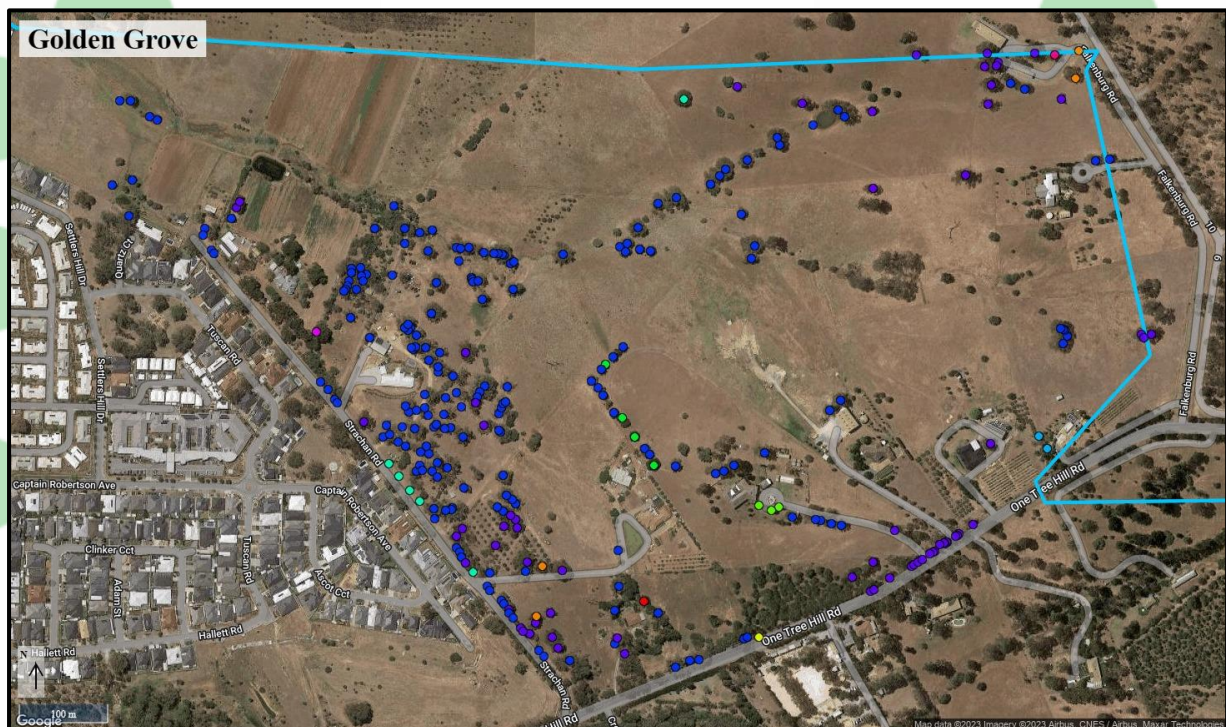


Pre-Development Tree Assessment Overview One Tree Hill Road & Strachan Road, Golden Grove

Development Overview



Prepared for
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YAS Property Developments

Compiled by
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Adelaide Arb Consultants

