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Mr John Stimson
Presiding Member
Expert Panel
Planning System Implementation Review

DTI.PlanningReview@sa.gov.au

Dear Mr Stimson

City of Salisbury Submission – Tree Policy

The City of Salisbury has considered discussion paper on *Planning and Design Code Reform Options*, particularly in relation to Tree Policy and provides this submission in order to assist in understanding the issues that the City encounters in relation to trees. Council appreciates the opportunity to make a submission.

Council would like to see amendments to the Significant and Regulated Trees controls under the *Planning, Development and Infrastructure Act 2016* to include the following:

1. The legislative scheme recognises the relative cost for maintaining large trees and that some community members are not able to sustain these costs. Council's experience is that Regulated and Significant Trees on private residential properties are problematic for some residents and costly or unfeasible for them to maintain. Residents who unable to maintain a Regulated or Significant Tree, should be able to remove the tree and replace it with a more appropriate tree. A common complaint is that these trees are simply too large within close proximity to residences. Perhaps tree policy and funding could be directed towards supporting removal in situations where the trees are simply too large for their immediate environment (recognising that would need to be quantified/explained) with direct funding to support offset planting on the same site with more appropriately selected species, or offset planting nearby/offsite?
2. Amending the current exemption based on the distance from a dwelling by increasing the distance to 15 metres and including Eucalyptus (any tree of the genus). A large proportion of resident complaints and requests for removal are a result of residents dealing with nuisance regulated or significant street trees that are causing damage to adjacent private or public infrastructure e.g. stormwater, sewer, footpath, driveways, boundary walls/fence.

3. Trees that are not native to South Australia should be more readily replaced with a tree that is appropriate in a residential setting and the local environmental constraints.
4. Furthermore, trees such as *Eucalyptus sideroxylon*, *intertexta*, *camaldulensis*, *leucoxylon* which have been inappropriately planted in streets do cause significant damage to public and private infrastructure such as sewer, stormwater systems pavements. As these are important issues for Council and the community, these street trees should be identified as an exempt species from regulated tree controls.
5. Trees can be more readily removed or trimmed where the tree affects access to sun light for solar panels and the like.
6. Street trees are not subject to the Significant and Regulated Tree controls. Council actively manages street trees through existing operational and capital programs. Council allocates approximately \$1.2M to an extensive streetscape renewal program that seeks to enhance streetscapes across the city through the removal of unsuitable trees and the planting of approximately 1200 new street trees each year. Council should not be subject to the Significant and Regulated Tree controls where street trees are proposed to be removed as part of a program of works that seeks to maintain and enhance the public realm, noting that Council will generally use semi mature replacement trees that will help facilitate the growth of the tree canopy. This variation to the PDI Act should not apply where development is proposed on private land. e.g. a driveway for a proposed development or any development that has potential to impact on regulated or significant trees within the verge.
7. Council acknowledges the risk of amending the legislation could result in greater tree loss in the metropolitan area which will lead to detrimental environmental and social impacts, including those identified with the urban heat island effect reports. Therefore, a carefully balanced approach is required. To this end, consideration should also be given to:
 - Surface treatments that provide the opportunity for mitigation of Urban Heat. While the Tree Canopy Overlay within the Code is a good initiative, it is only one component of a councils capacity to increase canopy cover within the City. Another effective initiative is increased irrigated areas or increased biodiversity planting areas that could provide a significant impact.
 - Targeted strategies to install trees or provide shade to areas of existing hardstand on private land, such as shopping centre carparks as a means of mitigating the Urban Heat sinks.

8. The retention of Significant and Regulated Tree controls when land is developed, particularly for infill development and developers wanting to develop land should be subject to the current controls. The policy should encourage tree planting to the front of dwellings as this will contribute to public realm amenity and can be more readily monitored.
9. Typically, *Agonis flexuosa* are of low stature and generally of low significance, it is unclear why these trees are specifically excluded if within ten (10) metres of a dwelling or swimming pool. Generally, these nuisance trees are inappropriate for the streetscape environment and are detrimental to the quality of life for residents. Most residents are unable to relieve the nuisance caused by the tree or undertake repairs to property damage. Increasing the distance and including *Eucalyptus Sp.* and would provide a mechanism to better deal these trees.
10. It is agreed that offset fees should be increased significantly as this would have the effect of encouraging increased planting. Furthermore, payments that are made should be readily available for councils to would allow for more meaningful outcomes in local areas.
11. It should be noted that policing of tree planting and landscape maintenance on private property is a compliance burden which Council are not able to readily resource. In addition, Code policy represents a point in time approach, and there is no mechanism to prevent existing sites from removing landscape areas and creating large areas of hardstand which result in poor visual and environmental outcomes. Programs that clearly spell out the benefits of trees and landscaping more generally in the urban environment should be used to compliment regulatory systems.

Yours faithfully



John Harry
Chief Executive Officer

