



AGENDA

FOR ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE MEETING TO BE HELD ON

**8 APRIL 2024 AT THE CONCLUSION OF THE SALISBURY LIVING SUB
COMMITTEE**

**IN WITTBER & DR RUBY DAVY ROOMS, SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY**

MEMBERS

Cr L Brug (Chairman)
Mayor G Aldridge (ex officio)
Deputy Mayor Cr C Buchanan
Cr J Chewparsad
Cr P Jensen
Cr S McKell (Deputy Chairman)
Cr S Ouk

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
General Manager City Infrastructure, Mr J Devine
Deputy Chief Executive Officer, Mr C Mansueto
A/General Manager Community Development, Ms V Haracic
General Manager City Development, Ms M English
Manager Governance, Mr R Deco

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Environmental Sustainability and Trees Sub Committee Meeting held on 12 March 2024.

REPORTS

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QUESTIONS ON NOTICE

There are no Questions on Notice.

MOTIONS ON NOTICE

There are no Motions on Notice.

OTHER BUSINESS

(Questions Without Notice, Motions Without Notice, CEO Update)

CLOSE



**MINUTES OF ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE
MEETING HELD IN WITTBER & DR RUBY DAVY ROOMS, SALISBURY
COMMUNITY HUB, 34 CHURCH STREET, SALISBURY ON**

12 MARCH 2024

MEMBERS PRESENT	Cr L Brug (Chairman) Deputy Mayor, Cr C Buchanan Cr J Chewparsad Cr P Jensen (via Teams Video Conferencing) Cr S Ouk
OBSERVERS	Cr A Graham
STAFF	General Manager City Infrastructure, Mr J Devine General Manager City Development, Ms M English Manager Governance, Mr R Deco Manager Engineering Assets & Solutions, Mr M Purdie Manager Urban, Recreation & Natural Assets, Mr J Foong Coordinator Strategic Sustainability, Ms L Daddow Team Leader Parks & Landscape, Mr N John PA to GM City Infrastructure, Ms H Prasad City Infrastructure Administration Officer, Ms J Hale

The meeting commenced at 6:47 pm.

The Chairman welcomed the Elected Members, members of the public and staff to the meeting.

APOLOGIES

Apologies have been received from Mayor G Aldridge and Cr S McKell.

LEAVE OF ABSENCE

Nil.

PRESENTATION OF MINUTES

Moved Cr S Ouk
Seconded Cr J Chewparsad

The Minutes of the Environmental Sustainability and Trees Sub
Committee Meeting held on 12 February 2024, be taken as read and
confirmed.

CARRIED

REPORTS

**ESATS1 Future Reports for the Environmental Sustainability and Trees Sub
Committee**

Moved Cr S Ouk
Seconded Cr J Chewparsad

That Council:

1. Notes the report.

CARRIED

ESATS2 Tree Removal Requests - January 2024

Moved Cr C Buchanan
Seconded Cr P Jensen

That Council:

1. Notes the report.

CARRIED

ESATS3 Appeals Report - Tree Removal Requests - Various Locations for January 2024

Moved Cr J Chewparsad
Seconded Cr P Jensen

That Council:

1. Notes that the technical tree assessments undertaken for 3 Crown Crescent, Paralowie, 40 Firmin Street, Paralowie, and 36 Birch Avenue, Salisbury East does not conclude removal be recommended, based solely on the application of Council approved tree removal criteria.
2. Notes that, as part of the appeal process, the refused tree removal requests appealed during the month of January 2024, as outlined in the report (Item ESATS3 Appeals Report – Tree Removal Requests – Various Locations for January 2024 – Environmental Sustainability and Trees Sub Committee, 12 March 2024), are now presented to the Environmental Sustainability and Trees Sub Committee for consideration and/or recommendation to Council as per the Environmental Sustainability and Trees Sub Committee’s Terms of Reference.

That the Environmental Sustainability and Trees Sub Committee, using its delegated authority under its adopted Terms of Reference:

3. Considering the current State Government legislation in regards to regulated and significant trees, notes there is a high likelihood of unsuccessful development applications for tree removals arising from appeals; and on that basis:
 - 3.1 Refuses the removal of the one (1) Regulated Tree located at 3 Crown Crescent, Paralowie.
 - 3.2 Refuses the removal of the one (1) Significant Tree located at 40 Firmin Street, Paralowie.
4. Defers consideration of the removal of the one (1) Non Regulated/Significant Tree located at 36 Birch Avenue, Salisbury East, pending the outcome of the formal review of the Tree Management Policy.

CARRIED
UNANIMOUSLY

FURTHER MOTION – CR C BUCHANAN

Moved Cr C Buchanan
Seconded Cr S Ouk

That Council:

1. Noting that the Expert Panel for the Planning System Implementation Review on Significant and Regulated Trees has concluded, requests that the Mayor and Chief Executive Officer write to the Minister for Planning formally requesting:
 - 1.1 consideration be given as a priority to amend the significant and regulated trees controls under the *Planning, Development and Infrastructure Act 2016* to exempt *Eucalyptus sideroxylon* due to the species not being native to the region; and
 - 1.2 consideration also be given to exempt *Eucalyptus intertexta*, *camaldulensis*, *leucoxylon*and that a copy of Council’s previous submission be included in that correspondence.
2. Requests that Administration include in all appeal refusal letters relating to regulated or significant *Eucalyptus sideroxylon* (Iron Bark) trees that have been denied removal advice that Council has requested the State Government consider excluding *Eucalyptus sideroxylon* from the trees protected under the *Planning, Development and Infrastructure Act 2016*, including the responses to the applicants that requested removal of:
 - 2.1 one (1) Regulated Tree located at 3 Crown Cres, Paralowie; and
 - 2.2 one (1) Significant Tree located at 40 Firmin Street, Paralowie.

CARRIED
UNANIMOUSLY

ESATS4 Climate Change Risk Assessment

Moved Cr C Buchanan
Seconded Cr J Chewparsad

That Council:

1. Notes the Climate Change Risk Assessment Report prepared by consultants in Attachment 1 (Item ESATS4 Environmental Sustainability and Trees Sub Committee 12 March 2024).
2. Approves the development of a Climate Change Adaptation Action Plan to guide and prioritise risk controls and next steps drawing on findings of the climate change risk assessment.
3. Approves a 2023/24 Third Quarter Non-discretionary Budget Bid of \$50,000 to develop the Climate Change Adaptation Action Plan.

CARRIED
UNANIMOUSLY

ESATS5 Sustainability Strategy 2035 Progress Report

Moved Cr C Buchanan
Seconded Cr S Ouk

That Council:

1. Approves the provision of six-monthly reports on the progress of implementation of the Sustainability Strategy as detailed in Attachment 1 of the report (Item No ESATS5 Environmental Sustainability and Trees Sub Committee 12 March 2024).

CARRIED
UNANIMOUSLY

QUESTIONS ON NOTICE

There were no Questions on Notice.

MOTIONS ON NOTICE

There were no Motions on Notice.

OTHER BUSINESS

(Questions Without Notice, Motions Without Notice, CEO Update)

There were no Other Business items.

CLOSE

The meeting closed at 7.27pm.

CHAIRMAN.....

DATE.....

INFORMATION ONLY

ITEM	ESATS1 ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE
DATE	08 April 2024
HEADING	Future Reports for the Environmental Sustainability and Trees Sub Committee
AUTHOR	Corina Allen, City Infrastructure Administration Coordinator, City Infrastructure
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 Environmental Sustainability and Trees 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 Council is presented to each Sub Committee and standing Committee for noting.
- 1.2 If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 Nil.

3. DISCUSSION

- 3.1 The following table outlines reports to be presented to the Environmental Sustainability and Trees Sub Committee as a result of a previous Council resolution:

Meeting - Item	Heading and Resolution	Officer
18/12/23	Sustainability Partnerships	Lara Daddow
ESATS3	3. Approves pursuing establishment of a trial Regional Climate Partnership with the City of Playford, Town of Gawler, Local Government Association and Department for Environment and Water with a further report to be presented to Council with a Memorandum of Understanding.	
Due:	December 2024	

CONCLUSION / PROPOSAL

- 4.1 Future reports for the Environmental Sustainability and Trees Sub Committee have been reviewed and are presented to Council for noting.

INFORMATION ONLY



ITEM	ESATS2 ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE
DATE	08 April 2024
HEADING	Tree Removal Requests - February 2024
AUTHOR	Nigel John, Team Leader Parks & Landscape, 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 an update on tree removal requests received from residents.

RECOMMENDATIONThat Council:

1. Notes the report.
2. Approves a 2023/24 third Quarter non-discretionary budget review bid of \$150,000 for the additional budget allocation required for reactive tree removals for the remainder of 2023/24.

ATTACHMENTS

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

1. Tree removals - February 2024  

1. BACKGROUND

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

“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.”

- 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 Environmental Sustainability and Trees Sub Committee.

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 Various residents.

3. DISCUSSION

- 3.1 The attached table is a summary of requests for tree removals received and actioned by staff during the past month and have been provided on the Elected Member Portal for February 2024.
- 3.2 February 2024
 - 3.2.1 Seventy-three(73) tree removal requests were received in February 2024.
 - 3.2.2 Of these requests, Fifty-seven (57) were approved for removal including Five (5) significant or regulated trees approved through development applications.
 - 3.2.3 Sixteen (16) requests were refused. Of these, eleven (11) 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 2,000 trees each year. These programs include the Street Tree Renewal Program, In-fill 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. These tree renewal programs are cognisant of regulated, significant trees or those forming habitat corridors.

4. FINANCIAL OVERVIEW


- 4.1 The budget allocation for reactive tree removals for 2023/24 is \$363,000. As of the 29 February, 2024 the current spend is \$366,071.00 tracking over budget by \$3,071.00 with 4 months remaining in the financial year.
- 4.2 Additional budget will be required based on current expenditure which can be addressed as a part of the 3rd quarter budget review process.
- 4.3 Seeking non-discretionary budget bid of \$150,000.00 to cover short fall

5. CONCLUSION / PROPOSAL

- 5.1 It is proposed that the information contained in the report be noted.
- 5.2 Administration request an additional budget allocation required for reactive tree removals for the remainder of 2023/24.

TREE REMOVAL REQUESTS


Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

	ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
1	Brahma Lodge	Gordonstown Road (side 12 Ruby St)	Friday, 9 February 2024	ETF 348926	Approved		
2	Burton	13 Cavendish Terrace	Tuesday, 27 February 2024	E347858-Case 8764		Refused- Sophora sp. Tree was inspected by a independent arborist who found the tree to be in good health and flowers and leaf debris is not criteria for removal 	
3	Green Fields	138-142 Ryans Road - failed tree - STREE-26547	Friday, 23 February 2024	E347349-Case 8173	Approved		
4	Gulfview Heights	Side 58 Kiekebusch Road	Thursday, 1 February 2024	E346927-Case7662	Approved x 2		
5	Gulfview Heights	3 Cornwall Drive - Dead tree	Friday, 2 February 2024	E347540-Case8385	Approved		
6	Gulfview Heights	8 Farmer Street - Dead Tree	Friday, 9 February 2024	E347672-Case8535	Approved		
7	Gulfview Heights	5 Lipson Reach Road	Tuesday, 13 February 2024	E346902-Case7630	Approved		
8	Ingle Farm	14 Onkara Avenue	Thursday, 8 February 2024	E344456 - Case 4816 - DA 23030349	Approved @ Cost		

FURTHER INFORMATION CONTACT NIGEL JOHN, TEAM LEADER - PARKS and LANDSCAPE - FIELD SERVICES - 0466 022 655


TREE REMOVAL REQUESTS

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
9	Ingle Farm	26B Coondoo Avenue	Tuesday, 13 February 2024	E350596-Case11961-DA23000307	Approved @ Cost		
10	Ingle Farm	4 Evans Street - dead tree	Monday, 26 February 2024	E347935-Case8864	Approved		
11	Ingle Farm	40 Foster Row	Friday, 23 February 2024	E349415-Case10569	Approved		
12	Ingle Farm	29 Burri Street	Friday, 23 February 2024	E347175-Case7942	Approved		
13	Ingle Farm	40 Foster Row	Friday, 23 February 2024	E349415-Case10569	Approved		
14	Mawson Lakes	Side 10 Greengate Lane	Friday, 9 February 2024	E348781-Case9807	Approved		
15	Mawson Lakes	Unit 1 / 23B Coventry Street	Wednesday, 14 February 2024	E346815-Case7539	Approved		
16	Mawson Lakes	12 Creekview Drive		E346274-Case6952		<p>Refused - Tree was inspected by a independent arborist who found the tree to be in good health and flowers and leaf debris is not criteria for removal</p> 	

TREE REMOVAL REQUESTS

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria


ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
17	Mawson Lakes Res Mawson Lakes Blvd - 47 Avocet Drive - removal of damaged Melaleuca on fence	Tuesday, 20 February 2024	E347476-Case 8307	Approved		
18	Mawson Lakes 2 Otway Crescent - front	Tuesday, 27 February 2024	E347343-Case 8137		Refused- Sophora sp. Tree was inspected by two independent arborist who found the tree to be in good health and flowers and leaf debris is not criteria for removal 	
19	Mawson Lakes Res Sir Douglas Mawson Lakes - rear 14 Lakeside Close	Tuesday, 27 February 2024	E340798	Approved		
20	Mawson Lakes Res Sir Douglas Mawson Lakes - 2 trees - rear 20 Lakeside Close	Tuesday, 27 February 2024	E340798	Approved x 2		
21	Para Hills Bridge Rd adj The Somerset Hotel 495-505 Bridge Road - STREE-40067	Monday, 26 February 2024	E349961-Case 11180	Approved		
22	Para Hills West Dean Street (side 14 Vivian Court)	Wednesday, 7 February 2024	E349688-Case10858	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024


Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
23	Para Hills West	verge cnr of 9 Weston Court - dead tree	Tuesday, 20 February 2024	E347091	Approved		
24	Para Hills West	9 Orlyk Street - 2 x Regulated Trees - APPEAL - Council Meeting 23/10/2023	Wednesday, 28 February 2024	C435987 DA 24004520			2 Regulated Trees - APPEALED- DA submitted and Refused 
25	Para Vista	4 Kalina Avenue	Friday, 9 February 2024	E347936- Case8865	Approved		
26	Para Vista	Side 311 Montague Road	Tuesday, 13 February 2024	E349616- Case10787	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS


Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
27	Parafield Gardens	38 Kings Road	Thursday, 1 February 2024	E346667-Case7353	Approved		Regulated - Refused- There were three trees inspected and two trees do not achieve criteria for removal, reduction is supported by two independant arborists, One tree waa supported for removal using - Criteria 5 
28	Parafield Gardens	1 Geare Court	Friday, 2 February 2024	E347624-Case8488	Approved		

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria


ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
29	Parafield Gardens	2 Walnut Avenue	Thursday, 15 February 2024	E347366-Case8162			<p>Refused - Euc camaldulensis significant tree. Health and structure rating 2 (fair).The tree has been inspected by two independent arborists on numomous times and the tree doesnt currently achieve the criteria for removal. The tree has also received signifcant pruning over the years</p> 
30	Parafield Gardens	side 1 Gunett Crt - Warming St - Regulated - STREE-31826	Monday, 5 February 2024	E340037	D/A Approved - Regulated		
31	Parafield Gardens	Parafield Gdns Recreation Centre - dead tree - carpark	Friday, 23 February 2024	E350639	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria


ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
32	Parafield Gardens	25 Lancaster Avenue - Regulated	Tuesday, 20 February 2024	E347590-Case 8440			<p>Refused - Regulated Euc sideroxyton.The tree has been inspected by two independant arborists and the health and structure rating is 2 (fair). Recommend some minor crown reduction, otherwise the tree doesn't achieve criteria for removal</p> 

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria


ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
33	Parafield Gardens	rear 33 Seabright Ave - Salisbury Hwy - APPEAL - Council Meeting held 24/07/2023	Friday, 23 February 2024	C425425 DA 24005074			Regulated -Tree was assessed by two independent arborists and noted the tree to be in good health. The outcome was APPEALLED by the resident and DA submitted with outcome of Refusal 
34	Parafield Gardens	12 Symor Court	Friday, 23 February 2024	E347877-Case 8788	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria



ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
35	Parafield Gardens	16 Lovelock Road	Thursday, 15 February 2024	E346563-Case 7235		Refused-Euc leucoxylon Health and structure rating2 fair. Pruning and root pruning completed to resolve problems. Tree was also inspected by two independent arborists.	
							
36	Paralowie	204 Burton Road - Dead tree	Tuesday, 6 February 2024	E349978-Case11203	Approved		
37	Paralowie	45 Santander Drive - Dead tree	Tuesday, 13 February 2024	E347465-Case8287	Approved		
38	Paralowie	21 Casanor Crescent	Wednesday, 14 February 2024	E347441-Case8258	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria


ADDRESS			DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
39	Paralowie	side 306 Whites Road - Morris Street - APPEALED at Council Meeting 28/08/23 - DW 7926873 - 2 Regulated / 1 Significant	Thursday, 22 February 2024	CRM 433136 DA 24003253			<p>Three trees were inspected by two independent arborists, all three trees in good health. Trees were APPEALED with a - DA 24003253 Lodged with an outcome of Refusal x 3 Regulated x 2, Significant x 1</p> 
40	Paralowie	13 Hendrix Cres - Regulated	Monday, 19 February 2024	E346411-Case 7092			<p>Refused - Regulated Ang costata 2.22 circ. Health and structure rating 2 fair. Tree doesn't currently achieve criteria for removal however some minor width reduction pruning is recommended</p> 
41	Paralowie	8 Garfield Court - palm tree	Thursday, 29 February 2024	E343257-Case 3282	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

TREE REMOVAL REQUESTS

MONTH: February 2024


Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
42	Paralowie 1 Majestic Avenue - dead tree	Thursday, 29 February 2024	E351913	Approved		
43	Paralowie 3 Gable Court	Monday, 26 February 2024	E351278-Case 12745	Approved		
44	Pooraka 1 Radomi Close	Wednesday, 7 February 2024	E348812-Case9847	Approved		
45	Pooraka 15 Baroona Street	Monday, 26 February 2024	E348382-Case 9405	Approved		
46	Salisbury Salisbury Bowls 5-9 Orange Ave - inside Bowling Club grounds - PR27149110-3221	Thursday, 1 February 2024	E349337-Case 10499	Approved x 1		
47	Salisbury 98 Winzor Street - Regulated - APPEALED at Council Meeting 27/03/23 - DW 7711994	Monday, 5 February 2024	CRM 409386 DA 24000907			<p>The regulated tree was inspected by an independent arborist, the tree in good health. Tree was APPEALED with a - DA Lodged with an outcome of Refusal</p> 

Item ESATS2 - Attachment 1 - Tree removals - February 2024


TREE REMOVAL REQUESTS

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

	ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
48	Salisbury	Unit 2 / 4 Katrina Avenue - Regulated	Tuesday, 27 February 2024	E326020			Refused - Regulated 
49	Salisbury	Unit 2 / 4 Katrina Avenue - Not Regulated	Tuesday, 27 February 2024	E326020		Refused	
50	Salisbury	5 Kimber Court	Tuesday, 27 February 2024	E344635-Case 5027		Refused	
51	Salisbury Downs	14 Leyden Court - Dead Tree	Wednesday, 14 February 2024	E347347-Case8142	Approved		
52	Salisbury Downs	3 Pinewood Street - dead tree	Monday, 19 February 2024	E347755-Case 8644	Approved		
53	Salisbury East	7 Bunya Street - Dead tree	Wednesday, 7 February 2024	E347811-Case8709	Approved		
54	Salisbury East	68 Barbara Road (on Joseph St)	Friday, 9 February 2024	E345183-Case5696	Approved		
55	Salisbury East	17 Norris Street - Dead Tree	Friday, 9 February 2024	E348725-Case9747	Approved		
56	Salisbury East	Corner Fern Grove Boulevard & Main North Road	Thursday, 15 February 2024	E350143-Case11416	Approved		
57	Salisbury East	Norwich Road Reserve - adj 9 Hampshire Close	Friday, 23 February 2024	E347359-Case 8154	Approved		
58	Salisbury East	2 Trueman Ave	Monday, 26 February 2024	E351563-Case 13072	Approved		
59	Salisbury East	3 Sobers Street	Friday, 23 February 2024	E347629-Case 8494	Approved		

TREE REMOVAL REQUESTS


Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

	ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
60	Salisbury East	26 Jarman Avenue - APPEAL - ESATSC Meeting 12-02-2024	Monday, 12 February 2024	E344579-Case 4973	Approved - APPEAL - Not Reg		
61	Salisbury East	33 Turquoise Drive - Regulated	Monday, 5 February 2024	E342508-Case 2367 DA 24002247	DA Approved - Regulated		
62	Salisbury Heights	40 Francis Crescent	Thursday, 8 February 2024	E346925-Case7657	Approved		
63	Salisbury Heights	Side 5 Chrysler Court (Valiant Ct Reserve)	Friday, 9 February 2024	E345886-Case6519	Approved		
64	Salisbury Heights	35 Morey Drive	Friday, 23 February 2024	E347161-Case 7928	Approved		
65	Salisbury Heights	side 1 Essex Crt (cnr Southwark Ave) - Regulated	Friday, 16 February 2024	E348033-Case 8960 DA 24003401	DA Approved - Regulated		
66	Salisbury North	40 Guernsey Cres - Regulated - APPEALED at Council Meeting 27/03/23 - DW 7711994	Monday, 5 February 2024	C413242 DA 24002307			<p>The Regulated tree was inspected by an independent arborist, and the tree was in good health. Tree was APPEALLED with a - DA Lodged with an outcome of Refusal</p> 
67	Salisbury North	Salisbury North Oval - Retrospective - Regulated	Thursday, 15 February 2024	E332667	DA Approved - Regulated		

TREE REMOVAL REQUESTS

MONTH: February 2024

Assessed by Parks and Landscape Arborist on site and removed based on Councils Tree Removal Criteria

	ADDRESS		DATE	REFERENCE	APPROVED OR APPROVAL SUPPORTED	REFUSED NOT Regulated/Significant	REFUSED Regulated/Significant
68	Salisbury North	adj 4 Year Road - dead native pine	Wednesday, 28 February 2024	E347863-Case 8770	Approved		
69	Salisbury Plain	14 Weerana Road	Tuesday, 13 February 2024	E346239-Case6919		Refused	
70	Salisbury South	25 Bremen Drive - first 2 trees west side of gate	Monday, 26 February 2024	E351184	Approved x 2		
71	Valley View	20 Helen Terrace - 3 trees	Thursday, 1 February 2024	E346676-Case7365	Approved x 1	Refused x 1	Refused x 1 Regulated 
72	Valley View	24 Lindsay Avenue	Thursday, 1 February 2024	E346783-Case7493	Approved		
73	Valley View	15 Sturt Road - tree closer to driveway	Tuesday, 27 February 2024	E350220	Approved		

Item ESATS2 - Attachment 1 - Tree removals - February 2024

ITEM	ESATS3
	ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE
DATE	08 April 2024
HEADING	Tree Planting - Reactive Planting Timeframes
AUTHOR	Simon Bartosak, Team Leader Civil Infrastructure, City Infrastructure
CITY PLAN LINKS	1.1 Our City is attractive and well maintained 4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	Details the current processes for resident tree planting requests which form part of the tree replacement planting program.

RECOMMENDATION

That Council:

1. Approves the existing process for tree replacement planting as per the report (Item ESATS3, Environmental Sustainability and Trees Sub Committee. 8 April 2024) continues.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 At its meeting held on Monday, 23 October 2023 it was resolved that Council:
“1. Requests the administration to present a report to the Environmental Sustainability and Trees Sub Committee by March 2024 in relation to the current timeframes for planting a street tree upon request from a resident, giving consideration to opportunities and options to improve the response times.”
Resolution Number 0506/2023
- 1.2 Tree Replacement Planting works are delivered by Field Services. This team consist of 6 staff who perform planting works for 6 months of the year with the remainder of the year dedicated to tree watering and pruning of juvenile trees up to 5 years in age.
- 1.3 The Tree Replacement Planting program currently plants approximately 1,500 advanced trees per year with 120 of these trees being resident requests. The classification of an advanced tree is typically a tree which is approximately 1.5m tall.

- 1.4 The ordering of advanced trees for this program occurs in December prior to planting season. Tree Planting is undertaken between May – September as this is the optimum time of year to allow the tree root base to start to establish prior to summer. If a dry period is experienced during this period, the Juvenile Maintenance team undertake any required watering of newly planted trees.
- 1.5 Tree planting requests received between October - December are included in the next Tree Replacement Planting program cycle between May - September. Tree requests received between January - September will be planted in the following years program. For example, a request received in January, 2024 will be planted between May – September, 2025.

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 Team Leader, Street Scape and Open Space

3. DISCUSSION

- 3.1 The current Industry practice for ordering large quantities of advanced trees requires nursery orders to be placed by December prior to the planting season in May- September. The bulk ordering generally consumes all of the nursery stock until the following year.
- 3.2 When trying to place an order outside of this window the tree species required is often not available, or only juvenile trees are in stock. This is because nurseries are organised to take orders annually and they do not replenish their stock during the year as they are waiting for the trees to mature.
- 3.3 Council has previously planted some juvenile plants in an attempt to reduce the time lag between a resident requesting street tree plantings. However, we have received negative feedback in most instances as the community expectation is that Council plant advanced trees. Furthermore, juvenile plantings have a higher mortality rate than advanced trees given their root system and structural characteristics are not as developed.
- 3.4 It is recommended that the current process continues, meaning tree requests received between January - September will be planted in the following year's program. For example, a request received in January, 2024 will be planted between May – September, 2025.

4. CONCLUSION

- 4.1 The Tree Replacement Planting program currently plants approximately 1,500 advanced trees per year with 120 of these trees being resident requests.
- 4.2 Trees are ordered in line with current industry practice, whereby nurseries stock up annually to supply Councils and other customers with trees.
- 4.3 It's recommended that tree planting requests continue to be actioned as per the current process whereby requests are held until December ready for a bulk order to be placed, ready for the next Tree Replacement Planting program cycle between May - September.

ITEM	ESATS4
	ENVIRONMENTAL SUSTAINABILITY AND TREES SUB COMMITTEE
DATE	08 April 2024
HEADING	Internal review of the tree management removal framework
AUTHOR	Mark Purdie, Manager Field Services, City Infrastructure
CITY PLAN LINKS	1.1 Our City is attractive and well maintained 4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This report presents an internal review of the Council's framework for managing trees, specifically focusing on the decision-making process regarding resident requests for tree removal.







RECOMMENDATION

That Council:

1. Adopts the revised and updated Tree Management Policy (Attachment 1, Item ESATS4 Environmental Sustainability and Trees Sub Committee, 8 April 2024).
2. Adopts the revised and updated Tree Removal Procedure (Attachment 3, Item ESATS4 Environmental Sustainability and Trees Sub Committee, 8 April 2024).
3. Adopts the revised and updated Environmental Sustainability and Trees Sub Committee Terms of Reference (Attachment 5, Item ESATS4 Environmental Sustainability and Trees Sub Committee, 8 April 2024).

ATTACHMENTS

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

1. Tree Management Policy_Revised (Clean) [↓](#) 
2. Tree Management Policy_Revised (Track Changes) [↓](#) 
3. Tree Removal Procedure_Revised (Clean) [↓](#) 
4. Tree Removal Procedure - revised (Track Changes) [↓](#) 
5. Environmental Sustainability and Trees Sub Committee Terms of Reference _Revised (Clean) [↓](#) 
6. Environmental Sustainability and Trees Sub Committee Terms of Reference _Revised (Track Changes) [↓](#) 

1. BACKGROUND

- 1.1 Urban trees managed by the Council play a pivotal role in enriching the community's urban landscape, offering a multitude of benefits. These encompass their contribution to community well-being through amenities, biodiversity preservation, historical significance, and their pivotal function in mitigating urban heat. However, it's essential to acknowledge the inherent risks associated with trees, notably the potential for personal injury and property damage due to falling branches or trees. Additionally, trees can pose nuisances. Community expectations of trees in the landscape and perceptions of risk also vary, eliciting diverse emotional responses and considerable customer enquiries regarding their management.
- 1.2 Local Government authorities have legislative obligations with respect to the protection of trees, and responsibilities relating to damage or injury associated with the presence, failure or growth of trees.
- 1.3 An effective proactive tree management framework provides strategic direction, guidance, and consistency in relation to the management of trees. Council’s tree management framework comprises a range of documents that are now due for review.
- 1.4 At its meeting held on Monday, 27 November 2023 it was resolved that Council:
“1. Requests Administration to include in the Tree Removal Management Process Review, due in February 2024, a review of the tree removal criteria, management policy and procedures.”
- 1.5 At its meeting held on Monday, 23 October 2023 it was resolved that Council:
“4. Requests that the administration undertake an internal review of the tree management removal framework, to be reported to Environmental Sustainability and Trees Sub Committee by January 2024.”