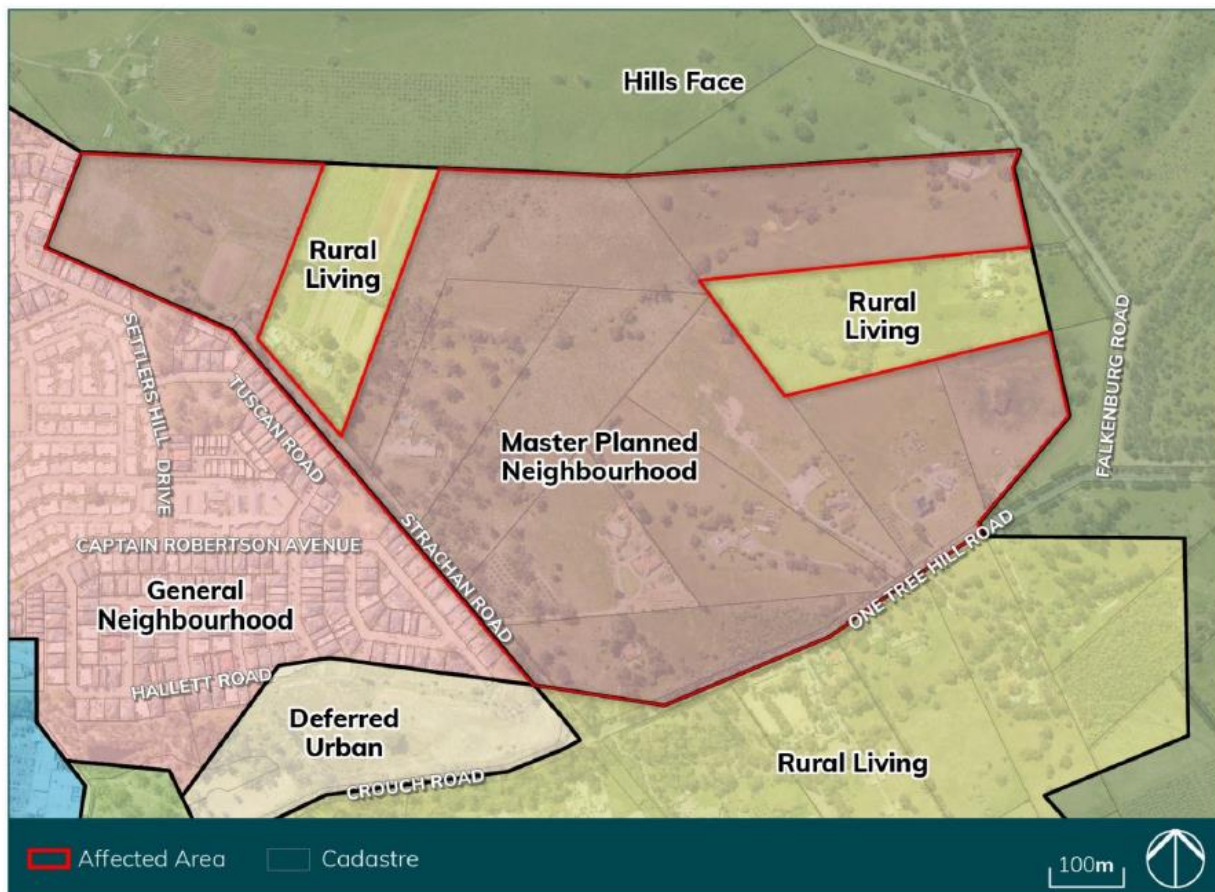
Date: 5th May 2023

Summary Report

Data collection and assessment of various trees has occurred within the following allotments fronting One Tree Hill Road, Strachan Road and Falkenberg Road, Golden Grove. Alterations to the zoning of various allotments is proposed as follows:

Proposed Master Planned Neighbourhood Zone

- Lot 1 Strachan Road
- Lot 3 Strachan Road
- Lot 4 Strachan Road
- Lot 5 Strachan Road
- Lot 6 Strachan Road
- 147 One Tree Hill Road
- 185 One Tree Hill Road
- 189 One Tree Hill Road
- 195 One Tree Hill Road
- 3 Falkenburg Road
- 51 Falkenburg Road



