

Tree Management Policy

Strategic Reference	To responsibly manage the natural environment to ensure its sustainability and to implement natural resource management principles.
File reference	AR16/1811
Responsibility	Director Infrastructure & Assets
Revision Number	Original
Effective date	16 February 2016
Last revised date	Initial
Minutes reference	022/16
Next review date	Every 2 years, February 2018
Applicable Legislation	Local Government Act 1999; Development Act 1993; Development Regulations 2008; Environmental Protection & Biodiversity Conservation Act 1999 Fences Act 1975 Native Parks and Wildlife Act 2002 Native Vegetation Act 1991 Highways Act 1926 Road Traffic Act 1961 Heritage Places Act 1997 Electricity Act 1996
Related Documents:	Tree Management: Risk Management Guidelines for Local Government LGA Mutual Liability Scheme January 2013 Tree Management Procedure Roadside Vegetation Management Plan AS 4373 -2007 Pruning of Amenity Trees

1. Policy Statement

Coorong District Council recognises the important contribution trees and vegetation make to its area and community. Such assets provide environmental benefits by way of:

- supporting flora and fauna
- addressing the negative impacts of climate change
- creating a living environment that maintains character and
- adding biodiversity to the natural environment.

Tree Management Policy

This Policy is intended to provide guidance in relation to planting, maintenance and, if necessary, the removal of trees and vegetation on Council managed land and roads as well as trees subject to Council determination under the Development and other Acts and should be applied in conjunction with Council's Tree Management Procedures.

2. Purpose

The Policy provides a framework to manage, develop, protect and conserve the environment of the Council area, in a manner that is reasonable, consistent and promotes the principles of sustainable development, within the resource allocation provided by Council.

It applies to all relevant Council operations and includes commitment to the following:

- To meet Council's overall obligations in relation to trees pursuant to the Strategic Plan;
- To ensure that trees on roads, community land and other 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 within the legislative framework.

3. Scope

The Policy shall apply to all trees under the care, control and management of the Council and within the scope of relevant legislation.

4. Policy Objectives

The objectives of this Policy are to:

- a. Recognise the important role trees and vegetation make in Council's character, amenity, environment and value.
- b. Maximise the abundance and health of trees and vegetation on Council land while ensuring public safety and allowing controlled development.
- c. Ensure the protection and maintenance of mature and significant trees within Coorong District
- d. Acknowledge Council's responsibilities in managing vegetation as a significant asset for future as well as for present stakeholders.
- e. Provide a practical approach to the management of the Council's trees in light of climate change; and
- f. provide the Administration with a framework for detailed operational plans and guidelines regarding:
 - i trees and understorey planting in streets, local and arterial roads;
 - ii trees and understorey plantings in reserves, parks and gardens and road reserves;
 - iii the important role the community can play in protecting and enhancing trees and vegetation in the Council area.

Tree Management Policy

- iv Requests by residents to plant on a road verge or footpath

3. Definitions

The following definitions are provided to support the associated Tree Management Procedure (attached).

Tree: a perennial woody plant that has many secondary branches supported clear of the ground by a single or multiple dominant stems or trunks which is, or has the potential to grow to, 4.0 metres or more in height. Palms are included as trees in this definition. Dead trees are included in this definition.

Significant Tree:

- a. a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or
- b. a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of the Development Act;

Regulated Tree:

- a. a tree, or a tree within a class of trees, declared to be regulated by the regulations (whether or not the tree also constitutes a significant tree under the regulations); or
- b. a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or falls within a class of trees to be regulated trees, by the regulations);

Tree in poor health: a tree deleteriously affected by insects, parasites, stress, damage or disease

Hazardous tree means a tree identified as having a defect or growth characteristic that may cause injury or property damage if not removed (e.g. structurally unsound with a high chance of failure within the next five years, dead, having exposed roots with a high potential as a trip hazard where no remedial action is possible; inappropriately located trees such as a tall tree adjacent to infrastructure or leaning over a road/path and pruning cannot correct the tree's form; causing or likely to cause major damage to public or private property or services).

Planting: the installation of a tree at an identified site.