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 Nil.

3. DISCUSSION

Context

- 3.1 The City of Salisbury has approximately 78,000 street trees according to the most recent audit conducted in 2019. In addition, there is estimated to be more than 300,000 trees on reserves within the City’s jurisdiction.
- 3.2 Street trees and related issues account for approximately 5,100 customer enquiries each year. Approximately 1,000 requests are received each year relating to tree removal requests.
- 3.3 Council currently spends approximately \$1M on capital renewal and \$3.1M on tree management and maintenance each year through a range of proactive and reactive service levels.

- 3.4 There are three categories of trees: Non-Regulated, Regulated, and Significant.
- 3.5 Council, as a body corporate established under the *Local Government Act 1999* (LG Act), has the statutory power to decide on the removal of its Non-Regulated trees.
- 3.6 Planning law, governed by the *Planning, Development and Infrastructure Act 2016* (the Act), *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations), and *Planning and Design Code* (the Code), sets the legal framework for managing Regulated and Significant trees.
- 3.7 Council has a Tree Management Policy and supporting Tree Removal Procedure that emphasise the value of trees under its care and control, as well as the responsibility to balance benefits and risks.
- 3.8 The Tree Removal Procedure outlines the process and criteria for assessing tree removal requests.
- 3.9 Regulated and Significant trees are assessed through the Tree Removal process; however, these trees are offered protection through the State Government *Planning, Development and Infrastructure Act 2016* (PDI Act). A Development Application (DA) is required to be lodged and assessed to consider removal of Regulated/Significant trees. The criteria for assessment through a DA are different to the City of Salisbury tree removal criteria.
- 3.10 Only a relevant authority, such as the Assessment Manager or the Council Assessment Panel (CAP) in limited circumstances, has the authority to determine a Development Application to remove a regulated or significant tree.
- 3.11 Following the November 2022 elections, Council established the Environmental Sustainability and Trees Sub Committee. Since its establishment, the Sub Committee has made a number of changes to the tree removal process.

Scope & Objective of Review

- 3.12 There are three main processes through which street trees are removed;
 - 3.12.1 Tree Renewal Programs – annual, proactive programs for the renewal of trees across the city. On average, 1,200 trees are removed and replaced each year.
 - 3.12.2 Resident initiated requests (reactive), received periodically throughout the year, which are assessed on a case by case basis through an extensive process prior to determining outcomes. On average, approximately 900 requests are made each year to remove street trees.
 - 3.12.3 Staff initiated tree removals based on asset information or observations.
- 3.13 This review is focused on the tree removal process in response to reactive requests, and therefore excludes consideration of tree removals associated with the proactive management of tree risks under Council's Street Tree Renewal Program.
- 3.14 The review has involved a desktop assessment of the removal process by internal staff, with support and input from the Governance team in context of informed decision making and risk management.

3.15 The objectives of the review were to:

- 3.15.1 Undertake a review of the decision-making processes of the tree removal procedure.
- 3.15.2 Outline any key issues, risks and opportunities to assist Council in its tree removal decision making process.

Tree Removal Data

3.16 Table 1 below provides data on the tree removal process for the 2022 and 2023 calendar years.

Table 1 – Tree Removal Data 2022 & 2023

	2022	2023
No. of Tree Removal Requests	1004	1045
No. of Trees approved for Removal	679	669
<i>Included in the Approvals – classified as Regulated/Significant and approved via DA</i>	2	16
No. of Trees Refused	325	345
<i>Included in the Refusals – classified as Regulated/Significant</i>	21	48
Removal Rate (before Appeals)	68%	64%
No. of Appeals	30	108
No. of Appeals for Regulated/Trees submitted for DA	23	53
No. of Approvals for Regulated/Significant Appeals	2	0
No. of Refusals overturned by Sub Committee without Appeal or Criteria	5	67

Note – the 2 Approvals of Regulated Appeals in 2022 are an anomaly to the removal process where the trees were appealed prior to staff assessment. (They would have met criteria for removal).

- 3.17 Tree removals processed over the past two years show an average 66% of requests are approved for removal by administration prior to any appeal.
- 3.18 The number of appeals has increased from 30 in 2022 to 108 in 2023 (refer summary of key findings).
- 3.19 It should be noted that of the 53 Regulated/Significant tree appeals submitted for Development Application, all applications have been refused.
- 3.20 The Table shows that 67 trees have been removed by decision of the Sub Committee without a formal appeal being received by the applicant directly.

Summary of Key Findings

3.21 Table 2 below summarises the key findings of the review, including presenting options to further strengthen tree removal governance and decision making.

Table 2 – Summary of Key Findings – Governance and Decision Making

Finding	Discussion	Options to Improve
From time to time, the Sub Committee has considered the removal of specific tree(s) without a direct Appeal being lodged.	<p>The Terms of Reference provide that the Sub Committee exercises delegated authority to make decisions in relation to tree management appeals. This suggests that the Sub Committee has the authority to remove non-regulated trees only within the formal appeals process.</p> <p>Resident may have been satisfied with the recommended refusal and mitigating treatments (if any such as pruning) – decision is then potentially overturned without consultation with the resident. This could lead to community confusion and a grievance being lodged.</p>	Sub Committee to exercise delegated authority for direct Appeals only.
From time to time, the Sub Committee has made determinations to remove trees without documenting the grounds and basis or justification for the decision.	<p>Documenting the grounds and basis is critical to demonstrate the justification of decisions, in particular when inconsistent with the Tree Removal Procedure.</p> <p>Resident may have been satisfied with the refusal response and mitigating treatments (if any, such as pruning) – decision is then potentially overturned. This could lead to confusion and a grievance being lodged.</p>	Tree Removal Criteria considered, applied and recorded for all Tree Removal decisions, including Appeals.
The Sub Committee has made determinations to suggest that applicants are notified that the Sub Committee encourages them to appeal a tree removal decision.	Applicants could be informed of the process. It's important to ensure that the appeal process is utilised only in instances where there is a legitimate concern. This approach helps maintain the integrity of the appeal process.	

Appeals are at times lodged by Elected Members on behalf of the constituent	Absence of an audit trail establishing the nature of the appeal.	Appeals only to be considered directly from applicants.
The procedural requirement for staff to meet with the applicant and Ward Councillors prior to an Appeal being heard by the Sub Committee, as required in the Terms of Reference, could not always be met.	This requirement may not always be practical given the current reporting frequencies and timeframes.	Consideration given to remove this requirement from the process and update the Sub Committee ToR to make it an optional process step.
The Sub Committee has made determinations to lodge Development Applications for Regulated/Significant Trees to be removed, including the requirement for an independent Arborist report. To date 50 applications have been lodged, with all (100%) of applications refused.	There is a further number of DA's that have been recommended by the Sub Committee and not yet actioned.	Re-implement the Tree Removal Procedure process – preliminary planning assessment and only lodging a DA where that advice suggests a DA for removal is 'likely' to be supported against the State Legislative framework.
Tree Removal Procedure has not been updated to reflect resolutions from Council on the tree removal process.	Potential for confusion on current process and inconsistency in its application by Administration. Section 2 of the Tree Removal Procedure permits a review by the Manager Infrastructure Management and/or the General Manager City Infrastructure. However, there is no explicit provision for an appeal in either the policy or procedure. It is crucial to establish a clear distinction between the review and appeal processes to ensure transparency and fairness.	Update the Tree Removal Procedure and ESTS ToR, ensuring there is alignment.
Administrative process, processing and administering tree removal request and associated reporting	Duplication of reporting – with tree removal decisions placed on EM Portal and Reported Monthly to Sub Committee. High number of Development Applications lodged and processed.	Remove monthly reporting of tree removal applications to Sub Committee – report Appeals only to Sub Committee. Obtain preliminary Planning advice on Regulated/Significant Trees prior to making decisions to lodge Development Applications for removal.

Tree Management Policy

- 3.22 The Tree Management Policy provides strategic direction and guiding statements and principles that form the foundation of Council's Tree Management Framework.
- 3.23 The Policy has been reviewed and updated into the new Policy Format.
- 3.24 The changes made are relatively minor and are not considered material.
- 3.25 A copy of the updated Tree Management Policy for adoption is provided as Attachment 1. A copy showing track changes is provided as Attachment 2.

Tree Removal Procedure

- 3.26 The Tree Removal Procedure defines the criteria that are considered in determining tree removal requests and provides the framework for assessing and processing tree removals.
- 3.27 The Procedure has not been updated since 2020, including to address resolutions from the Environmental Sustainability and Trees Sub Committee.
- 3.28 The Tree Removal Criteria have been reviewed and given further consideration by administration. No changes have been proposed to the Criteria, which are considered appropriate to strike the right balance between the benefits and nuisances of trees in the urban environment.
- 3.29 The Procedure has been reviewed and updated into the new Procedure Format, included as Attachment 3. The following summarises the main changes proposed in the updated draft:
 - 3.29.1 Added the requirement to provide a copy of written responses sent to applicants to Ward Councilors, consistent with recent resolutions of the Sub Committee.
 - 3.29.2 Added clauses that address tree removal requests by tenants or adjacent property owners, to ensure consultation with the property owner.
 - 3.29.3 Amended reporting requirements, suggesting that outcomes of all requests are reported monthly to Elected Members on the EM Portal, with an annual summary report to the Sub Committee.
 - 3.29.4 Amended the process of a Preliminary Planning Assessment of Regulated/Significant trees to Preliminary Planning Advice to be provided to the Sub Committee prior to consideration of Appeals regarding Regulated/Significant trees.
- 3.30 A brief summary of the decision-making process of the updated Tree Removal Procedure is provided below:
 - 3.30.1 Request for tree inspection/removal raised by resident/property owner or Elected Member on behalf of constituent.
 - 3.30.2 Tree inspected by internal Arborist and assessed against the Tree Removal Criteria.
 - 3.30.3 If one or more of the Criteria are met, application is assessed as approved if non-regulated tree, or feasible if regulated/significant tree. Application of Criteria for decision is recorded. If Criteria are not met, application is assessed as refused.

- 3.30.4 If the tree is Regulated/Significant and removal is 'feasible' – preliminary planning advice is sought by a Qualified Planner. If Development Approval (DA) is considered likely to meet legislative requirements, DA is lodged. If unlikely to meet legislative requirements, application is assessed as refused.
- 3.30.5 Applicants are notified of outcomes, including opportunity for Appeal in the case of a refused application. Elected Members are included in the communication for refusals.
- 3.30.6 A summary of all tree removal requests and outcomes is provided on the Elected Member portal each month.
- 3.30.7 Appeals received from applicants are presented to the Environmental Sustainability and Trees Sub Committee on a monthly basis for decision, along with a copy of the Tree Removal Criteria. Where the Appeal is in relation to a Regulated/Significant Tree, Preliminary Planning Advice will be provided to the Sub Committee as part of the report for decision. Application of Criteria for decision for removals is recorded. Council can by resolution amend the process for the consideration of an appeal relating to Regulated/Significant Trees to go to full Council rather than Sub Committee.

Environmental Sustainability and Trees Sub Committee Terms of Reference

- 3.31 The Terms of Reference have been reviewed to ensure alignment with the Tree Removal Framework.
- 3.32 Section 11 requires that an on-site meeting must be convened with specific parties before an Appeal is heard by the Sub Committee. This has not always been consistently applied and may not be practical in all cases. It is recommended to remove this requirement from the tree removal process and update the Terms of Reference accordingly.
- 3.33 Section 11 contains a number of tree removal processes relating to tenants and trees located adjacent to the applicant. It is recommended these requirements are removed from the Terms of Reference and incorporated into the Tree Removal Procedure to provide all procedural guidance in the one document.
- 3.34 The updated Terms of Reference are provided as Attachment 5.

4. CONCLUSION

- 4.1 The Tree Removal Framework has been reviewed with a number of considerations and recommendations provided to further strengthen Council's decision making processes.
- 4.2 The key documents that make up the Framework, namely the Tree Management Policy, Tree Removal Procedure, and Environmental Sustainability and Trees Sub Committee Terms of Reference, have been reviewed and updated to ensure alignment and are provided for Council to consider and adopt.



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Tree Management Policy

Adopted by:	Council
Responsible Division:	Urban, Recreation & Natural Assets
First Issued/Adopted:	26 April 2018
Last Reviewed:	22 April 2024
Next Review Date:	April 2027

1. Purpose

Context

- 1.1. The City of Salisbury acknowledges that trees form an integral part of the landscape and public domain within the City of Salisbury providing a wide range of social, cultural, functional and environmental benefits for the City and wider community.
- 1.2. Trees within urban environments can also present a level of risk and can be an emotive issue for communities, with conflict commonly occurring when trees contribute to infrastructure damage. Trees can also be perceived as creating nuisance in urban environments.
- 1.3. The City of Salisbury has sole responsibility for the development and management of the City's landscapes. All vegetation planted on land owned or controlled by the Council is the responsibility of the Council.
- 1.4. Local Government authorities have legislative obligations with respect to the protection of trees, and responsibilities relating to damage or injury associated with the presence, failure or growth of trees.

Purpose & Aims

- 1.5. The Tree Management Policy seeks to:
 - 1.5.1. Provide strategic directions and guiding principles that form the foundation of Council's Tree Management Framework to enable clarity and consistency in the management of Salisbury's urban forest.
 - 1.5.2. Maintain and enhance the tree canopy cover within the City.
 - 1.5.3. Ensure community needs and expectations are understood and considered in the management of the City's trees.
 - 1.5.4. Broaden the emphasis of urban tree management to include urban forestry principles whereby trees are viewed and managed as a collective asset across the City and lands managed by Council.
 - 1.5.5. Ensure that trees on roads, community land and other landscape areas are planted and maintained in a consistent and reasonable manner, underpinned by risk management principles, in accordance with relevant legislation, and in alignment with resources that are made available and/or to agreed service levels.
 - 1.5.6. Ensure alignment of tree management strategies and practices with Council's strategic directions and other related policies, plans and strategies.
 - 1.5.7. Reinforce the City of Salisbury's commitment to the sustainable management of the urban forest, recognising that the urban forest is an intergenerational asset that needs to be managed and enhanced to preserve its value to the community now and in the future.
 - 1.5.8. Strike an appropriate balance between the benefits and positive values of trees and the potential risks and nuisances they can create.
 - 1.5.9. Increase awareness and educate the community, developers and other stakeholders on the value of trees in the urban environment.
 - 1.5.10. Ensure trees are managed to meet Council's legislative requirements.