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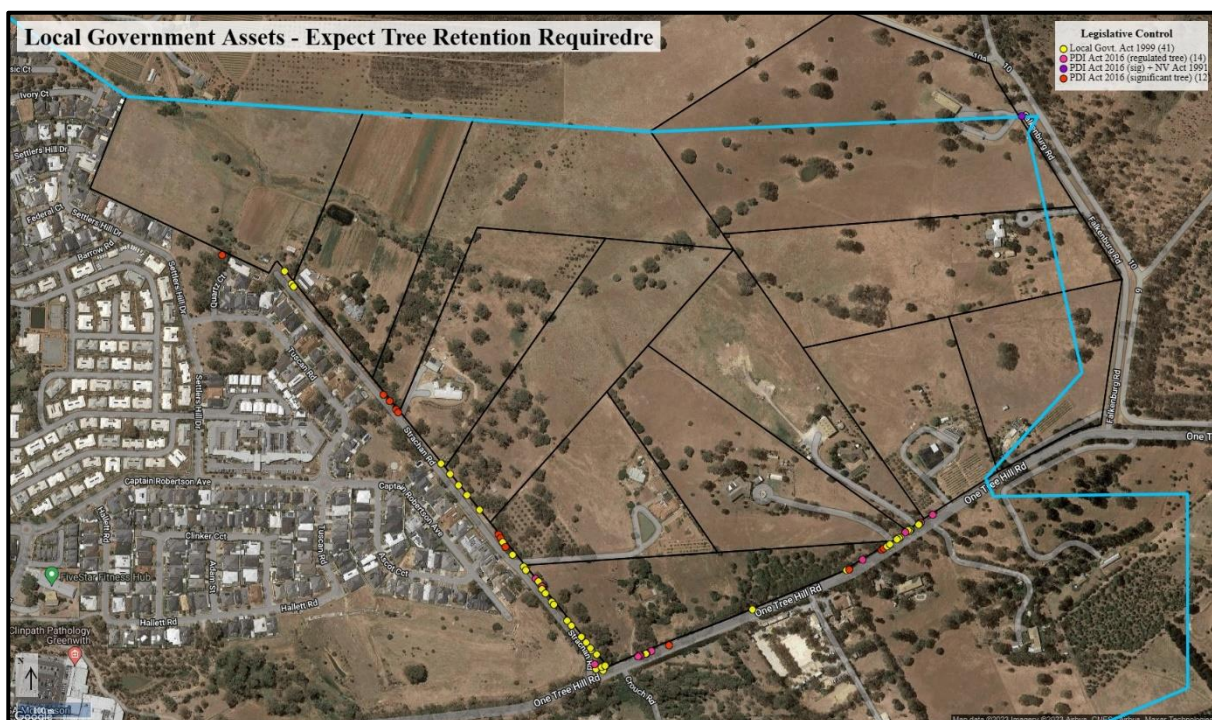
This data indicates that **315 tree** assets exist within these areas which are controlled under South Australian legislation or display attributes that indicate they may become controlled during the development design and construction process. Detailed information regarding each tree's attributes have been listed within Pre-Development Tree Assessment Report *RJ000291-GolGroPreDevSur*.

The majority of population assessed display sustainable attributes and provide high levels of character and amenity value within the local environment. Trees throughout the assessment scope area are species noted to be indigenous, introduced natives and exotic to South Australia. Various over-mature indigenous trees also display significant habitat values.

Of the 315 tree assets:

- 68 are located on council property and as such it is presumed that it will be desired by the asset manager that sustainable specimens be retained.
 - While all of these trees are controlled under the *Local Government Act*¹, some are also controlled under the provisions of the *Planning, Development & Infrastructure Act 2016* (PDI Act 16)^{2, 3}, or *Native Vegetation Act 1991* (NV91)⁴,⁵ as follows:

