



This Guide is relevant to the City of Port Adelaide Enfield only. Development within other Council areas may have variations and you should check with the relevant Council before proceeding.

This development guide explains when you are required to obtain development approval from Council prior to pruning or removing a 'Regulated or Significant Tree'. This guide outlines the circumstances and species of trees that are exempt from obtaining Development Approval.

What is a 'Regulated Tree'?

The Development Act 1993 and its Regulations provide that a regulated tree is:

Any tree in metropolitan Adelaide and/or township in the Adelaide Hills Council or parts of Mount Barker Council with a trunk circumference of 2.0 metres or more measured at a point 1.0 metre above natural ground level (in the case of a tree with multiple trunks, it is those with a total circumference of 2.0 metres or more and an average circumference of 625mm or more measured at a point 1.0 metres above natural ground level).

What is a 'Significant Tree'?

A 'Significant Tree' is a regulated tree that is:

Any tree in metropolitan Adelaide and/or township in the Adelaide Hills Council or parts of the Mount Barker Council with a trunk circumference of 3.0m or more measured at a point 1.0m above natural ground level (in the case of trees with multiple trunks, it is those with a total circumference of 3.0m or more and an average circumference of 625mm or more measured at a point 1.0m above natural ground level).

OR

Any tree identified as a significant tree in the Development Plan of the City of Adelaide, City of Burnside, City of Prospect or City of Unley.

What are activities affecting Regulated and Significant trees that require Council approval?

The Development Act 1993 stipulates that any activity that damages a regulated or significant tree is considered 'development' and as such requires development approval. This includes activities such as removing, killing or destruction, branch or limb lopping, ringbarking or topping or any other substantial damage to a regulated or significant tree—including to its root system – other than maintenance pruning.

What is maintenance pruning?

'Maintenance Pruning' is pruning that does not remove more than 30% of the crown of the tree and that is required to remove:

- Dead or diseased wood; or

- Branches that pose a material risk to a building; or
- Branches to a tree that is located in an area frequently used by people and the branches pose a material risk to such people

Do I need to lodge an application for Pruning a Regulated tree?

Pruning other than 'maintenance pruning' (pruning outside of the above criteria) requires a development application to be lodged with Council.

Trees that are exempt from legislation and NOT requiring Development Approval to remove/prune?

The following points outline circumstances in which trees may be exempt from requiring Development Approval:

Trees located within 10 metres of an existing dwelling or in ground swimming pool – unless it is one of the following species of trees (which will require Council Approval):

- *Agonis Flexuosa* (Willow Myrtle)
- *Eucalyptus* (any tree of the species)

Dead trees are exempt from the legislation and do not require approval to remove.

The Development Regulations 2008 lists 24 species that are excluded from the controls and therefore not considered to be regulated or significant trees based on their species and as such they can be removed or pruned without Council Approval. The list is as follows:

- *Acer negundo* (Box Elder)
- *Acer saccharinum* (Silver Maple)
- *Ailanthus altissima* (Tree of Heaven)
- *Alnus acuminata* subsp. *Glabrata* (Evergreen Alder)
- *Celtis australis* (European Nettle Tree)
- *Celtis Sinensis* (Chinese Nettle Tree)
- *Cinnamomum camphora* (Camphor Laurel)
- *Cupressus macrocarpa* (Monterey Cypress)

- Ficus spp. (Figs) other than Ficus Macrophylla (Morton Bay Fig) located more than 15 metres from a dwelling
- Fraxinus angustifolia (Narrow leaved Ash)
- Fraxinus angustifolia ssp Oxycarpa (Desert Ash)
- Lagunaria Patersonia (Norfolk Island Hibiscus)
- Melaleuca styphelioides (Prickly leaved Paperbark)
- Pinus Radiata (Radiata Pine/Monterey Pine)
- Platanus x acerifolia (London Plane)
- Populus alba (Alba poplar)
- Populus nigra var. italica (Lombardy Poplar)
- Robinia pseudoacacia (Black Locust)
- Salix Babylonica (Weeping Willow)
- Salix chilensis 'Fastigiata' (Chilean Willow, Evergreen Willow, Pencil Willow)
- Salix Fragilis (Crack Willow)
- Salix X Rubens (White Crack Willow, Basket Willow)
- Salix X sepulcralis var. chrysocoma (Golden Weeping Willow)
- Schinus areira (Peppercorn Tree)

Please Note: the distance between a dwelling or in ground swimming pool will be measured from the base of the trunk of the tree—or the nearest trunk – to the nearest part of the dwelling or in ground swimming pool at natural ground level.

Do I need to supply an arborist report with my development application to prune or remove a regulated tree?

Councils do not require an arborist report when assessing removal of a regulated tree unless the Council considers that special circumstances apply.

Please note that an Arborist or suitably qualified professional report will be required when the tree is classified as a 'Significant tree' as defined by the legislation.

How is an Application made?

An application is made by submitting a completed Development Application Form, which is available from the Council Offices or can be downloaded from Council's website at www.portenf.sa.gov.au together with information relevant to your proposal and payment of the appropriate fees.

To avoid unnecessary delay, the information submitted with your application form should include the following:

Regulated Tree

You will be required to supply the following with your application to remove /prune a regulated tree:

- Completed Development Application Form
- Site plan identifying location of subject tree at a scale of 1:200
- Confirmation of the species of the tree to be removed/pruned
- Payment of relevant fees

Significant Tree

- Completed Development Application Form
- Site plan identifying location of subject tree at a scale of 1:200
- Report prepared by an Arborist or suitably qualified professional in support of the proposed development
- Payment of relevant fees

How much does it cost?

Please refer to fees schedule on the reverse side of the Development Application Form to find the appropriate application fee.

In some special cases a referral, consultation or public notification fee may be required. Council staff will advise if this is necessary.

Other Information

Please note: The information contained herein is intended as a guide. Further information or clarification of the Planning or Building requirements can be obtained from the Development Unit in the Community Development Department.

Contact Details

Civic Centre

PO Box 110
Port Adelaide SA 5015
163 St Vincent Street, Port Adelaide

Telephone (08) 8405 6600

Email customer.service@portenf.sa.gov.au

Greenacres Library – Council Office

2 Fosters Road, Greenacres

Enfield Library – Council Office

1 Kensington Crescent, Enfield