2. Scope

- 2.1. This policy provides strategic direction and guidance in relation to the management of trees under the care, control and management of Council.
- 2.2. The Tree Management Policy is one of a suite of documents used to manage trees within the City of Salisbury and should be read in conjunction with the related plans, policies and procedures. Refer to Section 6 for a list of

associated documents that form part of the City of Salisbury's Tree Management Framework.

3. Legislative Requirements and Corporate Policy Context

Local Government Act 1999

Planning, Development and Infrastructure Act 2016

Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

Natural Resource Management Act 2004

Environment Protection Act 1993

Electricity Act 1996

Heritage Places Act 1993

Road Traffic Act 1961

Native Vegetation Act 1991

Aboriginal Heritage Act 1988

Water Industry Act 2012

Telecommunications Act 1997

4. Interpretation/Definitions

- 4.1. **Tree** – long lived woody perennial plant greater than (or usually greater than) 4 metres in height at maturity, with one or relatively few main erect stems or trunks.
- 4.2. **Urban Forest** – is defined as all trees growing throughout the City of Salisbury area; irrespective of origin (native/exotic), location (streets, reserves, schools) or ownership and control (public & private).
- 4.3. The Urban Forest comprises the cumulative benefits of the entire tree population across the City of Salisbury area and can be described as the management of trees in an urban environment to maximise the benefits that trees provide to urban cooling and the community.
- 4.4. **Landmark Tree Register** – a list of established trees key to the City of Salisbury due to their environmental, cultural, historical or social attributes.
- 4.5. **Arborist** – a person with formalised training to a minimum AQF Level 3 in Arboriculture.

- 4.6. **Project Arborist** – a person with formalised training to a minimum AQF Level 5 in Arboriculture.
- 4.7. **Regulated/Significant Trees** – as defined in the *Planning, Development and Infrastructure Act 2016*.

5. Policy Statements

Tree Planting

- 5.1. The Tree Management Procedure will be utilised to detail technical specifications, installation techniques and items to be considered and/or assessed when undertaking tree planting and establishment activities. All tree planting will be undertaken in accordance with this procedure.
- 5.2. A variety of tree species will be used to maintain an urban forest to;
 - 5.2.1. reinforce/strengthen precinct identity,
 - 5.2.2. attract a diverse array of wildlife,
 - 5.2.3. create visual interest and
 - 5.2.4. improve the amenity of the public realm,
 - 5.2.5. provide a tree canopy that is diverse, robust and resilient.
- 5.3. An approved planting list will be maintained as part of Council’s Tree Management Framework; comprising species suitable for reserve and street tree plantings. The following criteria shall be used in selecting species for inclusion to the planting list:
 - 5.3.1. Site suitability (including potential impacts to infrastructure and the environment)
 - 5.3.2. Aesthetic, functional and biological attributes
 - 5.3.3. Supports biodiversity and community wellbeing
 - 5.3.4. Performance within the various geological areas of the City
 - 5.3.5. Maintenance requirements (water and maintenance resources)
 - 5.3.6. Longevity
 - 5.3.7. Stock availability
 - 5.3.8. Tolerance to low water environments
 - 5.3.9. Adaptive to future changes in climate

Tree Protection

- 5.4. Trees that contribute to the cultural and social character of the City are to be placed on the Landmark Tree Register. The protection and retention of these trees will be given high priority for retention where considered worthy of retention.
- 5.5. The protection of Council trees will be given high priority in all aspects of the City's operations and maintenance activities.
- 5.6. Proposed developments (private and public) should consider the impacts on trees. Proponents of developments should explore options for the retention of established trees as part of development considerations.
- 5.7. Development applications will include all necessary information to allow full assessment of potential impacts on trees to be retained and an appropriate standard and space for planting new trees.
- 5.8. Trees that are to be retained are to be protected from construction works and other activities/events that threaten tree health and stability. The Australian Standard (AS4970 - 2009 Protection of trees on development sites) will be used to achieve consistency in tree protection requirements across the City.
- 5.9. Where there is evidence of unauthorised poisoning, pruning, or tree removal, the matter will be investigated and appropriate action undertaken in accordance with Council's Enforcement Policy and relevant legislation or civil action.

Tree Removal

- 5.10. The removal of trees under certain circumstances is a relevant tree management tool in mitigating risks and ensuring an appropriate balance between the benefits and nuisances of trees in the urban environment.
- 5.11. The Tree Removal Procedure will detail the criteria and process by which tree removal requests are to be considered.

Tree Asset Management

- 5.12. The City of Salisbury recognises that trees are a valuable community asset and play an important role in contributing to the amenity, character and liveability of our city.
- 5.13. The City of Salisbury is committed to maintaining a functional and sustainable urban forest that enhances the character and amenity of the City now, and for future generations.

- 5.14. The City of Salisbury will develop and implement practices that seek to effectively maintain and enhance the quality of the City’s urban forest in accordance with the following specific objectives:
 - 5.14.1. Minimising risks and nuisances to the community
 - 5.14.2. Maximising the benefits of trees and their life expectancy
 - 5.14.3. Have a diverse variety of tree species throughout the City (target maximum 40% of any family, 30% of any genus, 15% of any species) for resilience and robustness of the Urban Forest.
 - 5.14.4. Improved spread of age classes to minimise large number of trees senescing (reaching the end of Useful Life) within close timeframes
 - 5.14.5. Maintain and enhance the existing levels of tree canopy cover
 - 5.14.6. Tolerance to low water environments
 - 5.14.7. Improved colour, form and habit of streetscape plantings
 - 5.14.8. Protection and enhancement of biodiversity outcomes
- 5.15. The City of Salisbury is committed to renewing its street tree population and will develop and maintain an Asset Management Plan that will include:
 - 5.15.1. Clear vision and objectives particular to streetscapes that are aligned with the City’s strategic directions and objectives.
 - 5.15.2. Renewal strategies and actions incorporating funding levels and asset life cycles, planning processes, service levels, community consultation, targets for quantity of trees to be replaced, criteria and methods for prioritising streets and tree removal criteria specific to the street tree renewal program.
- 5.16. Trees on Council reserves will be renewed through a range of practices including but not limited to the annual tree planting program, reserve upgrade projects, community planting initiatives and other capital work or community works projects.
- 5.17. The City of Salisbury will undertake a range of proactive and reactive tree services to maintain the health and structure of trees and address risks and nuisances to the community. Tree Management Procedures will be utilised to guide Council’s tree maintenance operations and activities to provide clear guidance in decision making and record keeping processes.
- 5.18. The extent of tree maintenance operations will be determined by the level of funding and allocation of resources for managing trees and will be

monitored and reported to Council if service level changes are required. Priorities will be based on the level of risk to minimise the potential for harm caused by trees.

- 5.19. *The Planning, Development and Infrastructure Act 2016 (as amended)* defines parameters under which trees may qualify as Regulated or Significant Trees and describes certain activities which require Development Approval, due to the impact or potential impact upon the noted tree. Significant/Regulated trees will be managed in accordance with relevant legislation.

Community Consultation and Engagement

- 5.20. The City of Salisbury will inform and consult with the community about tree removals and major tree projects in accordance with Council’s community engagement strategy.
- 5.21. The City of Salisbury will take action to increase community knowledge about the benefits of trees and the urban forest through the provision of accurate information that is intentionally marketed to staff, key stakeholders and the community.
- 5.22. The City of Salisbury will encourage community involvement in tree planting activities.
- 5.23. Consideration of any previous requests by community members for tree removals will be included in relevant street tree projects, and a summary of those requests will be provided to the appropriate Ward Councillors.

Risk Management

- 5.24. The City of Salisbury is committed to a systematic approach to tree risk management and will undertake regular tree safety inspections by suitably qualified Arborists to identify and manage potential tree hazards.
- 5.25. Tree Management Procedures will be utilised to guide the analysis of tree risks and the development and implementation of proactive tree inspection and maintenance plans.

6. Related Policies and Procedures

Landscape Design Policy

City Landscape Plan

Street Tree Asset Management Plan

Tree Management Procedures

Tree Removal Procedure

Tree Management ‘Risk Management Guidelines for Local Government’, Local Government Mutual Liability Scheme, 2013.

7. Approval and Change History

Version	Approval Date	Approval By	Change
2	22 April 2024	Council	New Policy Template Format Review of Tree Removal Framework

8. Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council’s website www.salisbury.sa.gov.au
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
 34 Church Street, Salisbury SA 5108
 Telephone: 84068222
 Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed:

- If a new Policy - within 12 months of a Council election and thereafter as necessary; or
- The frequency dictated in legislation; or
- Earlier in the event of changes to legislation or related Policies and Procedures; or
- If deemed necessary by Council.

Further Information

For further information on this Policy please contact:

Responsible Officer: Manager Urban, Recreation & Natural Assets

Address: 34 Church Street, Salisbury SA 5108

Telephone: 8406 8222

Email: city@salisbury.sa.gov.au



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Tree Management Policy

Adopted by:	Council
Responsible Division:	Field Services Streetscape and Open Space Assets Urban, Recreation & Natural Assets
First Issued/Adopted:	26 April 2018
Last Reviewed:	27-22 April November 2024
Next Review Date:	November-April 2025

1. Purpose

Context

- 1.1. The City of Salisbury acknowledges that trees form an integral part of the landscape and public domain within the City of Salisbury providing a wide range of social, cultural, functional and environmental benefits for the City and wider community.
- 1.2. Trees within urban environments can also present a level of risk and can be an emotive issue for communities, with conflict commonly occurring when trees contribute to infrastructure damage. Trees can also be perceived as creating nuisance in urban environments.
- 1.3. The City of Salisbury has sole responsibility for the development and management of the City's landscapes. All vegetation planted on land owned or controlled by the Council is the responsibility of the Council.

- 1.4. Local Government authorities have legislative obligations with respect to the protection of trees, and responsibilities relating to damage or injury associated with the presence, failure or growth of trees.

Purpose & Aims

1.5. The Tree Management Policy seeks to:

~~1.4.1.1.5.1.~~ To pProvide strategic directions and guiding principles that form the foundation of Council’s Tree Management Framework to enable clarity and consistency in the management of Salisbury’s urban forest.

~~1.5.2.~~ Maintain and enhance the tree canopy cover within the City.

~~1.4.2.~~ To ensure community needs and expectations are understood and considered in the management of the City’s trees.

~~1.4.3.~~ Where the community do not agree with the decision, that the Tree Management Appeal Process is followed, concluding with the Environmental Sustainability and Tree Management Appeals Sub-committee.

~~1.4.4.1.5.3.~~ Maintain and enhance the tree canopy cover within the City

~~1.4.5.1.5.4.~~ To bbroaden the emphasis of urban tree management to include urban forestry principles whereby trees are viewed and managed as a collective asset across the City and lands managed by Council.

~~1.4.6.1.5.5.~~ To ensure that trees on roads, community land and other landscape areas are planted and maintained in a consistent and reasonable manner, underpinned by risk management principles, in accordance with relevant legislation, and in ~~conjunction~~ alignment with resources that are made available and/or to agreed service levels.

~~1.4.7.1.5.6.~~ To ensure alignment of tree management strategies and practices with Council’s strategic directions and other related policies, plans and strategies.

~~1.4.8.1.5.7.~~ To reinforce the City of Salisbury’s commitment to the sustainable management of the urban forest, ~~recongising~~ through recognition that the urban forest is an intergenerational asset that needs to be managed and enhanced to preserve its value to the community now and in the future.

~~1.4.9.1.5.8.~~ To strike an appropriate balance between the benefits and positive values of trees and the potential risks and nuisances they can create.

~~1.4.10.1.5.9. To~~ increase awareness and educate the community, developers and ~~Council staff~~ other stakeholders on the value of trees in the urban environment.

~~1.4.11.1.5.10. To e~~Ensure trees are managed to meet Council's legislative requirements.

2. Scope

2.1. This policy provides strategic direction and guidance in relation to the management of trees under the care, control and management of Council.

2.2. ~~The~~is Tree Management Policy is one of a suite of documents used to manage trees within the City of Salisbury and should be read in conjunction with the related plans, policies and procedures. Refer to Section ~~H-6~~ for a list of associated documents that form part of the City of Salisbury's Tree Management Framework.

3. Legislative Requirements and Corporate Policy Context

Local Government Act 1999

~~Development Act 1993~~ Planning, Development and Infrastructure Act 2016

Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

Natural Resource Management Act 2004

Environment Protection Act 1993

Electricity Act 1996

Heritage Places Act 1993

Road Traffic Act 1961

Native Vegetation Act 1991

Aboriginal Heritage Act 1988

Water Industry Act 2012

[Telecommunications Act 1997](#)

4. Interpretation/Definitions

- 4.1. **Tree** – long lived woody perennial plant greater than (or usually greater than) 4 metres in height at maturity, with one or relatively few main erect stems or trunks.
- 4.2. **Urban Forest** – is defined as all trees growing throughout the City of Salisbury area; irrespective of origin (native/exotic), location (streets, reserves, schools) or ownership and control (public & private).
- 4.3. The Urban Forest comprises the cumulative benefits of the entire tree population across the City of Salisbury area and can be described as the management of trees in an urban environment to maximise the benefits that trees provide to **urban cooling and** the community.
- 4.4. **Landmark Tree Register** – a list of **established** trees **significant key** to the City of Salisbury due to their environmental, cultural, historical or social attributes.
- 4.5. **Arborist** – a person with formalised training to a minimum AQF Level 3 in Arboriculture.
- 4.5.4.6. **Project Arborist** – a person with formalised training to a minimum AQF Level 5 in Arboriculture.
- 4.7. **Regulated/Significant Trees** – as defined in the *Development Act 1993* *Planning, Development and Infrastructure Act 2016*.

