

Town of Gawler

Request to Remove Street Trees

221 Application Guide

Background

The Town of Gawler maintains in excess of 10,000 Street Trees. Council manage these effectively through their day to day maintenance program and established business systems. This fact sheet relates to the removal of Street Trees and the considerations that need to be given when seeking to apply to remove a street tree. Council have the following policies and documentation relating to Street Tree and Tree Management:

- [Tree Management](#)
- [Tree Removal on Council Land](#)
- [Tree Planting for New Land Divisions](#)

For more information, please refer to [Codes and Policies](#) on Council's website or call the Customer Service Team on 8522 9211.



Street Tree Removal: Section 221 Application Guide

Section 221 Application Information

Under Section 221 of the Local Government Act 1999 - "the Alteration of road - A person (other than the Council or a person acting under some other statutory authority) must not make an alteration to a public road or verge unless authorised to do so by the Council. Maximum penalty: \$5000."

A resident or person acting on behalf of a resident can lodge a Section 221 application to remove a Street Tree. Street Tree removals are listed as POA (Price on Assessment) within Council's schedule of Fees and Charges. Information on how to lodge an application can be found on our [website](#).

Key Considerations

Before lodging a Section 221 in relation to a Street Tree removal, the following considerations need to be given:

- **Can the Street Tree removal otherwise be avoided by altering the design of the dwelling (e.g Place the garage and vehicle crossover on the other side of the allotment)?**

Council's preference is that all other options are explored prior to applying for a tree removal. Rationale should be provided as to why the street tree removal is considered.

- **Is the Street Tree defined as either an Regulated or Significant Tree, pursuant to under the Planning Development and Infrastructure Act 2016, and if so and what does this mean?**

A Regulated Tree is a tree with a trunk circumference between 2.0 metres and 3 metres, measured at a point 1.0 metre above natural ground level. A Significant Tree is a tree with a trunk circumference 3.0 metres or greater, measured at a point 1.0 metre above natural ground level. The removal of either a Regulated or Significant Tree, requires a Development Authorisation pursuant to the Planning Development and Infrastructure Act 2016 in addition to obtaining a Section 221 authorisation.

- **Are tree roots causing damage to Council's kerb, footpath or private infrastructure?**

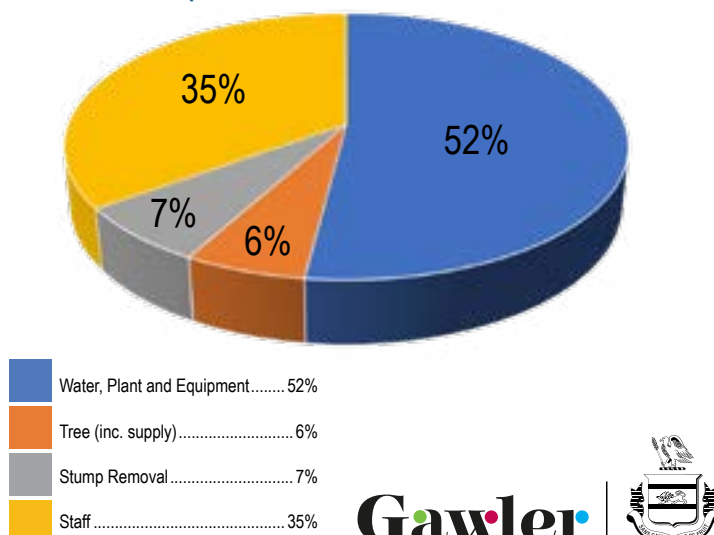
On review and subject to all reasonable alternatives, staff are authorised to consider non regulated or non significant tree removal.

Process for Consideration

An [application](#) to have a street tree removal assessed generally takes approximately 2 - 4 weeks, depending on the complexity of the application. This process for assessment is detailed below

1. Once lodged, an assessment by an Arborist of Council is undertaken
2. Customer is notified of the assessment outcome
3. If successful, the applicant is required to pay (in addition to the application fee) on average between \$2,000 - \$3,000 in costs to remove or relocate the street tree. These costs include:
 - a. Removal Costs or:
 - b. Relocation Costs if applicable
 - c. Replacement Planting - street trees that need to be removed must be replaced with two (2) new street trees, planted within the Town's boundary on the verge in the vicinity
 - d. Two (2) year maintenance costs to assist with tree establishment (water, pruning, weed management)
 - e. Development Applications reliant on tree removal, to facilitate driveway access will be placed on hold pending the outcome of a Section 221 application

Street Tree Replacement & Maintenance Costs



Gawler

