

Policy Name	Significant and Regulated Trees Assistance Scheme
Policy Number	CD41
Responsible Section	Development Services
Responsible Department	Community Development
Date Last Adopted	14 March 2023
Date of Next Review	March 2024
Applicable Legislation	Planning, Development and Infrastructure Act 2016
Related Governance Documents	Nil
City Plan Theme	Environment and Heritage Leadership

PURPOSE/OBJECTIVE

The City of Port Adelaide Enfield recognises the valued role that significant and regulated trees play in the urban setting of suburban Adelaide. These trees can have value in terms of their scenic amenity, habitat provision, streetscape appeal, shading, or cooling effects.

As significant and regulated trees can live for many decades, they are likely to require maintenance works (e.g. pruning) over time. If they are not properly maintained, they can develop an increased risk of structural failure or poor health. Although tree maintenance works can be costly, they can also benefit the broader community, and Council can provide financial assistance in this regard.

The Objective of this Policy is to set out the process and expectations by which landowners can seek Council financial assistance for maintenance works to significant and regulated trees.

1. SCOPE

This policy applies to significant and regulated trees on privately owned land within the City of Port Adelaide Enfield. It does not apply to trees located on Council verges, parks, road reserves, or government-owned land.

In addition:

- Individuals and businesses are eligible to apply for assistance
- The trees need not be visible from a street or public place
- Residential and non-residential land may be eligible under the scheme.

2. POLICY

The assistance scheme operates as a reimbursement that is paid to applicants who successfully meet the requirements of the scheme. Applicants are required to use the SmartyGrants online platform, which can be accessed at <https://cityofpae.smartygrants.com.au>.

The application process involves upwards of a dozen steps that are outlined in the *Guidelines: Significant and Regulated Trees Assistance Scheme* (document CD.GL.06). This document is available from the Council's website at <https://www.cityofpae.sa.gov.au/council/corporate-documents/policies>.

It is important to note that applicants assume all responsibility and risks associated with quotes, costings, insurance, development approvals, project management, and the maintenance works themselves. Early inquiries to Council (prior to lodgement of a SmartyGrants application) are encouraged, to avoid misunderstandings later on in the process.

It is noted that the State Government is currently reviewing the legislation associated with significant and regulated trees, which may affect the operation of this policy during the 2023/24 financial year.

Limits for successful reimbursements

For successful applications, Council's reimbursement is subject to the following limits:

- \$1,000 per reimbursement
- One reimbursement per property, per calendar year.

Decline of reimbursements

It is important to note that a submitted application does not guarantee that Council will agree to a reimbursement. Council's decision on reimbursement (whether to pay it or decline it) is final. In addition, Council may decline a reimbursement if any of the following apply:

- The required documentation is incomplete, or the required steps not followed on the SmartyGrants platform.
- The works are deemed by Council to be inappropriate or excessive.
- The works are performed on any of the following:
 - A tree that is not significant or regulated.
 - A tree species declared under Part 9 of the *Landscape South Australia Act 2019*.
 - A palm tree.
- The contractor appointed by the landowner:
 - Is not adequately insured to undertake the nominated works.
 - Is not suitably qualified.
 - Is not listed as an entity on the Commonwealth Government's ABN Lookup website.
- The affected property is in arrears on rates, or the applicant has any outstanding monies owed to the City of Port Adelaide Enfield.



3. ROLES AND RESPONSIBILITIES

Applications for reimbursement will be overseen by the Manager Development Services (or delegate). Technical assessment will be overseen by the Manager Parks and Gardens (or delegate). The Manager Development Services is responsible for the oversight and review of this Policy.

4. DEFINITIONS

Regulated tree means—

A tree that has a trunk with a circumference of 2 metres or more or, in the case of trees that have multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.

Significant tree means—

A tree has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.

Tree-damaging activity means—

- (a) the killing or destruction of a tree; or
- (b) the removal of a tree; or
- (c) the severing of branches, limbs, stems or trunk of a tree; or
- (d) the ringbarking, topping or lopping of a tree; or
- (e) any other substantial damage to a tree, and includes any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree or that is excluded by regulation from the ambit of this definition.