5. Policy Statements

Tree Planting

- 5.1. The **endorsed** Tree Management Procedure will be utilised to detail technical specifications, installation techniques and items to be considered and/or assessed when undertaking tree planting and establishment activities. All tree planting will be undertaken in accordance with **such** this procedure.
- 5.2. A variety of tree species will be used to maintain an urban forest to;
 - 5.2.1. **reinforce/strengthen** precinct identity,
 - 5.2.2. **attract** a diverse array of wildlife,
 - 5.2.3. **create** visual interest and
 - 5.2.4. **improve** the amenity of the public realm,
 - 5.1+5.2.5. **provide** a tree canopy that is diverse, robust and resilient.

5.2.5.3. An approved planting list will be maintained as part of Council's Tree Management Framework; comprising species suitable for reserve and street tree planting ~~lists~~. The following criteria shall be used in selecting species for inclusion to the planting list:

5.2.1.5.3.1. Site suitability (including potential impacts to infrastructure and the environment)

5.2.2.5.3.2. Aesthetic, functional and biological attributes

5.2.3.5.3.3. Supports biodiversity and community wellbeing

5.2.4.5.3.4. Performance within the various geological areas of the City

5.2.5.5.3.5. Maintenance requirements (water and maintenance resources)

5.2.6.5.3.6. Longevity

5.2.7.5.3.7. Stock availability

5.2.8.5.3.8. Tolerance to low water environments

5.2.9.5.3.9. Adaptive to future changes in climate

Tree Protection

- 5-3-5.4. Trees that contribute to the cultural and social character of the City are to be placed on ~~a~~the Landmark Tree Register. The protection and retention of these trees will be given high priority for retention where ~~their retention is~~ considered worthy of retention.
- 5-4-5.5. The protection of Council trees will be given high priority in all aspects of the City's operations and maintenance activities.
- 5-5-5.6. Proposed developments (private and public) should consider the impacts on trees. Proponents of developments should explore options for the retention of established trees as part of development considerations.
- 5-6-5.7. Development applications will include all necessary information to allow full assessment of potential impacts on trees to be retained and an appropriate standard and space for planting new trees in accordance with the PDI Act 2016.
- 5-7-5.8. Trees that are to be retained ~~will~~are to be protected from construction works and other activities/events that threaten tree health and stability. The Australian Standard (AS4970 - 2009 Protection of trees on development sites) will be used to achieve consistency in tree protection requirements across the City.
- 5-8-5.9. Where there is evidence of unauthorised poisoning, pruning, or tree removal, the matter will be investigated and appropriate action undertaken in accordance with Council's Enforcement Policy and relevant legislation or civil action.

Tree Removal

- 5-9-5.10. The removal of trees under certain circumstances is a relevant tree management tool in mitigating risks and ensuring an appropriate balance between the benefits and nuisances of trees in the urban environment.
- 5-10-5.11. ~~A~~The Tree Removal Procedure will detail the criteria and process by which tree removal requests are to be considered and approved.

Tree Asset Management

- 5-11-5.12. The City of Salisbury recognises that trees are a valuable community asset and play an important role in contributing to the amenity, character and liveability of our city.
- 5-12-5.13. The City of Salisbury is committed to maintaining a functional and sustainable urban forest that enhances the character and amenity of the City now, and for future generations.

~~5.13-5.14.~~ The City of Salisbury will develop and implement practices that seek to effectively maintain and enhance the quality of the City’s urban forest in accordance with the following specific objectives:

~~5.13-1-5.14.1.~~ Minimising risks and nuisances to the community

~~5.13-2-5.14.2.~~ Maximising the benefits of trees and their life expectancy

~~5.13-3-5.14.3.~~ Have a diverse variety of tree species throughout the City
~~Improved the degree of tree diversity planting stock~~ (target maximum 40% of any family, 30% of any genus, 15% of any species) for resilience and robustness ~~of the Urban Forest.~~

~~5.13-4-5.14.4.~~ Improved spread of age classes to minimise large number of trees senescing ~~(reaching the end of Useful Life)~~ within close timeframes

~~5.13-5-5.14.5.~~ Maintain and enhance the existing levels of tree canopy cover

~~5.13-6-5.14.6.~~ Tolerance to low water environments

~~5.13-7-5.14.7.~~ Improved colour, form and habit of streetscape plantings

~~5.13-8-5.14.8.~~ Protection and enhancement of biodiversity outcomes

~~5.14-5.15.~~ The City of Salisbury is committed to renewing its street tree population and will develop and maintain ~~a Street Tree~~an Asset Management Plan that will include:

~~5.14-1-5.15.1.~~ Clear vision and objectives particular to streetscapes that are aligned with the City’s strategic directions and objectives.

~~5.14-2-5.15.2.~~ Renewal strategies and actions incorporating funding levels and ~~asset~~life cycles, planning processes, service levels, community consultation, targets for quantity of trees to be replaced, criteria and methods for prioritising streets and tree removal criteria specific to the street tree renewal program.

~~5.15-5.16.~~ Trees on Council reserves will be renewed through a range of practices including but not limited to the annual tree planting program, reserve upgrade projects, community planting initiatives and other capital work ~~or~~ ~~community works~~ projects.

~~5.16-5.17.~~ The City of Salisbury will undertake a range of proactive and reactive tree services to maintain the health and structure of trees and address risks and nuisances to the community. Tree Management Procedures will be utilised to guide Council’s tree maintenance operations and activities to provide clear guidance in decision making and record keeping processes.

~~5.17-5.18.~~ The extent of tree maintenance operations will be determined by the level of funding and allocation of resources for managing trees and will be monitored and reported to Council if service level changes are required. Priorities will be based on the level of risk to minimise the potential for harm caused by trees.

~~5.18-5.19.~~ *The ~~Development Act 1993~~ Planning, Development and Infrastructure Act 2016 (as amended) defines parameters under which trees may qualify as Regulated or Significant Trees and ~~stipulates-describes~~ certain activities ~~affecting such tree~~ which a require Development Approval, due to the impact or potential impact upon the noted tree. Significant/Regulated trees will be managed in accordance with relevant legislation ~~and the City of Salisbury Development Plan which contains the principles of development control~~.*

Community Consultation and Engagement

~~5.19-5.20.~~ The City of Salisbury will inform and consult with the community about tree removals and major tree projects in accordance with Council’s community engagement strategy.

~~5.20.1.1.~~ ~~Consideration of any previous requests by community members for tree removals will be included in relevant street tree projects, and a summary of those requests will be provided to the appropriate Ward Councillors.~~

5.21. The City of Salisbury will take action to increase community knowledge about the benefits of trees and the urban forest through the provision of accurate information that is intentionally marketed to staff, key stakeholders and the community.

5.22. The City of Salisbury will encourage community involvement in tree planting activities, ~~where it is able to be facilitated with the Elected Members informed of such events in advance.~~

~~5.23.~~ ~~The City of Salisbury will meet statutory community consultation and engagement requirements relating to works involving Regulated and Significant Trees.~~ Consideration of any previous requests by community members for tree removals will be included in relevant street tree projects, and a summary of those requests will be provided to the appropriate Ward Councillors.

Risk Management

~~5.23-5.24.~~ The City of Salisbury is committed to a systematic approach to tree risk management and will undertake regular tree safety inspections by suitably qualified Arborists to identify and manage potential tree hazards.

5.24-5.25. Tree Risk Management Procedures will be utilised to guide the analysis of tree risks and the development and implementation of proactive tree inspection and maintenance plans.

6. Related Policies and Procedures

- Landscape Design Policy
- City Landscape Plan
- Street Tree Asset Management Plan
- Tree Management Procedures
- Tree Removal Procedure

Tree Management ‘Risk Management Guidelines for Local Government’, Local Government Mutual Liability Scheme, 2013.

7. Approval and Change History

Version	Approval Date	Approval By	Change
2	27 November 2023 22 April 2024	Council	New Policy Template Format Review of Tree Removal Framework

8. Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council’s website www.salisbury.sa.gov.au
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
 34 Church Street, Salisbury SA 5108
 Telephone: 84068222
 Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed:

- If a new Policy - within 12 months of a Council election and thereafter as necessary; or
- The frequency dictated in legislation; or
- Earlier in the event of changes to legislation or related Policies and Procedures; or
- If deemed necessary by Council.

Further Information

For further information on this Policy please contact:

Responsible Officer: ~~Manager Field Services~~[Manager Urban, Recreation & Natural Assets](#)
Address: 34 Church Street, Salisbury SA 5108
Telephone: 8406 8222
Email: city@salisbury.sa.gov.au



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Tree Removal Procedure

Adopted by:	Council
Responsible Division:	Field Services
First Issued/Adopted:	28 September 2020 (0678/2020)
Last Reviewed:	22 April 2024
Next Review Date:	April 2027

1. Purpose

- 1.1. Trees form an integral part of the landscape and public domain within the City of Salisbury providing a wide range of social, cultural, functional and environmental benefits for the City and wider community.
- 1.2. Trees within urban environments may also present a level of risk and can be an emotive issue for communities, with conflict commonly occurring when trees contribute to public and private infrastructure damage. Trees may also be perceived as creating nuisance in urban and built environments.
- 1.3. Tree management in the urban environment seeks to achieve a balance of minimising risks and nuisances, whilst maximising benefits for the broader community.
- 1.4. The removal of trees under certain circumstances is a relevant tree management tool in mitigating risks and ensuring an appropriate balance between the benefits and nuisances of trees in the urban and built environment.

1.5. This Procedure seeks to:

- 1.5.1. Outline the principles and define the criteria that are considered in determining the removal of trees under the care, control and management of the City of Salisbury.
- 1.5.2. Provide a clear process and a consistent, robust decision-making framework for assessing and processing tree removals.
- 1.5.3. Strike an appropriate balance between the benefits of trees, the risk they may present, and the potential nuisance they can create.
- 1.5.4. Ensure trees are removed in accordance with legislative requirements.

2. Scope

- 2.1. This Procedure relates to the removal of trees under the care, control and management of the City of Salisbury and has been developed in accordance with the adopted Tree Management Policy.
- 2.2. This Procedure details the assessment criteria and process for considering and dealing with tree removal requests.
- 2.3. This Procedure focuses on reactive responses to tree removal requests. Council's Street Tree Assets Management Plan and associated Renewal Programs are designed for programmed removal and replacement of street trees and specific tree removal criteria applies to this program.
- 2.4. Planning law, governed by the *Planning, Development and Infrastructure Act 2016* (the Act), *Planning Development and Infrastructure (General) Regulations 2017* (the Regulations), and *Planning and Design Code* (the Code), sets the legal framework for managing Regulated and Significant trees.

3. Legislative Requirements and Corporate Policy Context

Local Government Act 1999

Planning, Development and Infrastructure Act 2016

Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

Landscape South Australia Act 2019

Environment Protection Act 1993

Electricity Act 1996

Heritage Places Act 1997

Road Traffic Act 1961

Native Vegetation Act 1991

Aboriginal Heritage Act 1988

Water Industry Act 2012

Telecommunications Act 1997

4. Interpretation/Definitions

- 4.1. Tree – long lived woody perennial plant greater than (or usually greater than) 4 metres in height at maturity with one or relatively few main erect stems or trunks.
- 4.2. Regulated/Significant Tree - As Defined in the *Planning, Development and Infrastructure Act 2016*.
- 4.3. Arborist – a person with formalised training to a minimum AQF Level 3 in Arboriculture.
- 4.4. Project Arborist – a person with formalised training to a minimum AQF Level 5 in Arboriculture.
- 4.5. Qualified Planner - Assessment Manager or delegate - accredited relevant authority under the *Planning, Development and Infrastructure Act 2016*.

5. Procedure

5.1. Tree Removal Process

- 5.1.1. All requests to remove a living, Council controlled tree must be in writing describing the reasons why the tree is requested to be removed.
- 5.1.2. All tree removal requests are to be assessed by a staff member (Qualified Arborist) to determine the health, structure and location of the tree.
- 5.1.3. Each tree removal request will be assessed individually on its merits.
- 5.1.4. Each removal request will be assessed with a decision outcome categorised as either:
 - 5.1.4.1. approved for removal, or
 - 5.1.4.2. feasible to remove (Regulated/Significant Trees), or
 - 5.1.4.3. removal refused, or
 - 5.1.4.4. decision deferred to enable further information to be gathered to complete the assessment.
- 5.1.5. Tree removal may be approved (or supported in the case of Regulated/Significant Trees) if:
 - 5.1.5.1. The tree is determined to be in poor health and/or structure and remedial actions are unlikely to improve the trees health or structure, or
 - 5.1.5.2. The tree clearly meets one or more of the Tree Removal Criteria as listed in Section 6, or
 - 5.1.5.3. The tree needs to be removed urgently to protect public safety i.e. underground utility failures in close proximity to a tree
- 5.1.6. Where a request for removal is approved or supported, the applicable tree removal criteria will be recorded, along with any other basis for the decision.

- 5.1.7. Tree removal may be refused where it clearly does not meet any of the Tree Removal Criteria as listed in Section 6 and/or other remedial actions are likely to abate the nuisance being caused by the tree.
 - 5.1.8. A written response will be sent to the applicant of the request detailing the decision of a tree removal request and as appropriate; any cost to be paid, list of removal criteria and the option for a review of the decision through an appeal process. A copy of the written response will be provided to Ward Councillors.
 - 5.1.9. Where a tree removal request has been refused, no further removal requests will be considered within a 12 month period unless there has been a significant change in circumstances.
 - 5.1.10. Where a tree removal request is lodged by a tenant, consultation will occur with the property owner prior to a decision being determined, except in the case of high risk or emergency situations. A tree removal request will be refused where the owner is not supportive of removal.
 - 5.1.11. Consultation will occur with the owner of a property adjacent to the relevant tree/s where the request for removal is by a nearby resident. A tree removal request will be refused where the owner is not supportive of removal.
 - 5.1.12. The details and outcomes of all tree removal requests will be circulated to Elected Members via the Elected Member Portal on a monthly basis, with an annual summary report provided to the Environmental Sustainability and Trees Sub Committee each year.
- 5.2. **Supporting Information**
- 5.2.1. Where an applicant believes that a tree or its roots are the direct cause of damage to private infrastructure, the applicant may be required to provide some form of evidence to enable the tree removal request to be assessed. This may involve the claimant exposing roots to enable inspection, or providing independent engineering assessment.
- 5.3. **Regulated/Significant Trees**
- 5.3.1. The *Planning, Development and Infrastructure Act 2016* defines parameters under which trees may qualify as Regulated or Significant Trees under this legislation.
 - 5.3.2. The *Planning, Development and Infrastructure Act 2016* defines certain activity, such as tree removal, that affects a Regulated or Significant Tree as development, and such activity requires Development Approval.
 - 5.3.3. Where a Regulated or Significant Tree removal request is received, and one or more of the Tree Removal Criteria as listed in Section 6 are met and removal is assessed as feasible, a qualified Planner will be consulted to give preliminary Planning advice against the criteria

for Regulated/Significant Trees in accordance with the *Planning, Development and Infrastructure Act 2016* .

