

TREES POLICY

Type	Governance
Category	Infrastructure
Responsible Officer	Director Infrastructure
First Issued / Adopted	Pre 2009
Review Period	4 years
Last Reviewed	26 August 2020, 24 August 2016, 28 January 2015
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Applicable Legislation	Local Government Act 1999
Related Documents	Australian Standards Memorials Policy Tree Strategy Roadside Vegetation Management Plan Community Engagement Policy
Public Consultation Required	Yes
File Reference	9.63.1.4

1. PURPOSE

To establish a planting and management policy for trees on Council land.

2. SCOPE

This statement sets out a policy for the management of trees upon:

- Streets;
- Parks, gardens, reserves, playgrounds, ovals and sporting grounds;
- Property owned by or which is under the care, control or management of Council.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 1 of 11

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3. DEFINITIONS

“Act” refers to the Local Government Act, 1999, as amended.

“Tree” means any tree or shrub and excludes vines, groundcover, annual plants grown to produce flowers and indoor plants.

“Prescribed Tree” means a tree or a bush which is 4.5 metres or more in height.

“Street” means any highway, street, road, grove, place, avenue, drive, terrace, parade, crescent, court, lane, walk or walkway which has been declared or is a public road pursuant to the Act.

“Other Property” includes all land which is under the care control or management of the Council except streets and parks.

“Replanting” means the planting of a tree in place of a tree which has been removed or where a tree has previously been growing.

“A tree in poor health” means a tree deleteriously affected by insects, parasites, stress or disease.

“Parks” includes parks, gardens, reserves, playgrounds, ovals, sporting grounds and the like.

4. POLICY STATEMENT

Trees provide an important function in the region which is detailed in the Tree Strategy 2016.

This policy is intended to provide a whole of life approach to the management of the trees in the region incorporating the major principals of:

- Planting less trees but establishing more
- Planting trees that provide colour and form
- Actively managing existing trees to reduce the long term impacts on services
- Selecting the correct tree for the location
- Continuous improvement around scheduled tree maintenance.

4.1 Council has adopted the approach that where there is a conflict between essential services and trees the following priorities will apply:

- Streets - Management of the road surface, pavement and underground services will take priority on roads and footpaths ahead of a street trees maintenance need where it is not possible to accommodate both needs.
- Parks - Trees in parks and open spaces will have priority over service requirements such as overhead powerlines and underground services where it is not possible to accommodate both needs.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 2 of 11

5. PRUNING

The corrective pruning of trees shall be undertaken to address community concerns, improve the long term health and amenity that the tree provides and to manage trees in constrained locations where services are being impacted upon:

3.1 Tree pruning will be compliant with Australian Standard AS4373-2007.

6. HERITAGE TREES

Those trees of historic significance be registered and placed under a preservation order.

7. STREET TREES

7.1 Introduction

Where possible streets in the municipality shall be planted with trees in accordance with the policies set out in the Tree Strategy 2016. The Streetscaping and beautification shall be directed towards the street as a whole, rather than individual or discrete properties.

7.2 Trees per Property

Generally the planting distance between street trees will be a minimum of 10 metres apart.

7.3 Tree Locations

5.3.1 Distance from intersections – trees will be planted at a minimum distance of 10 metres from intersection point.

5.3.2 Trees will be planted at a point 1 metre from back of kerb on nature strips of 3 metres width or more.

5.3.3 Trees will be planted at a point 0.8 metre from back of kerb on nature strips of 2.5 metres width.

5.3.4 Trees will be planted at a point 0.6 metre from back of kerb on nature strips of 2.0 metres width.

5.3.5 Trees will be planted at a minimum distance of 5 metres from left hand side of crossovers.

7.4 Tree Planting by Residents

Council will undertake all street tree planting unless approved in writing by Council in accordance with the Footpath Development and Maintenance Policy.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 3 of 11

7. STREET TREES (Cont'd)

7.5 Replanting Trees

Council will focus its efforts on utilising existing tree planting pits ahead of creation of new planting pits.

7.5.1 Priority for replanting will be where there is an empty existing tree pit and there are minimal service implications.

7.5.2 Council will strive to focus on establishing more trees through good drought management and after planting care with the assistance of the community.

7.5.3 Residents will be encouraged to water street trees where possible to compliment Council after planting care.

7.6 Selection of Species

In keeping with the Tree Strategy 2016 appropriate replacement trees will be selected for street tree planting with a focus being on the provision of colour, amenity, summer shade and overall long term tree form.

Council is conscious of both avoiding long term services issues both in relation to over head powerlines and underground services and also of selecting a tree species that is suitable for the location in terms of mature size and form.

Council will strive to avoid having a mono culture selection of trees in any suburb of the district to reduce the risk of sudden disease loss of all of one species of tree.

