

Policy Document

TREE MANAGEMENT POLICY

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Strategic Plan link: Strategy 1.1.7 Section 90(8a) & (8b) of the <i>Local Government Act 1999</i>		
References and related Policies & Procedures: Local Government Act 1999 Local Government (Elections) Act 1999 DCSB-G-09.01 Code of Conduct for Elected Members DCSB-HR-12.02 Code of Conduct for Council Employees Public Consultation Policy		

1. Policy Statement

Trees make an important contribution to the aesthetic of the District Council of Streaky Bay. Trees provide practical amenity and add character, providing a range of environmental, social and economic benefits. It is also recognised that trees of the wrong type, or growing in the wrong place, can create problems and risks that are not reasonable. Tree Management is all about managing the various risks and benefits of trees to ensure the best community outcomes.

2. Objective

The policy will provide a strategy to manage, develop, protect and conserve trees in a manner that is efficient, economical, reasonable, consistent, and promotes the principles of sustainable development within the resource allocation provided by Council.

The Policy will apply to all relevant Council operations and includes commitment to the following;

- Managing and protecting Council's trees.
- To meet Council's obligations in relation to trees pursuant to the Strategic Plan.
- To ensure that trees on roads, community land and other Council owned landscapes are planted and maintained in a consistent and reasonable manner underpinned by risk management principles and resources that are made available.
- To ensure that trees on roads, community land and other landscapes are planted and maintained in an equitable manner and continue to provide amenity to the local community;
- To ensure that trees are nurtured and protected utilising risk management principles with the legislative framework.
- Ensure tree removal and planting is in accordance with adopted guidelines.
- Managing impacts on trees from development and/or construction works.

3. Scope

The Policy shall apply to all trees under the care, control and management of the Council and within the scope of legislation. The Policy applies to elected members, employees, contractors and volunteers.

4. Definitions

Council Land	includes all land that Council is responsible for including, reserves, crown land, community land, roads and road reserves.
Planting	the installation of a tree at site
Reserves	includes parks, gardens, reserves, playgrounds, ovals, sporting grounds, water courses and the like
Road	means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles, pedestrians or both.
Tree	means any “woody” plant, including shrubs if they are pruned into a tree like shape and excludes ground covers, annual or perennial plants, or indoor plants. Larger palms are also included as trees even though they are not “woody”.

5. Risk Management & Resource Availability

Appropriate resources will be allocated to tree management for Council to meet its strategic and legislative obligations. Risk management principles and practices will form Council's approach to tree management to ensure that available resources are used effectively and efficiently to reasonably manage trees across the Council landscape in a manner that minimises risk to Council and the community.

6. Policy Detail

6.1. Tree Removal

- 6.1.1. Delegation to approve the removal of trees, shall be the officer listed in Clause 8 of this Policy, unless the Officer deems that the removal of the tree is of significant community value, or affects nearby businesses and residents, that the removal shall be bought to Council for Council decision.
- 6.1.2. For every tree that Council removes, Council will replace the equivalent number of trees, the location and placement of equivalent trees shall be in accordance with Clause 6.4 of this Policy.
- 6.1.3. Removal or pruning of street trees/shrubs under the care and control of Council by members of the public is not permitted. Such removal shall be subject of a report to Council, which by resolution, may institute proceedings against any person(s) who destroys, damages, injures or causes destruction of or any injury to any tree, pursuant to the provisions of Section 221 Division 6, of the Local Government Act 1999.

6.2. Tuart Tree Retention

All Tuart Trees *euc. gomphocephala* upon reaching their “useful” life and after the Tree Removal Assessment has been undertaken, the decision to replace Tuarts with a Tuart shall be in accordance with Clause 6.4.

6.3. Tree (other) Retention

As per Clause 6.2

6.4. Tree Planting

All street tree plantings will be in accordance with any referenced legislation.

6.4.1. **New Tree Selection**

- a) Aims to improve the quality and suitability of trees throughout the district.

- b) All new trees shall be selected on the basis of Clause 6.4.3 of this Policy and (Appendix 1) - Preferred species list

6.4.2. Planting by Third Parties

- a) No tree shall be planted by any person other than Council employees unless prior authorisation has been obtained by Council.
- b) Where the tree is requested to be planted on a Road Verge section 221 of the LG Act applies and a permit will be required.
- c) A planting assessment will be undertaken prior to the permit being issued, approval and species selection will be in accordance with this Policy.
- d) If a tree or shrub is planted without the permission of Council and declared unsuitable for a particular street or location, it shall be removed at the expense of the person undertaking the planting within 3 months from the date of notification. After expiry of such time, the Council may remove the said tree or shrub without further notification. The Council may recover all costs involved.

