

#### **AGENDA**

# FOR TREE MANAGEMENT APPEALS SUB COMMITTEE MEETING TO BE HELD ON

# 8 NOVEMBER 2021 AT THE CONCLUSION OF THE ASSET MANAGEMENT SUB COMMITTEE

# IN WITTBER AND DR RUBY DAVY ROOMS, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY

**MEMBERS** Cr S Reardon (Chairman)

Mayor G Aldridge (ex officio) Deputy Mayor, Cr C Buchanan Cr P Jensen (Deputy Chairman)

Cr S Ouk

**REQUIRED STAFF** Chief Executive Officer, Mr J Harry

General Manager City Infrastructure, Mr J Devine Team Leader Natural Assets, Mr C Johansen

Manager Governance, Mr R Deco

## **APOLOGIES**

#### LEAVE OF ABSENCE

## PRESENTATION OF MINUTES

Presentation of the Minutes of the Tree Management Appeals Sub Committee Meeting held on 11 October 2021.

#### **REPORTS**

TMASC1	Future Reports for the Tree Management Appeals Sub Committee	. 7
TMASC2	Tree Removal Requests - Monthly Update	9
TMASC3	Review of Tree Removal Request - 1/1 Torrens Lane Mawson Lakes, Tree in Lomond Circuit Reserve	15

## **OTHER BUSINESS**

## **CLOSE**



## MINUTES OF TREE MANAGEMENT APPEALS SUB COMMITTEE MEETING HELD IN LITTLE PARA CONFERENCE ROOMS, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY ON

## 11 OCTOBER 2021

**MEMBERS PRESENT** Cr S Reardon (Chair)

Mayor G Aldridge (ex officio) Deputy Mayor, Cr C Buchanan Cr P Jensen (Deputy Chair)

Cr S Ouk

**OBSERVERS** Nil

STAFF General Manager City Infrastructure, Mr J Devine

Team Leader Natural Assets, Mr C Johansen Team Leader Urban Built Assets, Mr J Hosking Manager Infrastructure Management, Mr D Roy

Manager Governance, Mr R Deco

Personal Assistant to the Executive Office, Ms M Healy

The meeting commenced at 7.39pm

The Chair welcomed the members, staff and the gallery to the meeting.

### **APOLOGIES**

Apologies were received from Chief Executive Officer, Mr J Harry.

#### LEAVE OF ABSENCE

Nil

## PRESENTATION OF MINUTES

Moved Cr P Jensen Seconded Cr S Ouk

The Minutes of the Tree Management Appeals Sub Committee Meeting held on 13 September 2021, be taken as read and confirmed.

**CARRIED** 

#### REPORTS

## TMASC1 Future Reports for the Tree Management Appeals Sub Committee

(please note there were no forward reports as a result of a Council resolution listed at this time)

## TMASC2 Tree Removal Requests - Monthly Update

Moved Cr S Ouk Seconded Cr P Jensen

### That Council:

1. Notes the report.

**CARRIED** 

## **TMASC3** Review of Tree Removal Request - Various Locations

Moved Mayor G Aldridge Seconded Cr C Buchanan

- 1. That the Tree Management Appeals Sub Committee, in accordance with its delegated powers set out in the adopted Terms of Reference in relation to non-regulated/significant trees:
  - a. Approves the removal of 1 Eucalyptus tree in front of 15 Blasess Drive, Paralowie.
  - b. Approves the retention of the regulated Eucalyptus sideroxylon in front of 54 Eyre Crescent, Valley View.
  - c. Notes that the two regulated Eucalyptus leucoxylon in front of 9 Townsend Avenue, Parafield Gardens, have been identified for removal through the streetscape program in 2022.
  - d. Approves the retention of the regulated Eucalyptus leucoxylon in front of 22 Shorney Road, Parafield Gardens
  - e. Approves the retention of the regulated leucoxylon in front of 8 Briony Way, Paralowie
  - f. Approves the retention of regulated Eucalyptus sideroxylon, 9 Scott Avenue, Salisbury Heights

#### **AND**

### That Council:

- 1. Approves the lodgement of development applications seeking removal of:
  - a. The two regulated Eucalyptus leucoxylon trees in front of 6 Sandy Crescent, Parafield Gardens, noting that should the application be approved four replacement trees will be planted in the verge in front of 4 and 6 Sandy Crescent, Parafield Gardens.