- 5.3.4. Should the preliminary Planning advice conclude that Development Approval is likely; a Development Application will be lodged. The Development Application will then be assessed against the provisions of the *Planning, Development and Infrastructure Act 2016*.
- 5.3.5. Where the preliminary Planning advice concludes that Development Approval is not likely, the removal request will be refused.

5.4. Tree Removal Decision Appeal Process

- 5.4.1. Where a request for a tree to be removed has not been approved or supported and the applicant is particularly aggrieved by the decision, the applicant may request a review of that decision through an Appeal process.
- 5.4.2. All requests for an Appeal must be in writing, within 2 months of original decision notification date, detailing why they believe the decision was incorrect.
- 5.4.3. Applications for an Appeal of a tree removal decision will be presented to the Environmental Sustainability and Trees Sub Committee for consideration and decision.
- 5.4.4. The Appeal process shall include:
- Examination of the original decision and the application of Tree Removal Criteria
 - Assessment to determine that all reasonable actions have been considered to reduce the impact the tree is having on any neighbouring properties or persons
 - Determination if further information or investigations are required to enable assessment
- 5.4.5. As part of an Appeal, removal of a tree may be considered outside of the Tree Removal Criteria where there are unique circumstances. These will be assessed on a case by case basis and may require the resident to pay a set fee (as per Section 7) for the removal of the tree.
- 5.4.6. A written response will be sent to the applicant detailing the decision of the Appeal and where appropriate, any cost to be paid.
- 5.4.7. Where an Appeal process has refused the removal of a tree, no further removal requests will be considered within a 12 month period, unless there has been a significant change in circumstances.
- 5.4.8. An application for review of a Council decision may be made in accordance with Section 270 of the Local Government Act 1999 should an applicant/resident remain dissatisfied with the decision arising from the Appeal process.

Regulated/Significant Trees

- 5.4.9. Where an applicant is particularly aggrieved with the decision not to remove a Regulated or Significant tree, the applicant may request a review of that decision through an Appeal process.
- 5.4.10. As part of the Appeal, administration will provide the Environmental Sustainability and Trees Sub Committee the preliminary Planning advice against the criteria for Regulated/Significant Trees in accordance with the *Planning, Development and Infrastructure Act 2016*.
- 5.4.11. Where a Development Application is lodged for the removal of a Regulated/Significant tree as part of an Appeal, an Independent Arborist will be engaged to provide a report on the tree as part of the Application.

6. Tree Removal Criteria

- 6.1. Removal of a tree could be warranted if one or more of the following criteria are met:
 - 6.1.1. The tree is in an unsuitable location and is unreasonably obstructing approved infrastructure or traffic sight lines.
 - 6.1.2. 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.
 - 6.1.3. The spacing of trees planted on a standard width verge is inconsistent with the "Street Tree Planting Guide" for that species of tree.
 - 6.1.4. The tree is diseased and/or has a short life expectancy or is dead and has no significant landscape or habitat value.
 - 6.1.5. 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.
 - 6.1.6. The trees roots are shown to be causing or threatening to cause damage exceeding two thousand dollars to adjacent infrastructure.
 - 6.1.7. The trees 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.
 - 6.1.8. The tree is in the location of a first single driveway of a property (sub-division excluded).
 - 6.1.9. The tree is in the location of an approved Council development.
 - 6.1.10. The tree has been assessed for removal as part of a "Street Tree and/or Landscape Renewal Programme".
 - 6.1.11. 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.
 - 6.1.12. Genuine Hardship

- 6.1.12.1. The person/resident is receiving assistance through the National Disability Insurance Scheme (NDIS) or a community care service and;
- 6.1.12.2. The person/resident does not have the functional ability to relieve the nuisance caused by the tree or;
- 6.1.12.3. 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
- 6.1.12.4. The person/resident is a carer of a person that meets the above criteria.

Note – leaf, bark, seeds, fruit or minor branch drop are considered part of the natural environment and are not criteria for tree removal.

7. Cost Recovery for Tree Removals – including Development Purposes

- 7.1. Requests to have a tree removed to enable some development by a property owner or developer, such as the construction of a second driveway, are common. Where it is possible and practical, staff may request that some modification to the proposed works, such as re-alignment of the driveway or development, be made in order to retain a tree. Where tree removal is necessary for development or where there are special circumstances and the removal request does not conform to the tree removal criteria, tree removal may be approved on payment of a set fee.
 - 7.2. The set fee payable will be calculated in accordance with the following:
 - 7.2.1. Physical cost of the tree and stump removal at Council contract rates.
 - 7.2.2. Councils set cost to plant and establish a new tree.
 - 7.2.3. Administration cost to cover administrative, inspection and accounting costs inherent in any tree removal.
- And in the case of Regulated or Significant Trees additional costs related to;
- 7.2.4. Cost to lodge a Development Application with the appropriate planning authority.
 - 7.2.5. Cost for an independent Arborist report (if required).
- 7.3. Where it is not possible, or not appropriate, to replant a tree at the same site, the fee will assist in planting a tree elsewhere within the city.

8. Petitions

- 8.1. Where the residents of a street petition Council to have the entire street of trees replaced, (outside of the existing 'Street Tree Renewal Programme') Council may consider the petition if;
 - 8.1.1. The petition is in writing in the correct petition format and

- 8.1.2. All residents of the street have signed the petition and
- 8.1.3. All residents of the street will meet all costs for the administration, removal, planting and establishment of new trees.
- 8.1.4. Replanting must be in accordance with the City Landscape Plan, Street Tree Assets Management Plan and Street Tree Renewal Program.

- 8.2. If these requirements are not met, individuals may request the removal of trees which will be assessed on an individual basis in accordance with the Tree Removal Criteria and standard tree removal process.

9. Unauthorised Removal or Damage to Council Trees

- 9.1. Where a Council tree is removed or vandalised without Council authorisation, Council will seek to recover costs from the person(s) responsible. Cost to be recovered of a vandalised or illegally removed tree will include; cost of tree removal, including stump removal, replanting, establishment and administration costs and the amenity value of the tree using the Burnley system for attributing a monetary value to an amenity tree.
- 9.2. Where a Council tree is maliciously interfered with leading to its death, the tree will be removed within 2 months of being assessed and a new tree will be planted in or close to the same location.
- 9.3. Where a person admits to interfering with a Council tree, Council will seek to recover costs from the person(s) responsible. Cost to be recovered will include; cost of tree removal, including stump removal, replanting, establishment and administration costs and the amenity value of the tree using the Burnley system for attributing a monetary value to an amenity tree.

10. Delegation and Responsibility

- 10.1. The Tree Removal Procedure will be administered by the General Manager City Infrastructure or delegate.
- 10.2. General Manager City Infrastructure or delegate, will have the delegated authority to make decisions on outcomes of tree removal requests as outlined in sections 5.1-5.3 of this Procedure.
- 10.3. Decisions on Appeals will be referred to the Environmental Sustainability and Trees Sub Committee.

11. Related Policies and Procedures

- 11.1. Environmental Sustainability and Trees Sub Committee Terms of Reference
- 11.2. Tree Management Policy
- 11.3. Landscape Design Policy

- 11.4. City Landscape Plan
- 11.5. Street Tree Assets Management Plan
- 11.6. Tree Management Procedures

12. Approval and Change History

Version	Approval Date	Approval By	Change
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13. Availability

- 8.1 The Policy is available to be downloaded, free of charge, from Council’s website www.salisbury.sa.gov.au
- 8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
34 Church Street, Salisbury SA 5108
Telephone: 84068222
Email: city@salisbury.sa.gov.au

14. Review

- 14.1. This procedure will be reviewed every 3 years; or
 - 14.1.1. Earlier in the event of changes to legislation or related Policies and Procedures; or
 - 14.1.2. If deemed necessary by Council.

15. Further Information

For further information on this Policy please contact:

Responsible Officer: Manager Field Services
Address: 34 Church Street, Salisbury SA 5108
Telephone: 8406 8222
Email: city@salisbury.sa.gov.au



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Tree Removal Procedure

Adopted by: Council

Responsible Division: Field Services

First Issued/Adopted: ~~26-28 April-September 20+208~~
~~(0678/2020)~~

Last Reviewed: ~~27-22 April 2024~~ ~~November 2023~~

Next Review Date: ~~November 2025~~ ~~April 2027~~

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English (Australia)

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1. Purpose

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- 1.1. Trees form an integral part of the landscape and public domain within the City of Salisbury providing a wide range of social, cultural, functional and environmental benefits for the City and wider community.
- 1.2. Trees within urban environments may also present a level of risk and can be an emotive issue for communities, with conflict commonly occurring when trees contribute to public and private infrastructure damage. Trees may also be perceived as creating nuisance in urban and built environments.
- 1.3. Tree management in the urban environment seeks to achieve a balance of minimising risks and nuisances, whilst maximising benefits ~~to ensure the best community outcome for the broader community.~~
- 1.4. The removal of trees under certain circumstances is a relevant tree management tool in mitigating risks and ensuring an appropriate balance between the benefits and nuisances of trees in the urban and built environment.

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1.5. This Procedure seeks to:

~~1.5.1.1.~~ Outline the principles and defines the criteria that are considered in determining the removal of trees under the care, control and management of the City of Salisbury.

~~1.5.2.~~ Provide a clear process and a consistent, robust ~~decision making~~ ~~decision-making~~ framework for assessing and processing tree removals.

1.5.3. Strike an appropriate balance between the benefits of trees, the risk they may present, and the potential nuisance they can create.

1.5.4. ~~To ensure trees are removed in accordance with legislative requirements.~~

~~2.0.~~

~~3.0. This procedure focuses on reactive responses to tree removal requests. Council's Street Tree Assets Management Plan and associated Streetscape Renewal Program are designed for programmed removal and replacement of street trees and specific tree removal criteria may apply to this program.~~

~~4.0.1.1. To ensure trees are removed in accordance with legislative requirements.~~

6.2. Scope

2.1. This Procedure relates to the removal of trees under the care, control and management of the City of Salisbury and has been developed in accordance with the adopted Tree Management Policy.

2.2. This Procedure details the assessment criteria and process for considering and dealing with tree removal requests.

2.3. ~~This Procedure focuses on reactive responses to tree removal requests. Council's Street Tree Assets Management Plan and associated Renewal Programs are designed for programmed removal and replacement of street trees and specific tree removal criteria applies to this program.~~

2.4. ~~Planning law, governed by the *Planning, Development and Infrastructure Act 2016 (the Act)*, *Planning Development and Infrastructure (General) Regulations 2017 (the Regulations)*, and *Planning and Design Code (the Code)*, sets the legal framework for managing Regulated and Significant trees.~~

8.3. Legislative Requirements and Corporate Policy Context

~~Local Government Act 1999~~
~~Development Act 1993~~ ~~Planning, Development and Infrastructure Act 2016~~

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Commonwealth Environmental Protection and Biodiversity Conservation Act 1999
~~*Natural Resource Management Act 2004*~~*Landscape South Australia Act 2019*
Environment Protection Act 1993
~~*Electricity Act 1996*~~
Heritage Places Act 1997
Road Traffic Act 1961
Native Vegetation Act 1991
Aboriginal Heritage Act 1988
Water Industry Act 2012
~~*Telecommunications Act 1997*~~

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4. Interpretation/Definitions

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~~9.1.4.1.~~ Tree – long lived woody perennial plant greater than (or usually greater than) 4 metres in height at maturity with one or relatively few main erect stems or trunks.

~~9.2.4.2.~~ Regulated/Significant Tree - As Defined in the *Planning, Development and Infrastructure Act 2016* ~~Development Act 1993~~.

~~4.3.~~ Arborist – a person with formalised training to a minimum AQF Level 3 in Arboriculture.

~~4.4.~~ Project Arborist – a person with formalised training to a minimum AQF Level 5 in Arboriculture.

~~9.3.4.5.~~ Qualified Planner – Assessment Manager or delegate – accredited relevant authority under the Planning, Development and Infrastructure Act 2016.

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5. Procedure

~~10.~~

~~10.1.5.1.~~ **Tree Removal Process**

~~10.1.1.5.1.1.~~ All requests to remove a living, Council controlled tree must be in writing describing the reasons why the tree is requested to be removed.

~~5.1.2.~~ All ~~written~~ tree removal requests are to be assessed by a staff member (Qualified Arborist) Parks and Open Space Assets Team ~~to to~~ determine the health, structure and location of the tree.

~~5.1.3.~~ Each tree removal request will be assessed individually on its merits.

~~5.1.4.~~ Each removal request will be assessed with a decision outcome categorised as either:

~~5.1.4.1.~~ approved for removal, or

~~5.1.4.2.~~ feasible to remove (Regulated/Significant Trees), or

~~5.1.4.3.~~ removal refused, or

~~10.1.2.5.1.4.4.~~ decision deferred to enable further information to be gathered to complete the assessment.

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~~10.1.3.5.1.5.~~ Tree removal may be a Parks and Open Space Assets Team may approved (or supported (in the case of Regulated/Significant Trees) the removal of a tree if:

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~~10.1.3.1.5.1.1.~~ The tree is determined to be in poor health and/or structure and remedial actions are unlikely to improve the trees health or structure, or

~~10.1.3.2.5.1.5.2.~~ The tree clearly meets one or more of the Tree Removal Criteria as listed in ~~Section 6~~ Section 6, or

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~~40.1.3.3-5.1.5.3.~~ The tree needs to be removed urgently to protect public safety i.e. underground utility failures in close proximity to a tree

~~40.1.4.~~ The Parks and Open Space Assets Team may refuse the removal of a tree where the tree clearly does not meet any of the Tree Removal Criteria as listed in Section E3 and other remedial actions are likely to abate the nuisance being caused by the tree.