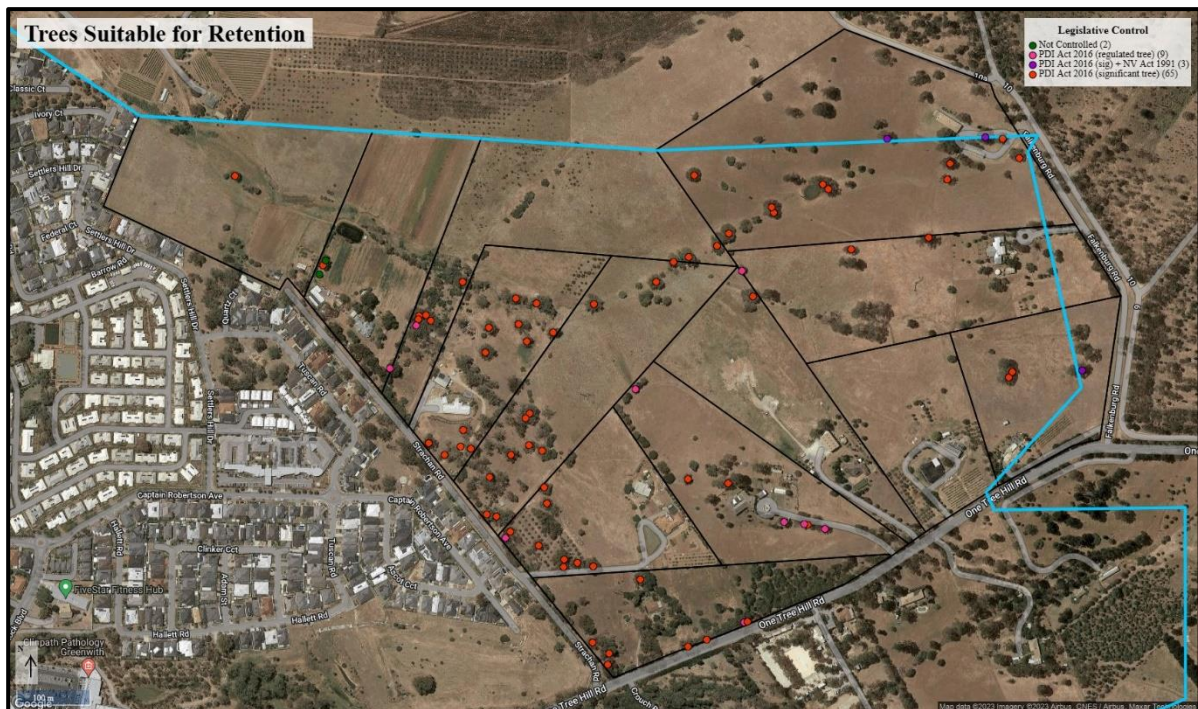
Local Government Act 1999 (LGA99)	Significant Trees (PDI Act 16) (LGA99)	Regulated Tree PDI Act 16) (LGA 99)	Significant Trees (PDI Act 16) (NV91) (LGA99)
41	12	14	1



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- 79 are suitable for retention during development which are located on private land.
 - Trees located within or adjacent to wildlife corridors display significant ecological, aesthetic, and environmental values and these also are expected to require retention.
 - Many of these trees are controlled under the provisions of the *Planning, Development & Infrastructure Act 2016* (PDI Act 16), or *Native Vegetation Act 1991* (NV91) as follows:

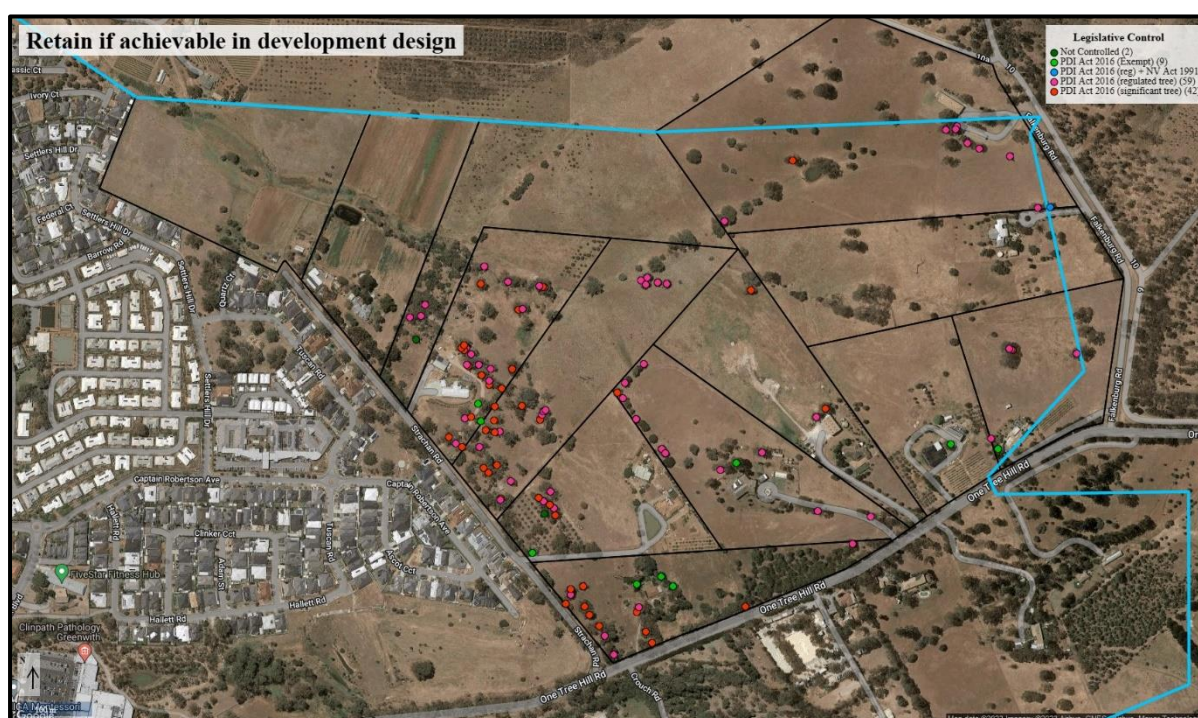
Not Controlled	Regulated Trees (PDI Act 16)	Significant Trees (PDI Act 2016)	Significant Trees (PDI Act 16) (NV91)
2	9	65	3