**CARRIED** 

City of Salisbury

## **OTHER BUSINESS**

# TMASC-OB1 Motion Without Notice - Proposed Cost Reduction for Pensioners - Tree Removal

Moved Cr S Reardon Seconded Cr C Buchanan

That a report come back to this sub-committee regarding proposed reduction in costs of tree removal for pensioners.

**CARRIED** 

C	$\mathbf{T}^{\prime}$
	н.

The meeting closed at 7.51pm.

CHAIR	 •	• • • • • • • • • • • • • • • • • • • •
DATE	 	

ITEM TMASC1

TREE MANAGEMENT APPEALS SUB COMMITTEE

**DATE** 08 November 2021

**HEADING** Future Reports for the Tree Management Appeals Sub Committee

**AUTHOR** Michelle Woods, Projects Officer Governance, CEO and

Governance

**CITY PLAN LINKS** 4.2 We deliver quality outcomes that meet the needs of our

community

**SUMMARY** This item details reports to be presented to the Tree Management

Appeals Sub Committee as a result of a previous Council

resolution.

## RECOMMENDATION

## That Council:

1. Notes the report.

#### **ATTACHMENTS**

There are no attachments to this report.

#### 1. BACKGROUND

- 1.1 A list of resolutions requiring a future report to the Tree Management Appeals Sub Committee is presented for noting at each meeting.
- 1.2 If reports have been deferred to a subsequent meeting, this will be indicated, along with a reason for the deferral.

#### 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 Report authors and General Managers.
- 2.2 External
  - 2.2.1 Nil.

## 3. REPORT

3.1 The following table outlines reports to be presented to the Tree Management Appeals Sub Committee as a result of a previous Council resolution:

Meeting -	Heading and Resolution	Officer		
Item				
25/10/2021	Motion Without Notice: Proposed Cost	Jamie Hosking		
	Reduction for Pensioners – Tree Removal			
TMASC-	That a report come back to this Sub			
OB1	Committee regarding proposed reduction in			
	costs of tree removal for pensioners.			
Due:	February 2022			
Reason:	Investigation into this matter will be			
	considered and reported on as part the Tree			
	Policy Amendment Report that will be			
	submitted to the Urban Services Committee in			
	February 2022.			
25/10/2021	<b>Motion Without Notice – Street Tree Policy</b>	Jamie Hosking		
4.0.1-	1. As part of the forthcoming report on street			
AMSC-	tree selection the administration give			
OB1	consideration to removing eucalypts that have			
	the capacity to become regulated and/or			
	significant from residential streetscape			
	renewal program in residential streets that			
	have narrow verge.			
Due:	February 2022			
Reason:	Investigation into this matter will be			
	considered and reported on as part the Tree			
	Policy Amendment Report that will be			
	submitted to the Urban Services Committee in			
	February 2022.			

## 4. **CONCLUSION / PROPOSAL**

4.1 Future reports for the Tree Management Appeals Sub Committee have been reviewed and are presented for noting.

**INFORMATION** 

ONLY

ITEM TMASC2

TREE MANAGEMENT APPEALS SUB COMMITTEE

**DATE** 08 November 2021

**HEADING** Tree Removal Requests - Monthly Update

**AUTHOR** Jamie Hosking, Team Leader Urban Built Assets, City

Infrastructure

**CITY PLAN LINKS** 1.1 Our City is attractive and well maintained

4.1 Members of our community receive an exceptional

experience when interacting with Council

**SUMMARY** This monthly report provides Elected Members with updates on

tree removal requests received from residents.

