

**Tara Cheyne MLA**

Manager of Government Business

Attorney-General

Minister for Human Rights

Minister for City and Government Services

Minister for the Night-Time Economy

Member for Ginninderra

**RESPONSE TO QUESTION ON NOTICE**  
**Questions on Notice Paper No 3**  
**Friday, 7 March 2025**  
**Question No. 163**

**MR CAIN:** To ask the Minister for City and Government Services —

1. Could the Minister outline what specific improvements has the *Urban Forest Act 2023* brought compared to the *Tree Protection Act 2005*, and how is the Government ensuring that these improvements are effectively implemented and monitored.
2. Why have the funds from canopy contribution agreements not yet been spent, and what is the Government's plan to ensure these funds are utilised effectively to enhance the urban canopy.

**Ms Tara Cheyne MLA – The answer to the Member's questions are as follows:**

1. The *Urban Forest Act 2023* protects trees on public and leased land in the ACT under a single piece of legislation, recognising the important role they play in the community and in combatting the impacts of climate change.

The new laws protect more trees by:

- classifying all public trees as protected;
- reducing the size requirements for protected trees on private land from 12 metres to 8 metres in height or canopy width;
- classifying dead native trees with a circumference of 1.88m or more as protected to provide essential habitat elements for local fauna;
- incentivising the retention of existing trees by requiring replanting of more trees or requiring a financial contribution to support tree planting elsewhere through a canopy contribution agreement, if removal of existing trees is to be pursued;



- introducing a tree bond system to ensure trees are not damaged during construction work as our city continues to grow;
- expanding the ACT Tree Register which celebrates and protects our most significant trees; and
- improving compliance provisions, for example, the introduction of penalties for people caught damaging a tree or breaching a tree protection plan or direction.

A review is underway to ensure the operation of the Act is working as intended and alongside other key Government priorities. The review was brought forward from early 2026. This review will explore potential improvements while ensuring that the Act continues to support tree planting, maintenance, and urban canopy expansion in a financially viable manner that delivers the best possible outcomes for all Canberrans and our environment.

2. It was not intended that funds collected under a Canopy Contribution Agreement (CCA) would necessarily be expended concurrently with collection. It is important that the money be spent in a strategic way, aligning with the objects of the Act and in accordance with Subdivision 3.3.2 sections 40 and 41 of the Act, which governs the use of funds received through financial settlement as part of a CCA, as well as annual reporting requirements.

**Approved for circulation to the Member and incorporation into Hansard.**



**Tara Cheyne MLA**

**Minister for City and Government Services**

**Date:**.....*2/4/25*.....

This response required 1 hrs and 20 mins to complete, at an approximate cost of \$131.18