Road: means a public or private street, road or thoroughfare to which public access is available to vehicles or pedestrians or both and includes:

- a. bridge, viaduct or subway; or
- b. an alley, laneway or walkway

Community Land: means Local Government land classified as community land pursuant to the Local Government Act. Does not include roads or land excluded from Community Land classification.

Tree Management Policy

Landscape: Used to describe a particular piece of geography located in the Council.

Strategic Plan: Identifies Council's objectives for the area over a period of at least 4 years.

Reserve: Includes parks, gardens, reserves, playgrounds, ovals, and other areas such as water retention locations.

Risk Management: Coordinated activities to direct and control an organisation with regard to risk (AS/NZ ISO 31 000).

Sustainability and Ecological Sustainability mean using, conserving and enhancing natural resources so that the ecological processes on which plant life depends are maintained, preserved or improved.

Remnant Vegetation means native plants species that occupied the local area prior to white settlement.

4. Key Principles

The key principles of the Policy are:

1. To ensure that Council effectively and reasonably manages trees on roads, community land and across the landscape;
2. To provide for effective maintenance, replacement and functional programs for planting and preservation of trees;
3. To coordinate and ensure that resources are allocated so that Council meets its strategic and operational obligations;
4. To ensure the effective and efficient use of resources to maintain and manage trees across the Council landscape;
5. To manage the requirements of the legislative framework for local government, including under the Development Act;
6. To focus on the provision of amenity, biodiversity and environmental sustainability;
7. To consider the ongoing impacts to external stakeholders, including SA Power and other authorities;
8. To consult with the community and promote the positive influence trees provided to the general landscape;
9. To minimise and consider issues of conflict between trees and Council infrastructure using the principles of risk management.

5. Supporting Documents

The Tree Management Policy is support by the Tree Management Procedure attached.

6. Further Information

Any future amendment or alteration (other than minor) to this policy will be subject to public consultation in accordance with Council's Community Engagement Policy.

Tree Management Policy

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.coorong.sa.gov.au

Coorong Civic Centre
95-101 Railway Terrace
Taillem Bend
Phone: 1300 785 277
Fax: 8572 3822

Meningie Branch Office
49 Princes Highway
Meningie

Tintinara Branch Office
37 Becker Terrace
Tintinara

Copies will be provided to interested parties upon request. Email council@coorong.sa.gov.au

Any grievances in relation to this code of conduct or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

Tree Management Procedure

1. Biodiversity in Relation to Vegetation

- a. It is accepted that conserving biological diversity is essential to ecologically sustainable development and to maintaining the processes upon which life depends. Biodiversity is seen as an asset to be conserved and enhanced at every opportunity. The Council acknowledges the ethical basis for the conservation of biological diversity as an attitude of respect towards shared life forms which belong to future and present generations.

As the custodian of a major public asset Council's management of trees is recognised as a significant responsibility to conserve and enhance the long term sustainability of the Council's trees by fostering biological diversity, within the constraints of Council's Tree Management Policy.

- b. The Director Infrastructure & Assets is to ensure that practices by Council's Administration and Contractors will minimise the impact on significant vegetation and local biological diversity in operations such as:
- the construction of footpaths
 - installation and maintenance works for public infrastructure such as overhead power lines, underground cables, stormwater and sewer infrastructure and roads;
 - herbicide and pesticide applications; and
 - the development of public facilities.
- c. Council will proactively seek to establish partnerships and negotiate agreements with property owners, developers and other agencies to promote the conservation, reclamation and enhancement of biodiversity, and minimise threats to biodiversity from development through the Development Application assessment process thereby:
- minimising the impact of construction of buildings and fences;
 - minimising the loss of significant and/or mature vegetation;
 - minimising the loss of vegetation habitats;
 - encouraging the retention and/or enhancement of significant understorey vegetation; and
 - encouraging the replacement of indigenous trees and vegetation with local provenance species;

2. Indigenous Species

The Council recognises the community's increasing interest in preserving and enhancing plants that are indigenous to its area.

Tree Management Procedure

3. Habitat Retention and Corridors

- a. Council recognises its role and responsibility in the wider region as well as within its own boundaries, in tackling Australia's continuing loss of biodiversity.
- b. Streetscape Plans and Community Land Management Plans are to provide the maximum possible habitat retention and vegetation corridors across Council.
- c. When removing or pruning trees hollow branches should be retained where possible for native fauna, providing that public safety and reasonable amenity is not compromised.
- d. In appropriate instances dead trees may be pruned rather than removed, retaining stubs and hollows for native fauna.