#### RECOMMENDATION

#### That Council:

1. Notes the report.

#### **ATTACHMENTS**

This document should be read in conjunction with the following attachments:

1. Tree Removal Requests September 2021

#### 1. BACKGROUND

1.1 At its meeting held on Tuesday, 27 April 2021 Council resolved that:

"That a standing report be established for every meeting of the Tree Management Appeals Sub Committee to inform Council of every application received for tree removal and the outcome of that request."

Resolution Number 0916/2021

1.2 Staff currently upload a monthly tree removal request information table to the Elected Members Portal. This document has been adapted to provide further information and will now be reported to each meeting of the Tree Management Appeals Sub Committee.

## 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 City Infrastructure Staff
- 2.2 External
  - 2.2.1 Various relevant Residents

#### 3. REPORT

- 3.1 The attached table is a summary of requests for tree removals received and actioned by staff during the past month and has been provided on the Elected Member Portal for September 2021.
- 3.2 77 tree removal requests were received in September. Of these requests 58 were approved for removal including 9 significant or regulated trees approved though development applications. 19 applications were refused. Of the 19 refused applications, 9 are related to significant or regulated trees under the *Planning Development and Infrastructure Act 2016*.
- 3.3 Tree removal requests often result in ongoing dialogue between the owner of the property and Council on the proposed tree removal and subsequent discussions around the species type and location of the new street tree.
- 3.4 It is important to note that through various annual programs Council plants over 2,000 trees each year. These programs include Street Tree Renewal Program, Infill Planting Program, Tree Screen Renewal Program, Reserve Upgrade Program, Feature Landscape Renewal Program, Greening Program, School Tree Planting Program, Major Projects and ad-hoc planting requests. Our Street Tree Renewal Program planted 996 trees in 2019/20 and it is expected that 1,392 will be planted in 2020/21.

#### 4. CONCLUSION / PROPOSAL

4.1 It is proposed that the information contained in the attachment be noted.

Page 10 City of Salisbury

MONTH: September 2021

Assessed by Parks and Open Space Assets team on site and removed based on Councils Tree Removal Criteria adopted by Council April 2016

adopted by Council	ADDRESS	DATE	REFERENCE	APP/REF
Burton	29 Nicholis Crescent	17/09/2021	CRM 379012	Approved
Direk	26-30 Pilatus Drive - Tree 1	7/09/2021	DW 6936709	Approved @ Cost
Direk	26-30 Pilatus Drive - Tree 2	7/09/2021	DW 6936709	Approved @ Cost
Gulfview Heights	21 Laver Avenue - tree at front	3/09/2021	CRM 377233	Approved
Gulfview Heights	2 Annalisa Court - Significant	7/09/2021	CRM 376376	D/A Approved - Significant tree
Ingle Farm	12 Kelvin Road - Tree 1 - adjacent illegal drive currently being used - DA 21025211 New dwelling	1/09/2021	DW 6900013	Approved @ Cost
Ingle Farm	12 Kelvin Road - Tree 2 - Regulated - adjacent current existing drive	1/09/2021	DW 6900013	Refused - Regulated
ingle Farm	9 Evans Street	7/09/2021	CRM 378590	Approved
Ingle Farm	15 Schumann Street - tree nearest stoble pole	9/09/2021	CRM 378541	Approved
Ingle Farm	27 Darren Avenue - 2 trees - Euc înter is Regulated	24/09/2021	CRM 374008	Refused x 2
Ingle Farm	Cobham Court Reserve opp 3 Cobham Court - Ac saligna	24/09/2021	CRM 379931	Approved
Ingle Farm	6 Ulaka Road - tree next to stobie pole	24/09/2021	CRM 379856	Approved x 1
Ingle Farm	Bromley Green - side 17 Yutara Avenue - Significant	28/09/2021	CRM 376606	D/A Approved - Significant tree
Mawson Lakes	7 Brownhill Lane	3/09/2021	CRM 377363	Approved
Mawson Lakes	Sir Douglas Mawson Lake - tree next to solar light on the path immediately behind 6 McKinlay Court	10/09/2021	CRM 379187	Approved x 1
Mawson Lakes	5 Sandpiper Chase	14/09/2021	CRM 376234	Refused
Mawson Lakes	Lomond Circuit Reserve - adjacent to Unit 1 / 1 Torrens Lane - Ficus hillii	17/09/2021	CRM 377541	Refused x 1
Mawson Lakes	Roundabout - Intersection Peppercorn and Ashwood Circuit - self sown Ac. Salicina	30/09/2021	CRM 379460	Approved x 1