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- 113 trees within the data set may be retained if suitable within the development proposal plan.
 - These trees are often easily replaced or do not provide significant aesthetic or environmental contribution to the local area and therefore should not restrict reasonable development.
 - Many of these trees are controlled under the provisions of the *Planning, Development & Infrastructure Act 2016* (PDI Act 16) or *Native Vegetation Act 1991* (NV91) as follows:

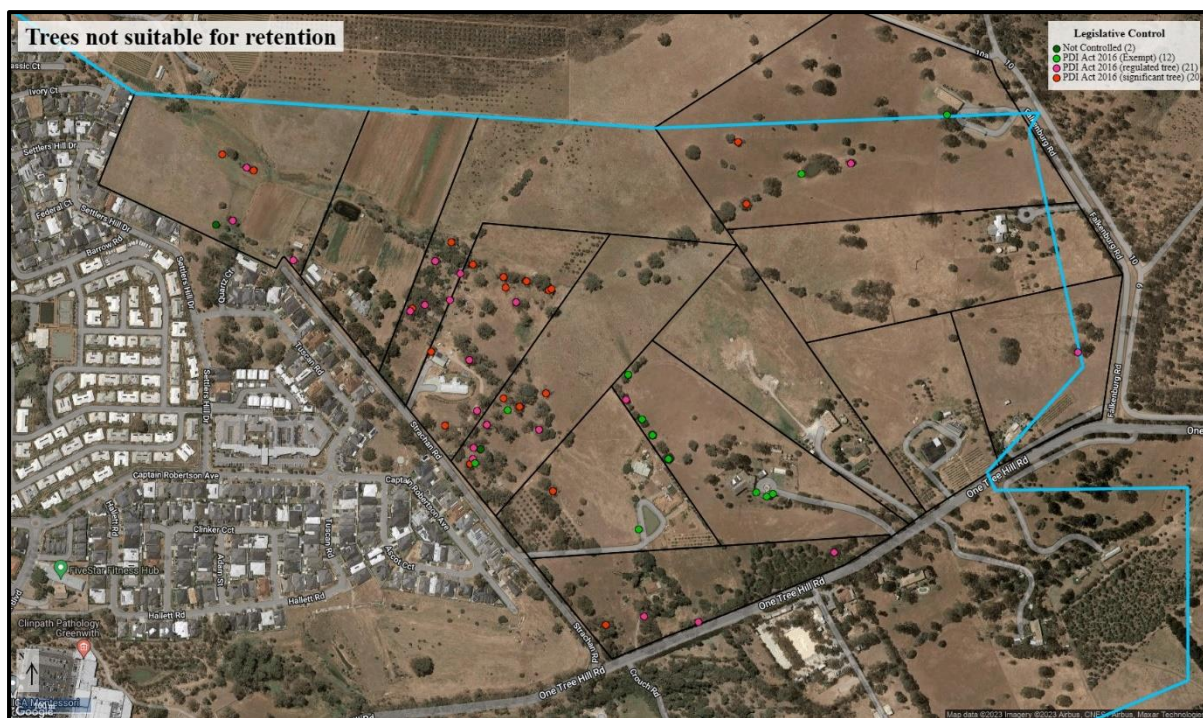
Not Controlled PDI Act 16 Exempt	Regulated Trees (PDI Act 16)	Regulated Tree (PDI Act 16) (NV91)	Significant Trees (PDI Act 16)
11	59	1	42