4. Character Heritage

- a. Council recognises the community's increasing demand for improved environmental practices.
- b. The Guidelines that are to accompany this procedure should allow the Administration some flexibility in its management of trees in any particular area, so that overall diversity and balance can be achieved. This delegation of responsibility to the Administration is provided in the context of requirements to adequately consult the community in discharging its responsibilities.

5. Consultation

- a. The Coorong Community Engagement Policy sets out the principles to be upheld and responsibilities for consulting the community. Consultation about trees is to be conducted within the framework of that policy.
- b. Council staff will undertake consultation with residents for all major streetscape plans and plantings
- c. Council staff are to ensure that best practice and resident consultation is considered regarding the landscaping, planting and replanting of trees in open spaces.
- d. Council staff are to ensure that residents are consulted regarding the removal of mature trees in townships. The consultation process may include:
 - written notice of the Council's intention, to properties nearest to the tree in question;
 - where it is proposed that more than three trees are to be removed from a street/road, all residents of that street/road or section of the street/road between intersections are to be consulted;
 - a minimum period of ten (10) working days for people to respond in writing to this written notice, following its receipt by the stakeholders;
 - a minimum period of ten (10) working days for people to lodge a written objection to this written notice, following its receipt by the stakeholders;
 - notification in writing to local community groups when applicable.

Any requirements under the Development Act with regard to Significant Trees which conflict with this process, take precedence.

- e. Community consultation is not required regarding the removal, replacement and maintenance of trees which are:
 - less than three metres in height;

Tree Management Procedure

- noxious weed trees as defined by the Natural Resource Management Board, or
- when a hazardous tree needs to be removed for safety reasons.

6. Streetscape Plans for townships

- a. A Streetscape Plan is to be prepared for townships which:
 - takes account of the long term view of the objectives of managing Council trees;
 - takes account of the overall impact of trees on the urban design of the township;
 - is consistent with budget provisions;
 - details how residents and other stakeholders will be consulted;
 - includes species of trees and other vegetation to be planted;
 - details planting sites and numbers.

7. Planting and Replanting by Council

- a. The Director Infrastructure & Assets and his/her delegate(s) are authorised to plant and replant trees and vegetation on Council land in accordance with this procedure.
- b. No tree of a species that has a mature height of greater than 6 metres shall be planted within 1.5 metres of a vehicle crossover.
- c. Only trees with a clean trunk to 2 metres or shrubs lower than 600 millimetres shall be planted within 5 metres of a vehicle crossover.
- d. Trees shall not be planted within 5 metres of an intersection or pedestrian crossing.
- e. Shrubs over 600 millimetres in height shall not be planted within 10 metres of an intersection or pedestrian crossing or on Council roundabouts.
- f. Only trees with a clean trunk to 2 metres shall be planted between 5 metres and 10 metres from an intersection or pedestrian crossing.
- g. Planting sites are to be chosen to comply with the existing landscape character of the street/park/reserve
- h. Trees shall be planted in accordance with the Regulations associated with all relevant legislation such as the Sewerage Act and the Electricity Act. The requirements, requests and submissions of all service and public authorities are to be taken into consideration.
- i. Trees shall not be planted:
 - within one metre of a stormwater drain
 - within one metre of a residential water service or connection to water mains
 - within one metre of a Telstra inspection point
 - within two metres of an electricity pole –unless they have a canopy spread of less than four metres.

8. Planting and replanting by Residents

- a. Planting or replanting of trees and vegetation by residents on Council land may only be undertaken with the involvement of Council officers. Participation of residents in the beautification of the Council area is encouraged, but unauthorised planting or replanting by residents is not permitted. Planting on Council land requires approval (refer to Authorisation to Alter a Public Road Application Form).

Tree Management Procedure

- b. Unauthorised plantings may be allowed to remain provided that they are:
- of a suitable species which is compatible with the streetscape and the principles of this procedure;
 - good quality specimens;
 - in a suitable location;
 - planted to Council standards; and
 - in compliance with all relevant legislation.