## FURTHER INFORMATION CONTACT COUNCIL'S PARKS AND OPEN SPACE ASSETS OFFICER - 8406 8403

MONTH: September 2021

Assessed by Parks and Open Space Assets team on site and removed based on Councils Tree Removal Criteria

adopted by Council April 2016  ADDRESS DATE REFERENCE APP/REF					
	ADDRESS	DATE	KEPEKENCE	AFP/REF	
Para Hills	side 26 Sleep Road - Regulated	13/09/2021	ETF 294553	Approval Supported - Regulated Tree	
Para Hills	64 Sleep Road - 221 Application - DW 6912798	16/09/2021	CRM 377423	Approved @ Cost x 1	
Para Hills	33 Liberman Road - Tree 1 - Lot 742	21/09/2021	DW 6936588	Approved @ Cost	
Para Hills	33 Liberman Road - Tree 2 - Lot 741 - tree not in conflict	21/09/2021	DW 6936588	Refused	
Para Hills	1A Myall Road - Lot 5 - New Dwelling - DA 21028264	27/09/2021	DW 6955124	Approved @ Cost x 1	
Para Hills	27 Allen Drive - tree nearest drive	24/09/2021	CRM 379847	Approved x 1	
Para Hills	side 26 Sleep Road - Edward Street - Regulated - Retrospective	27/09/2021	ETF 294553	D/A Approved Regulated - Retrospective	
Para Hills West	48-54 Ayfield Road - Tree 3 on Ayfield near corner / side 17 Coorong Crescent	13/09/2021	DW 6922335	Approved @ Cost x 1	
Para Hills West	Woodcock Crescent Reserve - rear 17 Woodchester Street	14/09/2021	CRM 377157	Approved x 1	
Para Vista	16B Warren Road - 221 Application - DW 6857230 - CRM 379515	24/09/2021	CRM 379515	Approved @ Cost	
Parafield Gardens	109 Andrew Smith Drive	1/09/2021	CRM 376858	Refused	
Parafield Gardens	6 Camelia Drive - 2 trees	1/09/2021	CRM 376942	Refused x 2	
Parafield Gardens	side 2A Spencer Street - Blueberry Road	3/09/2021	CRM 377126	Approved x 2	
Parafield Gardens	side 1 Silkie Court - Birchen Avenue - 2 trees	7/09/2021	CRM 375646	Approved x 2	
Parafield Gardens	3 Tulip Court - 5 trees	13/09/2021	TMASC3 - DW 6927779	Approved x 5	
Parafield Gardens	27A Secomb Avenue	13/09/2021	ETF 294860	Approved	
Parafield Gardens	2 Wingate Crescent - Regulated - tree nearest corner	14/09/2021	CRM 375858	D/A Approved Regulated	
Parafield Gardens	4 Mitchell Street - Regulated	20/09/2021	CRM 378093	Refused - Regulated Trea	
Parafield Gardens	4 Field Street	17/09/2021	CRM 378359	Approved	
Parafield Gardens	3 Stone Court	21/09/2021	CRM 378157	Approved x 1	
Parafield Gardens	20 Ormsby Avenue	21/09/2021	CRM 378341	Refused	