~~40.1.5.~~ The Parks and Open Space Assets Team will consider each tree removal request individually on its merits and will determine the most appropriate action required.

~~40.1.6.~~ The Parks and Open Space Assets Team may approve or deem it feasible (in the case of Regulated/Significant Trees) the removal of a tree if one or more of the Tree Removal Criteria as listed in Section E3 can be satisfied.

~~5.1.6.~~ Each application assessed and processed by the Parks and Open Space Assets Team will be categorised as either: approved for removal; feasible to remove (Regulated/Significant Trees); removal refused; or decision deferred to enable further information to be gathered to complete the assessment. Where a request for removal is approved or supported, the applicable tree removal criteria will be recorded, along with any other basis for the decision.

~~40.1.7-5.1.7.~~ Tree removal may be refused where it clearly does not meet any of the Tree Removal Criteria as listed in Section 6 and/or other remedial actions are likely to abate the nuisance being caused by the tree.

~~40.1.8-5.1.8.~~ A written response will be sent to the applicant of the request detailing the decision of a tree removal request by the Parks and Open Space Assets Team and as appropriate; any cost to be paid, list of removal criteria and the option for a review of the decision through an appeal process. A copy of the written response will be provided to Ward Councillors.

~~5.1.9.~~ The outcomes of each Parks and Open Space Assets Team assessment will be circulated to Elected Members. Where a tree removal request has been refused, by the Parks and Open Space Assets Team no further removal requests will be considered by the Parks and Open Space Assets Team within a 12 month period unless there has been a significant change in circumstances. Action from here will be the review by the Manager Infrastructure Management.

~~5.1.10.~~ Where a tree removal request is lodged by a tenant, consultation will occur with the property owner prior to a decision being determined, except in the case of high risk or emergency situations. A tree removal request will be refused where the owner is not supportive of removal.

~~5.1.11.~~ Consultation will occur with the owner of a property adjacent to the relevant tree/s where the request for removal is by a nearby resident.

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A tree removal request will be refused where the owner is not supportive of removal.

5.1.12. The details and outcomes of all tree removal requests will be circulated to Elected Members via the Elected Member Portal on a monthly basis, with an annual summary report provided to the Environmental Sustainability and Trees Sub Committee each year.

40.1.9.

40.1.10.1.1.1. ~~Where a tree removal request has been refused by the Parks and Open Space Assets Team no further removal requests will be considered by the Parks and Open Space Assets Team within a 12 month period unless there has been a significant change in circumstances. Action from here will be the review by the Manager Infrastructure Management.~~

40.2.5.2. **Supporting Information**

5.2.1. Where an applicant believes that a tree or its roots are the direct cause of damage to private infrastructure, the applicant may be required to provide some form of evidence to enable the tree removal request to be assessed. This may involve the claimant exposing roots to enable inspection, or providing independent engineering assessment.

40.2.1.

40.3.5.3. **Regulated/Significant Trees**

40.3.1.5.3.1. ~~The *Planning, Development and Infrastructure Act 2016 Development Act 1993 (as amended)* defines parameters under which trees may qualify as Regulated or Significant Trees under this legislation.~~

40.3.2.5.3.2. ~~The *Planning, Development and Infrastructure Act 2016 Development Act 1993 (as amended)* defines certain activity, such as tree removal, that affects a Regulated or Significant Tree as development, and such activity requires Development Approval.~~

40.3.3. ~~Where a Regulated or Significant Tree removal request is received, and one or more of the Tree Removal Criteria as listed in Section 6 are met and removal is assessed as feasible, a qualified Planner will be consulted to give preliminary provide advicePlanning advice against the criteria for Regulated/Significant Trees in accordance with the City of Salisbury Development Plan and the *Planning, Development and Infrastructure Act 2016*. to the Parks and Open Space Assets Team. The tree removal request will be assessed under the Tree Removal Criteria as listed in Section E3. If one or more of these criteria are met and the Parks and Open Space Assets Team assesses the removal request as a feasible management action, a further preliminary assessment will be made against the~~

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criteria for Regulated/Significant Trees in accordance with the City of Salisbury Development Plan and the Development Act 1993.

5.3.3. ~~10.3.4.5.3.4.~~ Should the preliminary Planning ~~advice~~ Assessment conclude that Development Approval is likely; ~~the Parks and Open Space Assets Team may support the removal and arrange for a~~ Development Application ~~will be to be~~ lodged. The Development Application will then be assessed against the provisions of the ~~City of Salisbury Development Plan, Planning, Development and Infrastructure Act 2016,~~

5.3.5. Where the preliminary Planning ~~Assessment~~ advice concludes that Development Approval is not likely, ~~the Parks and Open Space Assets Team~~ the removal request will be refused. ~~may refuse the tree removal request,~~

10.3.5.

10.4.5.4. Tree Removal Decision ~~Review~~ Appeal Process

10.4.1.5.4.1. Where a request for a tree to be removed has not been ~~approved or~~ supported ~~and by the Parks and Open Space Assets Team and~~ the applicant is particularly aggrieved by the decision, the applicant may request a review of that decision ~~through an Appeal process.~~

10.4.2.5.4.2. All requests ~~for an Appeal Tree Removal Review~~ must be in writing, within 2 months ~~of original decision notification date, of the Parks and Open Space Assets Team decision,~~ detailing why they believe the decision was incorrect.

5.4.3. Applications for an ~~Appeal of a tree removal decision~~ will be presented to the Environmental Sustainability and Trees Sub Committee for consideration and decision.

10.4.3.5.4.4. A Tree Removal Review will be undertaken by the Manager Infrastructure Management and/or the General Manager City Infrastructure. The ~~Review~~ Appeal process shall include:

- Examination of the original ~~Parks and Open Space Assets Team~~ decision and the application of Tree Removal Criteria
- Assessment to determine that all reasonable actions have been considered to reduce the impact the tree is having on any neighbouring properties or persons
- Determination if further information or investigations are required to enable assessment

10.4.4.5.4.5. As part of an ~~Appeal Tree Removal Review,~~ removal of a tree may be considered outside of the Tree Removal Criteria where there are unique circumstances. These will be assessed on a case by case basis and may require the resident to pay a set fee (as per Section ~~E47~~) for the removal of the tree.

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~~10.4.5.5.4.6.~~ A written response will be sent to the applicant detailing the decision of the ~~Free Removal Review~~ Appeal and where appropriate, any cost to be paid.

~~10.4.6.~~ All Tree Removal Review decisions will be circulated to Elected Members.

~~10.4.7.5.4.7.~~ Where an Appeal process ~~Tree Removal Review~~ has refused the removal of a tree, no further removal requests will be ~~considered~~ considered by the Parks and Open Space Assets Team within a 12 month period, unless there has been a significant change in circumstances.

~~10.4.8.5.4.8.~~ An application for review of a Council decision may be made in accordance with Section 270 of the Local Government Act 1999 should an applicant/~~resident~~ remain dissatisfied with the decision arising from the ~~review~~ Appeal process by the Manager Infrastructure management and/ or the General Manager City Infrastructure as outlined in clause 2.3

40.5. Regulated/Significant Trees

~~2.9.~~ Where an applicant is particularly aggrieved with the decision not to remove a Regulated or

5.4.9. Significant tree, the applicant may request a review of that decision through an Appeal process.-

~~As part of the Appeal Review~~

5.4.10. a, administration will provide the Environmental Sustainability and Trees Sub Committee the preliminary Planning advice -qualified Planner will against the criteria for Regulated/Significant Trees in accordance with the Planning, Development and Infrastructure Act 2016.

~~undertake a more detailed assessment of the tree and it is concluded the removal request meets the tree removal criteria (E3) and there is a reasonable~~

5.4.11. probability that Development approval would be granted, a Development Application will be lodged for removal of the tree. The application will then formally be assessed against the provisions of the City of Salisbury Development Plan under the Planning, Development and Infrastructure Act 2016.-Where a Development Application is lodged for the removal of a Regulated/Significant tree as part of an Appeal, an Independent Arborist will be engaged to provide a report on the tree as part of the Application.

6. 3. Tree Removal Criteria

6.1. Removal of a tree could be warranted if one or more of the following criteria are met:

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- ~~3.1~~ The tree is in an unsuitable location and is unreasonably obstructing approved
- 6.1.1. infrastructure or traffic sight lines.
- ~~3.2~~ The tree is inconsistent with the landscape style or character of the local area and/or does
- 6.1.2. not contribute substantially to the landscape or streetscape.
- ~~3.3~~ The spacing of trees planted on a standard width verge is inconsistent with the "Street Tree
- 6.1.3. Planting Guide" for that species of tree.
- ~~3.4~~ The tree is diseased and/or has a short life expectancy or is dead and has no significant
- 6.1.4. landscape or habitat value.
- ~~3.5~~ The tree is structurally poor and/or poses an unacceptable risk to public or private safety
- 6.1.5. and/or has a history of major limb failure.
- ~~3.6~~ The trees roots are shown to be causing or threatening to cause damage exceeding two
- 6.1.6. thousand dollars to adjacent infrastructure.
- ~~3.7~~ The trees roots have resulted in damage to Council's kerb or footpath that has required
- 6.1.7. replacement or substantial repair works on more than one occasion within a ~~5 year~~ 5 year period.
- 6.1.8. ~~3.8~~ The tree is in the location of a first single driveway of a property (sub-division excluded).
- 6.1.9. ~~3.9~~ The tree is in the location of an approved Council development.
- ~~3.10~~ The tree has been assessed for removal as part of ~~the a~~ "Streetscape or Landscape
- 6.1.10. Redevelopment/Renewal Street Tree and/or Landscape Renewal Programme".
- ~~3.11~~ The tree, according to a medical specialist or GP, has been determined to be the cause of a
- 6.1.11. detrimental effect on the health of a nearby resident. Such advice must be in writing.
- 6.1.12. ~~3.12~~ Genuine Hardship
 - ~~a.~~ The person/resident is receiving assistance through the National Disability Insurance
 - 6.1.12.1. Scheme (NDIS) or a community care service and;
 - ~~b.~~ The person/resident does not have the functional ability to relieve the nuisance
 - 6.1.12.2. caused by the tree or;
 - ~~c.~~ The person/resident is aged or frail and has moderate, severe or profound disabilities

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- 6.1.12.3. which prevent them from relieving the nuisance caused by the tree; or
- 6.1.12.4. ~~d~~-The person/resident is a carer of a person that meets the above criteria.

Note - leaf, bark, seeds, fruit or minor branch drop are considered part of the natural environment and are not criteria for tree removal.

Page 6 of 7

7. ~~4~~-Cost Recovery for Tree Removals – including Development Purposes

- ~~4.1~~ Requests to have a tree removed to enable some development by a property owner or developer, such as the construction of a second driveway, are common. Where it is possible and practical, staff may request that some modification to the proposed works, such as re-alignment of the driveway or development, be made in order to retain a tree. Where tree removal is necessary for development or where there are special circumstances and the removal request does not conform to the tree removal criteria, tree removal may be

7.1. ~~1~~ approved on payment of a set fee.

7.2. ~~4.2~~ The set fee payable will be calculated in accordance with the following:

- 7.2.1. Physical cost of the tree and stump removal at Council contract rates.
- 7.2.2. Councils set cost to plant and establish a new tree.
 - ~~Administration cost to cover administrative, inspection and accounting costs inherent~~
- 7.2.3. in any tree removal.

And in the case of Regulated or Significant Trees additional costs related to;

- 7.2.4. Cost to lodge a Development Application with the appropriate planning authority.
- 7.2.5. Cost for an independent Arborist report (if required).

- ~~4.3~~ Where it is not possible, or ~~in the opinion of Parks and Open Space Assets Team~~ not appropriate, to replant a tree at the same site, the fee will assist in planting a tree elsewhere
- 7.3. within the city.

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8. ~~5.~~ Petitions

- ~~5.1~~ Where the residents of a street petition Council to have the entire street of trees replaced,
- ~~(outside of the existing 'Streetscape Renewal-Street Tree Renewal Programme')~~ Council may consider the
- 8.1.** petition if;
 - 8.1.1.** ~~The~~ petition is in writing in the correct petition format and
 - 8.1.2.** ~~All~~ residents of the street have signed the petition and
 - ~~All~~ residents of the street will meet all costs for the administration, removal, planting
 - 8.1.3.** and establishment of new trees.
 - ~~Replanting~~ must be in accordance with the City Landscape Plan, Street Tree Assets
 - 8.1.4.** Management Plan and ~~Streetscape Renewal Program~~ Street Tree Renewal Program.
- ~~5.2~~ If these requirements are not met, individuals may request the removal of trees which will
- ~~be~~ assessed on an individual basis in accordance with the Tree Removal Criteria and
- 8.2.** standard tree removal process.

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9. ~~6.~~ Unauthorised Removal ~~or~~ Damage ~~to~~ Council Trees

- ~~6.1~~ Where a Council tree is removed or vandalised without Council authorisation, Council will
- ~~seek~~ to recover costs from the person(s) responsible. Cost to be recovered of a vandalised
- ~~or~~ illegally removed tree will include; cost of tree removal, including stump removal,
- ~~Page 7 of 7~~
- ~~replanting,~~ establishment and administration costs and the amenity value of the tree using
- 9.1.** the Burnley system for attributing a monetary value to an amenity tree.
- ~~6.2~~ Where a Council tree is maliciously interfered with ~~or poisoned etc.~~ leading to ~~the~~ its
- ~~disfigurement and/or~~ death, the tree will be ~~retained and managed~~ appropriately until the
- 9.2.** ~~person(s) removed within 2 months of being assessed and a new tree will be~~ planted in or close to the same location.

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~~responsible are prosecuted, the fee has been paid or a replacement tree is established.~~ Where a person admits to interfering with a Council tree, Council will seek to recover costs from the person(s) responsible. Cost to be recovered will include; cost of tree removal, including stump removal, replanting, establishment and administration costs and ~~the~~ amenity value of the tree using the Burnley system for attributing a monetary value to an amenity tree.

10. Delegation and Responsibility

10.1. The Tree Removal Procedure will be administered by the General Manager City Infrastructure or delegate.

10.2. General Manager City Infrastructure or delegate, will have the delegated authority to make decisions on outcomes of tree removal requests as outlined in sections 5.1-5.3 of this Procedure.

