taken.

In summary, UDIA supports best practice in the numerous disciplines that contribute to the land development process and we try to balance this with an economic imperative to deliver affordable housing to the market. The draft document represents best practice for tree retention and we commend the Committee on its work. We trust however that you will give due consideration to the comments in this submission and re-evaluate how the standards could adapted to better cater for broad scale land development.

Yours sincerely

A handwritten signature in black ink that reads "Debra Goostrey". The signature is written in a cursive style with a large initial 'D' and a trailing flourish.

Debra Goostrey
Chief Executive Officer