7.7 Requests for Tree Planting

As a general rule Council will no longer actively plant trees under overhead powerlines unless replacing an existing tree where a tree pit exists. In these situations a small growing tree will be selected.

Requests for street trees can be made through the completion of the 'Street Tree Request' form. Preference will be given to those applications which:

7.7.1 Form part of a streetscape plan or traffic calming plan.

7.7.2 Are to plant a tree in an empty existing tree pit.

7.7.3 Will have the least impact long term on underground services.

7.7.4 That are not located under powerlines.

7.7.5 Provide a commitment to care for the tree during establishment through summer watering and monitoring general health.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 4 of 11

7. STREET TREES (Cont'd)

7.7 Requests for Tree Planting

Street tree planting application forms are available at the Ellen Street Administration Centre, Broadstock Road Works Depot and the Crystal Brook Office or can be downloaded from www.pirie.sa.gov.au

7.8 Care and Maintenance Program

Council is striving to be more successful in its street tree planting by ensuring that trees planted are well maintained during establishing years. The general approach will be to only plant street trees that can be maintained through summer watering. In some years this may mean planting less trees than in the past but focusing more resources on establishment.

Council will develop a street tree maintenance plan to cover all establishing trees which will provide for:

7.8.1 Summer watering.

7.8.2 Annual feeding, mulching of tree pit, stake and tie adjustment/removal and formative pruning.

7.8.3 Community assistance for summer watering.

7.9 Pruning

Corrective pruning during establishment, correct choice of tree species and attentive care of young trees will reduce the long term maintenance and pruning requirements.

Council intends, in keeping with the Tree Strategy 2016, to focus on establishing a scheduled tree maintenance programme where street trees are inspected and pruned as necessary on a regular basis.

The maintenance programme when developed will be available for review by interested residents.

The intention is to reduce the need for pruning on request as the routine maintenance approach catches up with past deficiencies.

7.10 Overhanging Foliage

There maybe a circumstance where a neighbour to a Council street tree requests that overhanging tree limbs be pruned. This will be processed in the same way as street tree pruning requests.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 5 of 11

7. STREET TREES (Cont'd)**7.11 Street Tree Removal**

Council is striving to review its street tree assets in keeping with the Tree Strategy 2016 and this will result in trees of an inappropriate species for the location they are growing in being assessed for possible removal and replacement.

Trees of an appropriate species for the location which are in good health and likely to provide a long term amenity for the street will be retained. Street trees may be inspected and considered for removal and replacement where:

- 5.11.1 The tree is in poor health and unlikely to recover.
- 5.11.2 The tree is dead.
- 5.11.3 The tree has such poor form that if retained will not reach its full potential and become a maintenance concern or likely become dangerous.
- 5.11.4 The tree is going to outgrow its location and require ongoing maintenance where significant pruning will impact negatively on the amenity that the tree provides.
- 5.11.5 Essential services work is required which will result in significant root loss of the tree impacting on the tree's stability.
- 5.11.6 A new vehicle crossing is approved having taken into consideration all opportunities to locate the crossing away from the existing tree as a first option.

In the event that a resident wishes consideration for a healthy tree to be removed, this will require a formal request to be made in writing outlining the reasons for the request. The request will be considered against the criteria in this document and by the Director Infrastructure ahead of a decision being made. In some circumstances where a significant impact on the community through a possible tree loss is anticipated, the issue may be referred to Council for consideration and a decision.

7.12 Consultation

Council is aware that tree removal is an issue where community opinion can be divided. Consultation will be undertaken with the local neighbours of any mature tree being considered for removal ahead of a final decision having been made.

The consultation will be based on a letter drop to property neighbours who are located within 50m of the tree/s in question. The information letter will explain what the issue is that relates to the tree/s and what is proposed and provide a reasonable period for community comment, usually a period of 21 days.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 6 of 11

7. STREET TREES (Cont'd)

7.12 Consultation (cont'd)

Where a tree has been the subject of sudden damage and has been assessed as imminently dangerous, the tree may be removed/made safe with immediate removal/pruning without consultation.

Should new street tree planting of a substantial nature be proposed, consultation with residents of the road will be undertaken ahead of confirmation of the street tree planting being implemented.

Consultation will not be required where replacement trees are to be planted in the streets.

7.13 Property Damage

Council in keeping with the Tree Strategy 2016 will not be establishing trees that are likely to create damage to adjoining resident's property. However in the event that damage is experienced Section 233 of the Local Government Act 1999 provides:

"The Council shall not be liable for any damage to any property which results from the planting of any trees in any street or road, or from the planting of any trees in any street or road, or from the existence of any tree growing in any street or road whether planted by the Council or not."

Pursuant to the provisions of the above legislation, the Director Infrastructure is instructed to deny liability for any damage caused to any property which results from a street tree.

In circumstances where the repair of damage to property causes hardship to the owner of the property damaged, the Director Infrastructure is authorised to make an ex-gratia payment of not exceeding \$100 to assist the owner of the property so damaged with the repair of the damage.