6.4.3. Planting Placements

- a) All tree planting shall be subject to a Tree Planting Assessment being undertaken.
- b) The following shall always apply to tree planting on streets;
- 6.4.3.b.1.** Trees shall not be planted closer than 10m to an intersection where the street width is more than 10.5m between the kerbing and no closer than 15m where the road paving width is less than 10.5m between the kerbings.
- 6.4.3.b.2.** Trees shall be planted in footpath areas only when a minimum width from the kerb to the allotment boundary of 3.5m exists.
- 6.4.3.b.3.** Trees or shrubs shall not be planted nor permission given to plant trees and shrubs less than 3m from any constructed or unconstructed driveway.
- 6.4.3.b.4.** Trees or shrubs shall not be planted nor permission given to plant trees and shrubs less than 2m from any stobie pole, street sign or similar infrastructure.
- 6.4.3.b.5.** Trees or shrubs shall not be planted nor permission given to plant trees and shrubs where;
- any overhead wire or similar construction is likely to interfere with the upward growth of the tree.
 - the proposed vegetation will interfere with the visibility of an existing sign or similar infrastructure.
- c) If a new tree planting (where it is not a replacement by an existing tree) is deemed to have a significant impact on residents, the proprietors of nearby business or advertisers in the area, the tree planting will be subject to public consultation as per Council's Public Consultation Policy.

6.5. Species Selection

Species selected are to be from the preferred species list unless there is a request for a species that has a high community value.

6.6. Significant Trees

Council have no trees that have been identified as "Significant Trees: as defined under the Development Act 1993 or the Development Regulations 2008. In rural areas native trees are protected by the Native Vegetation Act 1991.

6.7. Tree Maintenance Objectives

- 6.7.1.** A three (3) year maintenance program to be developed and implemented including the replacement of significant trees.
- 6.7.2.** The program as per 6.7.1 shall utilise the Woody Vegetation Management Strategy as a guide.
- 6.7.3.** Council will commit sufficient funds and resources within its annual business plan and budget to ensure the needs of the maintenance program are met in a sustainable and affordable manner.
- 6.7.4.** The Woody Vegetation Management Strategy and maintenance program to be reviewed at the end of the three (3) year program, as recommended in the strategy on Page 41, Tree Assessment Frequency Clause 1, to enable a further three (3) year program to be developed.
- 6.7.5.** Individual assessments prior to the completion of the three (3) year cycle will be undertaken a risk management basis.
- 6.7.6.** Where practicable pruning will be undertaken to the Australian Standard.

6.8. Encroaching Vegetation

- 6.8.1.** The management of trees located on private land, including the impacts of such trees on neighbouring property, are the responsibility of the land owner.
- 6.8.2.** Council may require the owner or occupier of land to cut back vegetation that is encroaching onto Council land (footpath, road, reserve, etc) by way of issuing an order under the Local Government Act 1999. If the order is not complied with in a timely manner, Council staff are authorised to undertake the work themselves and to recover the costs of such work from the owner or occupier of that land (refer Chapter 12, Part 2 of the Local Government Act)
- 6.8.3.** If the trunk of a tree is located on the boundary between private land and Council land, Council shall be responsible for the management of that tree.

6.9. Property Damage Claims

6.9.1 Damage to Council Property

Claims for damages to Council Property are to be lodged in accordance with the Local Government Risk Services.

6.9.2 Damage to Property not owned by Council

Claims to non Council property are to be lodged through the property's insurance company.

Council staff are to notify Local Government Risk Services of any potential claim (i.e. where there has been damage caused to a person or property by a Council Tree).

6.10. Street Tree Register

Council shall maintain a Street Tree Register, being a register of all Street Trees located on a Road Verge within the District Council of Streaky Bay.

The Street Tree Register shall contain the following details as a minimum;

- Common Name
- Botanical Name
- Street Location
- Detailed Location
- Basic Tree Detail (Height, Condition (visual), width)
- Identified Hazards
- Maintenance

The register shall be updated on an Annual Basis, and shall be maintained by the Manager, District Services.

7. Climate Adaption

Council will adopt a proactive approach to climate adaption by regularly reviewing its tree management practices and species planting lists to ensure the effects of differing climate conditions and extreme weather are considered.

8. Delegations

The Manager, District Services shall be delegated to authorise the removal of trees, unless the Council (at their discretion) believes the tree to be of high community interest.

9. References

- Tree Application for Removal Form
- Tree Planting Assessment Form (Internal)
- Tree Maintenance/Removal Assessment Form (Internal)
- Preferred Tree Planting Species List
- Street Tree Register
- Application to alter road verge 221 permit