FURTHER INFORMATION CONTACT COUNCIL'S PARKS AND OPEN SPACE ASSETS OFFICER - 8406 8403

MONTH: September 2021

Assessed by Parks and Open Space Assets team on site and removed based on Councils Tree Removal Criteria

	ADDRESS	DATE	REFERENCE	APP/REF
Parafield Gardens	13 Golden Circuit	30/09/2021	ETF 295387	Approved
Parafield Gardens	13 Bauhinia Drive - 2 Regulated Trees	29/09/2021	CRM 379450	Refused x 2 - both Regulated
Parafield Gardens	10 Addison Street	30/09/2021	CRM 379424	Approved
Paralowie	26 Magdalena Crescent - Regulated	1/09/2021	CRM 376759	Refused - Regulated
Paralowie	2 Blaess Drive - Regulated	1/09/2021	CRM 377809	Refused - Regulated
Paralowie	22 Delamere Drive - Regulated	16/09/2021	CRM 376852	D/A Approved Regulated Tre
Paralowie	19 Gabriella Drive - Regulated	20/09/2021	CRM 378302	Refused - Regulated
Paralowie	8 Margarita Street - Regulated	24/09/2021	CRM 376610	Approval Supported - Regulated Tre
Paralowie	3 Wanita Court	27/09/2021	CRM 378196	Approved
Paralowie	3 Belibird Avenue	24/09/2021	CRM 378544	Approved
Pooraka	18 Saxon Street - Regulated	6/09/2021	CRM 375124	Refused - Regulated
Pooraka	side 14 Paterson Road - Noack Place - 4 trees	9/09/2021	CRM 378106	Approved x 4
Pooraka	23-25 Maxwell Road - Tree 1 next to drive - DA 21028715 - 7 proposed warehouses	27/09/2021	DW 6952109	Approved @ Cost
Pooraka	23-25 Maxwell Road - Tree 2 - 2nd tree from drive - 7 proposed warehouses	27/09/2021	DW 6952109	Approved @ Cost
Pooraka	Dry Creek Linear Park (Upper) side 1 Ayr Street	24/09/2021	CRM 379368	Approved x 1
Pooraka	25 Rains Drive - Regulated	27/09/2021	CRM 376403	D/A Approved Regulated
Pooraka	Dry Creek Linear Park Upper - side 23 Mintara Terrace - 2 trees	30/09/2021	CRM 380109	Approved x 2
Salisbury	Church Street, verge directly adj carpark entrance for authorized parking only for St Johns Anglican Church, rear 9-13 Mary and 2-10 Church Street	7/09/2021	CRM 378004	Approved

FURTHER INFORMATION CONTACT COUNCIL'S PARKS AND OPEN SPACE ASSETS OFFICER - 8406 8403

MONTH: September 2021

Assessed by Parks and Open Space Assets team on site and removed based on Councils Tree Removal Criteria