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- The remaining 55 tree assets display health decline or structural deficiencies and are not suitable for retention during development.
 - These trees are recommended to be removed during development activities.
 - Some of these trees are controlled under the provisions of the *Planning, Development & Infrastructure Act 2016* (PDI Act 16) as follows:

Not Controlled PDI Act 16 Exempt	Regulated Trees (PDI Act 16)	Significant Trees (PDI Act 16)
14	21	20



Trees noted as 'Suitable for Retention' are recommended to be protected using guidelines outlining Tree Protection Plan within Pre-Development Tree Assessment Report *RJ000291-GolGroPreDevSur* which conform to Australian Standard AS4970-2009 *Protection of trees on development sites*. The Concept Plan provided for inclusion within the Design Code should use this information to maximise tree retention capabilities where trees are sustainable as noted within this report. Emphasis may be given to intact stratus of vegetation and corridors to maintain environmental values noted through areas of the assessment area.

It is noted that some allotments were not included within the assessment scope and that vegetation exists within these allotments. Where practical, an assessment from the adjacent allotment was conducted to enable suitable protection of fringe trees within the vicinity of the assessment area.

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Where other trees may be affected that were not assessed, protection of regulated and significant trees will still be achieved through the guidelines of the Regulated and Significant Trees Overlay of the Planning and Design Code.

Various trees were not assessed within the assessment scope area including within Allotment 147 One Tree Hill Road. While a large proportion of vegetation within this allotment forms a cluster of linked vegetation, these trees have been identified as *Olea europaea* – European Olive. This species is listed as a Declared Class of weed species and as such has not been recommended to be retained during a change in land usage zoning.

In summary, a substantial proportion of tree retention capability is noted within the assessment scope area. Appropriate mechanisms exist within the various legislation controlling trees on the subject land. Application of these mechanisms is expected to allow reasonable development of land while also achieving appropriate tree retention.

Thank you for the opportunity to provide you with this advice, should you have any queries or concerns regarding the management recommendations or aspects of the assessment, please feel free to contact Adelaide Arb Consultants for further information.

Kind regards,



SHANE SELWAY

Senior Consulting Arboriculturist

Graduate Certificate of Arboriculture

Diploma of Arboriculture

International Society of Arboriculture – Certified Arborist AU-0270A

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Endnotes

¹ **Local Government Act 1999** applies to the management and protection of tree assets located on publicly managed lands. Under Section 233 of the *Local Government Act 1999*, a person who, without the council's permission, intentionally or negligently damages a road or a structure (including pipes, wires, cables, fixtures, fittings, trees and other objects) belonging to the council associated with a road is liable to the council in damages. The council may recover damages under this section in the same way as damages for a civil matter.

² **Regulated tree meaning**

Planning, Development and Infrastructure Act 2016

Part 1 – Preliminary

Section 3 – Interpretation

regulated tree means—

- (a) a tree, or a tree within a class of trees, declared to be regulated by the regulations (whether or not the tree also constitutes a significant tree under the regulations); or
- (b) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, under the *Planning and Design Code* (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations).