Where a planting does not meet these conditions, the adjacent resident will be asked to remove the tree/vegetation. If this request is not complied with, the tree/vegetation will be removed by Council staff.

- c. Planting of low growing shrubs and ground covers by residents on nature strips fronting their properties is permitted providing that:
- plants do not exceed 600 mm in height;
 - plants do not interfere with vehicular or pedestrian visibility;
 - no hazard is created;
 - weed species are not used;
 - plants do not contravene an approved planting or Streetscape Plan;
 - the planting style is compatible with the surrounding streetscape;
 - vegetation is maintained by the resident to a standard approved by Council;
 - the resident formally requests and receives authorisation from the Council pursuant to Sections 221 and 232 of the Local Government Act 1999 for the planting to proceed; and
 - the resident accepts in writing that no recourse is available for damage to the vegetation by service authorities or Council.

9. Species Selection

- a. The selection of tree species for planting and replanting shall be based on the likely ongoing impacts of water restrictions and climate change and include consideration of:
- existing landscape/streetscape character
 - environmental conditions
 - the size and long term effect of the tree when mature
 - submissions by residents/stakeholders
 - effect on local fauna
- b. Where possible, flexibility is to be exercised and residents' preferences fully considered. Residents are to be encouraged to assist in the care of newly planted trees.
- c. Lists of appropriate species of trees and vegetation for planting in public areas will be provided to the community upon request and promoted when opportunities arise.
- d. Species contained in guidelines for officers and community must be within Regulations under the Sewerage Act, the Electricity Act and any other relevant legislation.

10. Pruning

- a. The Director Infrastructure & Assets and his/her delegate(s) are authorised to prune Council-owned trees according the operational guidelines to:
- maintain public safety;

Tree Management Procedure

- maintain the health and form of the trees;
- maintain prescribed clearances for services and traffic thoroughfares;
- ensure traffic safety and visibility of street signs; and
- minimise future work requirements through the removal of potential problems at an early stage.

In pruning operations, only skilled and suitably qualified staff or contractors are to undertake pruning of the Council's trees.

- b. Where the growth of a Council-owned tree is causing concern to the owner or occupier of a private property, the Administration shall seek to alleviate the problem through judicious pruning and negotiation with the property owner/occupier.
- c. Where the health or shape of a tree may be affected by pruning, the degree of cut back shall be minimal, but adequate consideration must be given to Council's responsibility and liability under Sections 244 and 245 of the Local Government Act 1999, and under any SA Power Vegetation Agreement.
- d. Trees will normally be pruned to alleviate shading of private properties only if the pruning will have a genuine and long lasting effect and the form of the tree will not be adversely affected.
- e. Pruning of Council-owned trees is not permitted by anyone other than Council staff or contractors approved by the Council.
- f. A clear space is to be maintained above and along main roadways and local roads for the safe passage of vehicles, in accordance with Council's Roadside Vegetation Management Plan. Vegetation and trees near roadways are to be maintained so as not to pose immediate or potential danger to life, property or road users. Sight distances, adequate drainage and waterway clearances are to be maintained. Potential damage to private property from trees and vegetation is to be minimised.

11. Significant Trees, Valuable Trees and Remnant Vegetation

- a. Provisions under the Development Act 1993 and resolutions of Council in relation to Significant Trees, take precedence over this procedure.
 - i. The co-operation and involvement of those responsible for privately owned Valuable Trees and Remnant Vegetation is sought and encouraged.
 - ii. Valuable trees can be either living or dead and are to be defined by the contribution they make to the local area, and the impact that their removal would have on the history, culture and amenity of the area as a whole.
- b. Criteria for assessment of Valuable Trees are that a tree or group of trees:
 - Is of outstanding aesthetic beauty (especially pleasing form or shape or colour)
 - Is of outstanding dimensions in height, or trunk circumference, or canopy spread
 - Is very old or venerable
 - Commemorates or has associations with an important historical event
 - Is significantly associated with a well known public figure or prominent person; or an aboriginal or ethnic group
 - Occurs in a unique location or context, and thus provides a special contribution to the landscape (e.g. avenues of trees), or is a landmark
 - Is an isolated remnant of native vegetation or is a species or variety that is rare or of very localized distribution
 - Provides important habitat for native fauna
 - Is part of a private or public historic garden or park or village precinct

Tree Management Procedure

- Is an excellent example of topiary
 - Is of horticultural or genetic value, possibly important as propagating stock, or cultivars particularly resistant to disease or exposure
 - Has curious growth forms or physical features either from natural causes, or pruning
 - Is or has been of importance in the life of the local community.
- c. Every effort is to be made to preserve and protect the Council's significant trees and remnant vegetation.