adopted by Council April 2016

ADDRESS		DATE	REFERENCE	APP/REF
Salisbury	13 Post Avenue	9/09/2021	ETF 293269	Approved
,				
Salisbury	53 Margaret Avenue - Regulated Tree - dead	17/09/2021	CRM 360963	Approved
Salisbury	4C Jane Crescent - Regulated	30/09/2021	CRM 378811	Refused - Regulated
Salisbury Downs	9 St Hughes Place - Regulated tree nearest driveway of property	9/09/2021	CRM 377839	Approval Supported - Regulated Tree
Salisbury Downs	6 Galway Crescent	30/09/2021	CRM 379459	Approved
Salisbury East	37 Titmus Avenue - 221 Application - DW 6823559 - one tree, 2 palms and one yucca plant	16/09/2021	CRM 375246	Approved @ Cost
Salisbury East	31 Jasper Street	17/09/2021	CRM 379499	Refused
Salisbury East	3 Garside Crescent - tree between driveway and stoble pole	29/09/2021	CRM 376518	Approved x 1
Salisbury Heights	Damian Drive Reserve - side 14 Chichester Court - middle tree	3/09/2021	CRM 374908	Approved x 1
Salisbury Heights	4 Durham Court - tree nearest boundary of no. 3	7/09/2021	CRM 376709	Approved x 1
Sallsbury Heights	13 Nicholas Avenue - 22 Application - 2nd drive	9/09/2021	CRM 374979 DW 6908030	Approved @ Cost x 1
Salisbury Heights	18 Lister Avenue - tree nearest letterbox	13/09/2021	ETF 294557	Approved x 1
Salisbury Heights	3C Bowey Avenue - New Dwelling - DA 21923697	28/09/2021	DW 6955565	Approved @ Cost x 1
Salisbury North	side 15 Degree Road - Harold Road - 3rd tree from corner and tree nearest no. 5 Harold Road property boundary	7/09/2021	CRM 375761	Approved x 1
Salisbury North	45 Noolinga Way - tree nearest drive	9/09/2021	CRM 377774	Approved x 1
Salisbury North	19 Saywell Crescent - Regulated	17/09/2021	CRM 379433	Refused - Regulated
Salisbury North	5 Pyatt Court - tree nearest to no. 6 driveway	24/09/2021	CRM 380089	Approved
Salisbury North	20A Langford Terrace - 2 trees	30/09/2021	CRM 379934	Refused x 2
Valley View	32 Avis Court	7/09/2021	CRM 378513	Refused
Waterloo Comer	52 Anjanto Road - 2 trees adjacent new house build	24/09/2021	CRM 376570	Approved x 2

## FURTHER INFORMATION CONTACT COUNCIL'S PARKS AND OPEN SPACE ASSETS OFFICER - 8406 8403

ITEM TMASC3

TREE MANAGEMENT APPEALS SUB COMMITTEE

**DATE** 08 November 2021

**HEADING** Review of Tree Removal Request - 1/1 Torrens Lane Mawson

Lakes, Tree in Lomond Circuit Reserve

**AUTHOR** Craig Johansen, Team Leader Natural Assets, City Infrastructure

**CITY PLAN LINKS** 1.1 Our City is attractive and well maintained

1.2 The health and wellbeing of our community is a priority

2.1 Salisbury has a balance of green spaces and natural

environments that support biodiversity

**SUMMARY** In line with the approved tree removal procedure several decisions

relating to the retention of trees have been appealed.

#### RECOMMENDATION

1. That the Tree Management Appeals Sub Committee, in accordance with its delegated powers set out in the adopted Terms of Reference in relation to non-regulated/significant trees:

a. Approves the retention of 1 Ficus hilli tree in front of 1/1 Torrens Lane, Mawson Lakes within the reserve in alignment with the decision of staff and the Ward Councillors.

#### **ATTACHMENTS**

There are no attachments to this report.

## 1. BACKGROUND

- 1.1 In line with the approved tree removal procedure residents are able to appeal decisions relating to the retention of trees. This appeal process involves:
  - On-site meeting with residents and ward members
  - Report to TMAS
  - Notification of outcome to residents

## 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 Staff
- 2.2 External
  - 2.2.1 Residents
  - 2.2.2 Ward Councillors

#### 3. REPORT

3.1 The following appeal has been lodged under the tree removal policy; the resident is seeking the removal of the trees.