Planning, Development and Infrastructure (General) Regulations 2017

Section 3F—Regulated and significant trees

- (1) Subject to this regulation, the following are declared to constitute classes of **regulated trees** for the purposes of paragraph (a) of the definition of regulated tree in section 3(1) of the Act, namely trees within a designated regulated tree overlay that have a trunk with a circumference of 2 m or more or, in the case of trees that have multiple trunks, that have trunks with a total circumference of 2 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of significant tree in section 3(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 m or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.
- (3) For the purposes of subregulations (1) and (2), the measurement of the circumference of the trunks of a tree with multiple trunks is to be undertaken on the basis of the actual circumference of each trunk and without taking into account any space between the trunks.

³ **Significant tree meaning**

Planning, Development and Infrastructure Act 2016

Part 1 – Preliminary

Section 3 – Interpretation

significant tree means—

- (a) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, under the *Planning and Design Code* (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or
- (b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

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Planning, Development and Infrastructure (General) Regulations 2017

Section 3F—Regulated and significant trees

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of regulated tree in section 3(1) of the Act, namely trees within a designated regulated tree overlay that have a trunk with a circumference of 2 m or more or, in the case of trees that have multiple trunks, that have trunks with a total circumference of 2 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of **significant tree** in section 3(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 m or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.
- (3) For the purposes of subregulations (1) and (2), the measurement of the circumference of the trunks of a tree with multiple trunks is to be undertaken on the basis of the actual circumference of each trunk and without taking into account any space between the trunks.

⁴ **native vegetation** means a plant or plants of a species indigenous to South Australia including a plant or plants growing in or under waters of the sea but does not include—

- (a) a plant or part of a plant that is dead unless the plant, or part of the plant, is of a class declared by regulation to be included in this definition; or
- (b) a plant intentionally sown or planted by a person unless the plant was sown or planted—
 - (i) in compliance with a condition imposed by the Council under this Act or by the Native Vegetation Authority under the repealed Act, or with the order of a court under this Act or the repealed Act; or
 - (ii) in pursuance of a proposal approved by the Council under Part 4 Division 2; or
 - (iia) in circumstances involving the use of money paid into the Fund for the purpose of achieving a significant environmental benefit; or
 - (iii) in compliance with a condition imposed by a Minister, statutory authority or prescribed person or body under—
 - (A) the *River Murray Act 2003*; or
 - (B) the *Water Resources Act 1997*; or
 - (C) any other Act prescribed by the regulations for the purposes of this paragraph;

(From Native Vegetation Act 1991 – Part 1 – Preliminary – 3 – Interpretation)

Section 4—Definition of native vegetation—dead plants (*Native Vegetation Regulations 2017*)

For the purposes of paragraph (a) of the definition of native vegetation in section 3(1) of the Act, the class of plants, or parts of plants, comprising trees of a species indigenous to South Australia—

- (a) that have a trunk circumference (measured at a point 300 millimetres above the base of the tree) of—
 - (i) in the case of a tree located on Kangaroo Island—1 metre or more; or
 - (ii) in any other case—2 metres or more; and
 - (b) that provide or have the potential to provide, or are a part of a group of trees or other plants (whether alive or dead) that provide or have the potential to provide, a habitat for animals of a listed threatened species under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth,
- is declared to be included in that definition.

The *Native Vegetation Regulations 2017* states that Native Vegetation may be cleared under a range of prescribed circumstances outlined in these regulations.

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⁵ **Clearance of Native Vegetation** – The *Native Vegetation Act 1991* defines the clearance of vegetation as follows:

to clear native vegetation includes to cause or permit the clearance of native vegetation;

clearance, in relation to native vegetation, means—

- (a) the killing or destruction of native vegetation;
- (b) the removal of native vegetation;
- (c) the severing of branches, limbs, stems or trunks of native vegetation;
- (d) the burning of native vegetation;
- (e) any other substantial damage to native vegetation,

and includes the draining or flooding of land, or any other act or activity, that causes the killing or destruction of native vegetation, the severing of branches, limbs, stems or trunks of native vegetation or any other substantial damage to native vegetation;