

ELECTED MEMBERS' BRIEFING SESSION COVER SHEET

Date of Workshop:	07 February 2022
Subject:	Significant Tree List Review - Project Update and Next Steps
Department:	City Development
Presenter(s):	David Brown, Principal Urban Planner
Session:	Open to the public.
Attachments:	Attachment 1 (Significant Tree List Update Presentation)

PURPOSE

To inform Elected Members of the outcome of the Significant Tree List Review and outline options for Council regarding next steps.

DISCUSSION

The Significant Tree List was established by Council in 2002, pursuant to the *Development Act 1993*.

In addition to generic requirements relating to tree trunk circumference, specific technical requirements were established to recognise individual trees, regardless of size that:

- Provide significant contribution to the character or visual amenity of the local area.
- Are indigenous to the local area, are rare or endangered species, or are part of a remnant area of native vegetation.
- Provide important habitat for native fauna.

In 2001, trees across the City were assessed and in 2002 a list of 353 trees were identified within the Development Plan. Whilst the legislative criteria changed in 2009, it did not affect the current list. The revised criteria has been transitioned into the *Planning Development and Infrastructure Act 2016* and will impact the review and assessment of trees for future listing.

Council allocated funding in its 2020/21 budget for a review of the Significant Tree List. The review enabled an audit of the existing tree list and an assessment of new trees arising from public nominations. The review was undertaken by a qualified Landscape Architect in collaboration with arborists and was concluded in mid-2021.

The review considered the impacts of the changed legislative criteria, approved tree removals and, from site inspections, the large number of absent trees. Of the original 353 trees that were listed in 2002, a total of 214 trees (or 61%) are considered to meet the current criteria.

The call for public nominations in mid-2021 resulted in 38 trees being assessed, of which 31 trees were identified to meet the current criteria. The nominations received were primarily the response of a number of interested community members and as such, were focussed in selected areas and not evenly distributed across the City. Based on the results of the review, there are a number of options available to Council.

Council could either undertake a minor Technical Amendment of the Code to update the existing Significant Tree list to reflect trees removed, or undertake a Targeted Code Amendment to reflect the new criteria and include the nominations received. Council has allocated funding in its 2021/22 budget for the undertaking of a Code Amendment process which requires a period of eight (8) weeks for community consultation.

Due to the number of nominations received for inclusion of new trees to the Significant Tree List, undertaking the Code Amendment process in the coming months may not be considered 'best value' or yield 'best outcome'. As such, a Council direction on the most appropriate way forward is now being sought.

Since the conclusion of the review, Council has obtained updated LiDAR canopy data. This has presented an opportunity for the Administration to undertake a preliminary review across the City regarding large trees as candidates for further assessment as Significant Trees. From the initial desktop review undertaken, between 300 and 500 trees across the City warrant further investigation and individual assessment. This additional scope of work was not included in the original project scope but there is an opportunity to create a more comprehensive list of significant trees within the City of Unley and provide greater protection for more trees through the Code

Key Considerations

The Administration has identified three (3) options, as summarised below:

- **Option 1:** Undertake a Technical Code Amendment to delete missing or removed trees and update location details of all trees (353 - 101 = 252 trees).
- **Option 2:** Undertake a Targeted Code Amendment to delete missing or removed trees, delete trees which do not meet the current criteria and undertake targeted engagement regarding existing (214 trees) and new trees which meet the current criteria (31 trees). The final list of trees will be subject to Ministerial review and approval (214 + 31 = 245 trees).
- **Option 3:** Further investigate capabilities of LiDAR to direct further assessment of new trees across the City (estimated 6 month process). Once a comprehensive strategic list is established, individual assessments would need to be undertaken and a detailed Code Amendment then initiated, including community consultation and Ministerial approval.

In November 2021, the *Exceptional Trees Bill* was introduced into Parliament by Mr Sam Duluk MP. The Bill is in response to issues with current controls and the introduction of an Exceptional Trees Register.

It has brought further public attention to the limited protection mechanisms within the PDI Act and may lead to further discussion ahead of the State Government election which may result in a more detailed review and change of the legislative criteria. This may be another reason for Council to pause on the work undertaken to date before undertaking a more comprehensive assessment.

Preparation for Members

A copy of the presentation to be made at the briefing is attached.

Attachment 1

Elected Members are encouraged to review the presentation in preparation for the discussions to held at the briefing.

Specific Questions for Members

- Are the three (3) options presented adequate for Council's consideration or are there other options which should be considered?
- If the three (3) options are considered adequate, which one should be pursued by the Administration as the preferred option?

SPEAKERS

David Brown, Principal Urban Planner

THE BRIEFING IS OPEN TO THE PUBLIC

- *This cover sheet is a public document.*