10.3. Decisions on Appeals will be referred to the Environmental Sustainability and Trees Sub Committee.

11.6. Related Policies and Procedures

11.1. Environmental Sustainability and Trees Sub Committee Terms of Reference
~~If applicable~~ ~~or may be part of a separate document~~

11.2. ~~6.1~~ Tree Management Policy

11.3. Landscape Design Policy

11.4. City Landscape Plan

11.5. Street Tree Assets Management Plan

11.6. Tree Management Procedures

12.7. Approval and Change History

Version	Approval Date	Approval By	Change

13.8. Availability

8.1 The Policy is available to be downloaded, free of charge, from Council's website www.salisbury.sa.gov.au

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8.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub
 34 Church Street, Salisbury SA 5108
 Telephone: 84068222
 Email: city@salisbury.sa.gov.au

14.9. Review

Outlines the period in which a policy will be reviewed.

14.1. This procedure will be reviewed every 3 years; or

— E.g. This Policy will be reviewed:

- ~~If a new Policy within 12 months of a Council election and thereafter as necessary; or~~
- ~~The frequency dictated in legislation; or~~
- ~~14.1.1. Earlier in the event of changes to legislation or related Policies and Procedures; or~~
- 14.1.2. If deemed necessary by Council.

15. Further Information

For **further** information on this Policy please contact:

Responsible Officer: ~~Position Title~~Manager Field Services
 Address: 34 Church Street, Salisbury SA 5108
 Telephone: 8406 8222
 Email: city@salisbury.sa.gov.au

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Environmental Sustainability and Trees Sub Committee
Terms of Reference

Adopted by Council:

Review Date: November 2026

1. Establishment

- 1.1 The **Environmental Sustainability and Trees Sub Committee** is established under section 41 of the *Local Government Act 1999* as a sub committee reporting to the **Urban Services Committee** for the purpose of making decision under delegated authority and providing advice to Council.
- 1.2 The Sub Committee will exist for the term of the Council or unless resolved otherwise by the Council.
- 1.3 The Sub Committee is established as a Committee within the Council's governance framework.

2. Functions and Responsibilities

- 2.1 The Environmental Sustainability and Trees Sub Committee has been formed to:
 - a. support the City of Salisbury in continuing its vision as a Sustainable City and oversee the implementation of Council's Environmental Sustainability Strategy particularly in regard to energy, water, biodiversity, vegetation and waste for current and future generations, and
 - b. ensure issues related to the maintenance and removal of street trees and trees that are in a reserve, immediately adjacent to private properties, are dealt with consistently across the City.
- 2.2 The purpose of the Sub Committee in relation to trees is to:
 - provide an avenue of appeal for persons who's request in relation to tree management and in particular specific tree removal has been refused by Council administration,
 - give consideration to the Tree Management Policy and the Tree Removal Procedure of Council,
 - exercise delegated authority to make decisions in relation to tree management appeals, with the exception of an appeal involving a tree classified as a 'Regulated or Significant Tree' in accordance with the *Planning, Development and Infrastructure Act 2016*, and
 - make recommendations to Council for the lodgement, if appropriate, of a Development Application, in cases where an appeal involves a tree classified as a 'Regulated or Significant Tree', in accordance with the *Planning, Development and Infrastructure Act 2016*.
 - provide advice on replacement tree types where a tree is approved for removal.
- 2.3 The Sub Committee will take into consideration both the risk and the opportunities of matters considered, so as to enable Council to act as an informed and responsible decision maker representing the interests of the community.



Environmental Sustainability and Trees Sub Committee
Terms of Reference

Adopted by Council:

Review Date: November 2026

3 Authority

- 3.1 The Sub Committee reports to the Urban Services Committee (USC).
- 3.2 The Sub Committee shall make whatever recommendations to the USC it deems appropriate on any area within its Terms of Reference where in its view action or improvement is needed.
- 3.3 Recommendations made by the Sub Committee will be referred to the next scheduled meeting of the USC, and through presentation of recommendations to Council for final resolution.
- 3.4 The Sub Committee may provide advice and make a recommendation to Council via USC to lodge a Development Application for the removal of a Regulated or Significant Tree in alignment with the *Planning, Development and Infrastructure Act 2016*.

4 Membership

- 4.1 Membership of the Sub Committee comprises of six (6) Elected Members as determined by Council plus the Mayor ex officio.
- 4.2 Membership continues for the term of the Committee unless a member resigns from the Committee or is removed earlier by resolution of Council.
- 4.3 All members must attend meetings of the Committee and, where unable to do so, must provide an apology prior to the meeting.
- 4.4 Proxy membership is not permitted.
- 4.5 The appointment of the Presiding Member and Deputy Presiding Member will be made by the Council for a term determined by the Council.
- 4.6 Ward Councillors are invited to attend for matters to be considered that are in their ward and may request to address the Sub Committee on the matter, but are not voting members.
- 4.7 Members of the administration, including but not limited to the General Manager City Development and General Manager City Infrastructure, who are required to attend meetings of the Sub Committee will do so in an advisory capacity only.

5 Meetings

- 5.1 Meetings of the Sub Committee will be held in the Council Offices at 34 Church Street, Salisbury, in the Council/Committee Rooms. Meetings will occur monthly or as required.
- 5.2 In the event that a meeting falls on a public holiday, the meeting will convene on the next business day in that same week.
- 5.3 In accordance with section 87 of the *Local Government Act 1999* (the Act), a minimum of three clear days' notice of an ordinary meeting of the Committee will be provided to members of the Committee.
- 5.4 Public notice of meetings will be given through publication of the meeting schedule on the City of Salisbury website. A copy of the Notice of the Meeting will be displayed publicly at the Council's Community Hub.



Environmental Sustainability and Trees Sub Committee
Terms of Reference

Adopted by Council:

Review Date: November 2026

5.5 Members of the public are able to attend all meetings of the Sub Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of section 90 of the *Local Government Act*.

6. Quorum

6.1 A quorum shall be determined by dividing the total number of Members of the Committee (excluding the Mayor if ex officio) by two (ignoring any fractions) and adding one. For example, a Committee comprising of seven (7) members (excluding the Mayor in the count if ex officio), the quorum is four (4).
 6.2 When the Mayor, as an ex officio member, is in attendance at the meeting, the Mayor will be included in the count towards achieving the required quorum number.
 6.3 Elected Members who are granted leave of absence under Section 55A of the *Local Government Act 1999* and Elected Members who are suspended or removed from office,, are not to be counted in the total number of Members of the Committee when calculating the number of Members that constitutes a quorum.

7. Meeting Procedures

7.1 All meetings will be held in accordance with the Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations) and the *City of Salisbury Code of Practice for Meeting Procedures*.
 7.2 Where the Act, the Regulations or these Terms of Reference do not prescribe the procedure to be observed in relation to the Sub Committee, the Sub Committee may determine its own procedure.

8. Voting

8.1 All members of the Sub Committee have equal voting rights and each member of the Sub Committee present at a meeting will have one vote.
 8.2 Each member must vote on a question arising for decision, except when a conflict of interest is declared.
 8.3 The Presiding Member has a deliberative vote only and does not, in the event of an equality of votes, have a casting or second vote.
 8.4 In the event of an equality of votes, the Sub Committee has not made a decision on that item, which will then be referred to the Council for decision.
 8.5 An appeal will only be upheld where there is a majority vote to do so by the Sub Committee. Where the vote is tied, the appeal is dismissed and the original recommendation of Council Administration will stand.



Environmental Sustainability and Trees Sub Committee
Terms of Reference

Adopted by Council:

Review Date: November 2026

9. Minutes and Documents

- 9.1 Minutes and documents will be managed in accordance with the Regulation 25 – *Local Government (Procedures at Meetings) Regulations 2013* and the *City of Salisbury Code of Practice for Access to Meetings and Documents*.
- 9.2 Minutes will be kept of the proceedings at each Sub Committee meeting. Members of the Sub Committee will be provided with a copy of all minutes of the proceedings of the Sub Committee within (5) five days after a Sub Committee meeting.
- 9.3 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting.
- 9.4 Members of the public are entitled to access all documents received at a meeting of the Committee unless it is resolved to be confidential under the *Local Government Act 1999*.

10. Reporting

- 10.3 Recommendations made by the Sub Committee will be referred to the next scheduled meeting of the USC, and through presentation of recommendations to Council for final resolution.

11. Procedure for matters to be heard by the Environmental Sustainability and Trees Sub Committee

- 11.1 Where a request for appeal is to be submitted to the Sub Committee, the relevant Ward Councillors will be provided an opportunity to make representations to the Sub Committee when the matter is considered.
- 11.2 Where a request for appeal is to be submitted to the Sub Committee, the resident or property owner may nominate a representative for them to attend and advocate on their behalf at a meeting of the Sub Committee; this may be, subject to their agreement, a Ward Councillor, the Deputy Mayor or the Mayor.
- 11.3 The Sub Committee shall process Appeals in accordance with the Appeal section of the Tree Removal Procedure, considering and applying the Tree Removal Criteria in its decisions.
- 11.4 The Sub Committee has the ability to waive the removal fee for verge trees to concession card holders.



Environmental Sustainability and Trees Sub Committee

Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~ Review Date: November 2026

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1. Establishment

- 1.1 The **Environmental Sustainability and Trees Sub Committee** is established under section 41 of the *Local Government Act 1999* as a sub committee reporting to the **Urban Services Committee** for the purpose of making decision under delegated authority and providing advice to Council.
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2. Functions and Responsibilities

- 2.1 The Environmental Sustainability and Trees Sub Committee has been formed to:
 - a. support the City of Salisbury in continuing its vision as a Sustainable City and oversee the implementation of Council's Environmental Sustainability Strategy particularly in regard to energy, water, biodiversity, vegetation and waste for current and future generations, and
 - b. ensure issues related to the maintenance and removal of street trees and trees that are in a reserve, immediately adjacent to private properties, are dealt with consistently across the City.
- 2.2 The purpose of the Sub Committee in relation to trees is to:
 - provide an avenue of appeal for persons who's request in relation to tree management and in particular specific tree removal has been refused by Council administration,
 - give consideration to the Tree Management Policy and the Tree Removal Procedure of Council,
 - ~~provide advice on replacement tree types where a tree is approved for removal by it or the Council Assessment Panel (CAP),~~
 - exercise delegated authority to make decisions in relation to tree management appeals, with the exception of an appeal involving a tree classified as a 'Regulated or Significant Tree' in accordance with the *Planning, Development and Infrastructure Act 2016*, and
 - make recommendations to Council for the lodgement, if appropriate, of a Development Application ~~to the Development Control Unit and subsequently CAP,~~ in cases where an appeal involves a tree classified as a 'Regulated or Significant Tree' in accordance with the *Planning, Development and Infrastructure Act 2016*.
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Environmental Sustainability and Trees Sub Committee Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~

Review Date: November 2026

- 2.3 The Sub Committee will take into consideration both the risk and the opportunities of matters considered, so as to enable Council to act as an informed and responsible decision maker representing the interests of the community.



Environmental Sustainability and Trees Sub Committee

Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~

Review Date: November 2026

3 Authority

- 3.1 The Sub Committee reports to the Urban Services Committee (USC).
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- 3.3 Recommendations made by the Sub Committee will be referred to the next scheduled meeting of the USC, and through presentation of recommendations to Council for final resolution.
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Environmental Sustainability and Trees Sub Committee Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~ **Review Date:** November 2026

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6.2 When the Mayor, as an ex officio member, is in attendance at the meeting, ~~the Mayor will be included in the count towards achieving the required quorum number. the quorum requirements is four (4).~~

6.3 Elected Members who ~~are~~ ~~are suspended from office and those~~ granted a leave of absence under Section 55A of the *Local Government Act 1999* ~~and Elected Members who are suspended or removed from office,~~ are not to be counted in the total number of Members of the ~~Council Committee~~ when calculating the ~~prescribed~~ number of ~~Elected~~ Members that constitutes a quorum.

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8.1 All members of the Sub Committee have equal voting rights and each member of the Sub Committee present at a meeting will have one vote.

8.2 Each member must vote on a question arising for decision, except when a conflict of interest is declared.

8.3 The Presiding Member has a deliberative vote only and does not, in the event of an equality of votes, have a casting or second vote.

8.4 In the event of an equality of votes, the Sub Committee has not made a decision on that item, which will then be referred to the Council for decision.

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Environmental Sustainability and Trees Sub Committee Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~

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10. Reporting

- 10.3 Recommendations made by the Sub Committee will be referred to the next scheduled meeting of the USC, and through presentation of recommendations to Council for final resolution.

11. Procedure for matters to be heard by the Environmental Sustainability and Trees Sub Committee

~~11.1 Before an appeal is heard by the Sub Committee the following process must be followed:~~

~~an on-site meeting is convened with relevant staff, the person requesting to appeal the administration decision and affected stakeholders (such as but not limited to the property resident/tenant/owner), and relevant Ward Councillors to establish an understanding of the site and relevant issues,~~

~~where relevant, consultation will occur with the tenant/owner of the property adjacent to the tree, when the request for removal has been submitted by a nearby resident,~~

~~where the request for removal of a tree is from a tenant, it will be determined that the owner of the property agrees with removal of the tree and supports the appeal of the decision,~~

~~where a tree removal request has been refused and the applicant, aggrieved by the decision, requests a review of the decision by the Sub Committee, Administration will prepare a report to Environmental Sustainability and Trees Sub Committee~~

~~where a request for appeal is to be submitted to the Sub Committee, the relevant Ward Councillors will be provided an opportunity to make representations to the Sub Committee when the matter is considered, and~~

~~11.2~~

~~where a request for appeal is to be submitted to the Sub Committee, the resident or property owner may nominate a representative for them to attend and advocate on~~



Environmental Sustainability and Trees Sub Committee Terms of Reference

Adopted by Council: ~~28 November 2022 (0004/2022)~~

Review Date: November 2026

their behalf at a meeting of the Sub Committee; this may be, subject to their agreement, a Ward Councillor, the Deputy Mayor or the Mayor.

11.3 The Sub Committee shall process Appeals in accordance with the Appeal section of the Tree Removal Procedure, considering and applying the Tree Removal Criteria in its decisions.

11.4 ~~The Environmental Sustainability and Trees~~ Sub Committee has the ability to waive the removal fee for verge trees to concession card holders.