Location	Suburb	Description
1/1 Torrens Lane Mawson Lakes		Review of retention of Ficus hilli
		adjacent the property within the
		reserve

#### 4. 1/1 TORRENS LANE

#### Assessment

- 4.1 Request for assessment of a single large tree adjacent 1/1 Torrens Lane within the reserve was received 18 August 2021.
- 4.2 Assessment was undertaken on 14 September 2021, and identified;
  - A single *Ficus hilli* in front of the property in the adjacent reserve which was assessed;
  - The tree was noted with health-fair with fair density and foliage colour, structure-fair with no structural flaws. With remedial pruning noted as an option for canopy reduction and further investigation to be taken in relation to footpath displacement.
- 4.3 Resident stated that the footpath has been impacted by roots from the tree and that the litter that the tree drops causes a hazard for footpath users. The resident also stated that the size of the tree impacts on the growth and habit of the young Jacaranda tree which is closer to their property.
- 4.4 The tree in question, see image 1, was planted by the Developer and is one of three within Lomond Circuit Reserve, with this particular tree being one of two at the eastern end of the reserve.

Page 16 City of Salisbury



Image 1: Subject tree, with 1/1 Torrens Lane behind the tree



Image 2: Looking West to Lomond Circuit Reserve with subject tree to the left of image

## 4.5 When assessed against Council's tree removal criteria;

		1
1	The tree is in an unsuitable location and is unreasonably obstructing approved infrastructure	No
2	The tree is inconsistent with the landscape style or character of the local area and/or does not contribute substantially to the landscape or streetscape	No
3	The spacing of trees planted on a standard width verge is inconsistent with the "Street Tree Planting Guide" for that species of tree, in accordance with the Streetscape Renewal Policy	Not Applicable as tree is within Reserve
4	The tree is diseased and has a short life expectancy or is dead and has no significant landscape or habitat value	No
5	The tree is structurally poor and/or poses an unacceptable risk to public or private safety and/or has a history of major limb failure	No
6	The tree's roots are shown to be causing or threatening to cause damage exceeding two thousand dollars to adjacent infrastructure	Yes
7	The tree's roots have resulted in damage to Council's kerb or footpath that has required replacement or substantial repair works on more than one occasion within a 5-year period	No
8	The tree is in the location of a first single driveway of a property	No
9	The tree is in the location of an approved Council development	No
10	The tree has been assessed for removal as part of the "Streetscape or Landscape Redevelopment Program"	No
11	The tree, according to a medical specialist or GP, has been determined to be the cause of a detrimental effect on the health of a nearby resident. Such advice must be in writing	No
12	Genuine hardship  a. The person/resident is receiving HACC or a community care service or;  b. The person/resident does not have the functional ability to relieve the nuisance caused by the tree or;  c. The person/resident is aged or frail and has moderate, severe or profound disabilities which prevent them from relieving the nuisance caused by the tree; or  d. The person/resident is a carer of a person that meets the above criteria.	No.

## **Appeal**

- 4.6 Following receipt of appeal against the decision of refused removal of the tree identified, an on-site meeting was arranged with the Ward Councillors, Cr Brug and Cr Braun, on 28 October 2021.
- 4.7 Discussion reinforced the outcome for the tree assessment and justification for retention based on the heath and structure of the tree and the visual impact that the removal of the identified tree would have to the local area, Image 3.



Image 3: View from within Reserve toward subject tree and 1/1
Torrens Lane

- 4.8 The discussion with Ward Councillors also presented options that could be undertaken to address the resident's concerns of root damage to private property and the tree's impact on the Jacaranda that is closer to their property. These included investigative trenching adjacent to the footpath for the purpose to undertake root pruning should any roots be found and the consideration of the removal of the Jacaranda located between property and reserve footpath.
- 4.9 It was noted that the footpath located within the reserve showed little signs of displacement or disruption by roots from the tree.

## 5. CONCLUSION / PROPOSAL

- 5.1 In accordance with the approved tree removal procedure, the decision relating to the retention of trees has been appealed.
- 5.2 Resulting from the discussion with the Ward Councillors on site it was agreed to uphold the decision of staff to retain the tree.

Page 19
Tree Management Appeals Sub Committee Agenda - 8 November 2021