12. Tree Removal

- a. Prudent management of Council's trees is essential if the Council is to fulfill its responsibilities and manage its liabilities in relation to Section 245 of the Local Government Act 1999.
- b. (i) It is acknowledged that trees are not permanent fixtures for all time. They have a life cycle and there comes a time when trees decline to a stage where they must be removed; or when disease or damage means that replacement of trees is the most responsible long term approach.
- (ii) It is acknowledged that sensitive and skilled pruning of trees can greatly prolong and enhance trees' health, thus reducing the frequency and extent of tree removal.
- c. Council will generally consult with the community with regard to tree management, and will demonstrate respect for the importance of trees, however it is acknowledged that the removal of trees is sometimes necessary to facilitate property development or the installation of infrastructure. In exercising its role as a Planning Authority through the Development Assessment Panel and its Development Plan, Council places a high value on the retention of mature trees, and on new vegetation that enhances building developments within the legislative framework provided to it by the Development Act 1993.
- d. When an application is made to remove a tree for the installation of a new vehicle crossover, the guidelines for removal shall be the same as those for other street trees, except that a tree which is in good condition and which is suited to its location, may be removed provided that:
- no alternative site (as deemed by an officer of Council) for the crossover is available;
 - affected residents have been notified; and
 - a suitable replacement tree is planted by the Council at the cost of the property owner/developer, if an appropriate planting site is available.

Removal of a significant and/or valuable tree which is in good condition, suited to the location and has a life expectancy of more than twenty years for the purposes of installing a cross over cannot be approved under delegation and must be referred to the Development Assessment Panel.

- e. When an application is made to remove a tree or trees for the installation or upgrading of physical infrastructure (e.g. drainage, road reconstruction etc.), the application may be approved under delegation providing:
- affected residents have been notified;
 - there are no alternatives to the removal of the tree(s);

Tree Management Procedure

A significant or valuable tree which is in good condition and which is suited to its location, shall not be removed for infrastructure works unless approval is granted through a formal resolution of Council.

- f. The Director Infrastructure & Assets and his/her delegate(s) can recommend the removal of trees on the basis of professional assessment and advice regarding the factors in clause (e) above.
- g. When a tree poses an immediate hazard which cannot be alleviated through any means other than removal, the tree may be removed immediately, at the discretion of the most senior Council officer on the site at the time of the danger. Significant and valuable trees must pose an immediate and extreme hazard to warrant action under this clause.
- h. When a hazardous tree has been removed or pollarded without consultation, the community will be advised of the circumstances where appropriate.
- i. Requests by residents to remove trees must be in writing and must contain reasons for seeking the removal.
- j. The Director Infrastructure & Assets is authorised to sign responses to written requests for the removal of trees in accordance with this procedure.

13. Damage

- a. The Director Infrastructure & Assets is authorised to institute proceedings against any person who destroys, damages or injures, or who causes the destruction, damage or injury of any Council-owned tree, in accordance with Section 233 of the Local Government Act 1999 or in relation to “tree damaging activity” as defined in the Development Act 1993.
- b. Any tree which is perceived as causing damage to Council property or to adjacent private property is to be reported to the Council for further consideration.
- c. The Council notes its responsibilities, and those of residents, pursuant to Section 245(1) of the Local Government Act 1999, regarding “liability for injury, damage or loss caused by certain trees”.
- d. Property owners or occupiers may make written requests to the Council asking that reasonable action be taken to avert a risk of damage to property from a tree, in accordance with Section 245(2) of the Local Government Act 1999. Council acknowledges its responsibility and potential liability under this legislation. Council staff are to take prompt action in response to such requests to effectively manage the Council’s liability under the legislation. Any difficulties that cannot be readily resolved by the Administration pursuant to these provisions are to be reported promptly to the Council for its determination.