In this matter 'hardship' shall have the same meaning as it does in the Act.

7.14 Illegal Tree Removal

Council retains sole authority over tree removal. Residents, Contractors or Service Authorities who remove street trees without Council authorisation may be undertaking a criminal act of vandalism. Penalties may be applied.

Penalties may also be applied for any pruning/lopping or destruction of a tree to a state deemed by the Parks and Recreation Supervisor to necessitate removal to cover costs associated with inspection and removal of the remainder of the tree and the stump.

Incidents of vandalism of street trees maybe referred to the Police and will incur costs associated to replace the tree/s by Council.

Incidents of vandalism of trees maybe referred to the Police.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 7 of 11

8. RURAL AREAS

8.1 Rural Properties

Roadside Plantings - Should a resident or landowner wish to undertake tree plantings on a roadside, authority must be given from the Parks and Recreation Supervisor prior to works being carried out.

8.2 Species Selection

8.2.1 Tree species will be as per guidelines set down in the Roadside Vegetation Management Plan.

8.2.2 All tree species selected, must conform to service authority requirements including Origin Energy, SA Power Networks and SA Water.

8.3 Roadside Planting Restrictions

8.3.1 Planting of trees or shrubs with a mature height exceeding 1 metre is not permissible within 100 metres of the centre of the intersection at all rural road intersections.

8.3.2 All plantings will be at a point no closer than 2 metres from the edge of 10 metre carriageway and no closer than 1 metre to adjoining property fence lines.

8.3.3 All plantings must conform to prescribed distances and requirements of service authorities including Origin Energy, ETSA, SA Water, Telstra and Department of Lands.

8.4 Roadside Tree Removals

Any removal or interference with roadside vegetation is to comply with the Roadside Vegetation Management Plan for the Port Pirie Regional Council.

9. PARKS

Parks provide opportunities for larger growing species of trees to be established. Trees will have priority over services in parks in keeping with the Trees Policy.

“Parks are vibrant, colourful and enhanced with trees. Trees will provide partial shade and cooling to the park users while creating ecological islands and linkages throughout the area. Trees will be planted that provide scale and perspective.”

And

“Parks provide an opportunity for Council to establish large growing trees of mixed species in the urban environment.”

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 8 of 11

9. PARKS (Cont'd)

9.1 Replanting Trees

Council will focus its efforts on infill planting in parks where tree assets have diminished with a view to meeting the vision of the Tree Strategy 2016.

9.1.1 Priority for replanting will be where there are spaces in mulched beds or where trees have been removed.

9.1.2 Council will strive to focus on establishing more trees through good drought management and after planting care with the assistance of the community.

9.1.3 Residents will be encouraged to water park trees where possible to compliment Council after planting care.

9.2 Selection of Species

In keeping with the Tree Strategy 2016 appropriate replacement trees will be selected for park tree planting with a focus being on the provision of colour, amenity, summer shade and overall long term tree form.

Council is conscious of avoiding long term services issues both in relation to over head powerlines and underground services and also of selecting a tree species that is suitable for the location in terms of mature size and form.

Council will strive to avoid having a mono culture selection of trees in any park to reduce the risk of sudden disease loss of all of one species of tree.

9.3 Care and Maintenance Program

Council is striving to be more successful in its tree planting by ensuring that trees planted are well maintained during establishing years. The general approach will be to only plant trees that can be maintained either through summer watering or the application of heavy ground mulches to aid water conservation. In some years this may mean planting fewer trees than in the past but focusing more resources on establishment.

Council will develop a tree maintenance plan to cover all establishing trees which will provide for:

9.3.1 Summer watering.

9.3.2 Annual feeding, mulching of tree pit or garden bed, stake and tie adjustment/removal and formative pruning.

9.3.3 Community assistance for summer watering.

9.4 Overhanging Foliage

There maybe a circumstance where a neighbour to a Council park requests that overhanging tree limbs be pruned. This will be processed in the same way as street tree pruning requests.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 9 of 11

9. PARKS (Cont'd)**9.5 Tree Removal**

Trees of an appropriate species for the park location which are in good health and likely to provide a long term amenity for the park will be retained. Park trees may be inspected and considered for removal and replacement where:

- 9.5.1 The tree is in poor health and unlikely to recover.
- 9.5.2 The tree is dead.
- 9.5.3 The tree has such poor form that if retained will not reach its full potential and become a maintenance concern or likely become dangerous.
- 9.5.4 The tree is going to outgrow its location and require ongoing maintenance where significant pruning will impact negatively on the amenity that the tree provides.

In the event that a resident wishes consideration for a healthy tree to be removed, this will require a formal request to be made in writing outlining the reasons for the request. The request will be considered against the criteria in this document and by the Director Infrastructure ahead of a decision being made. In some circumstances where a significant impact on the community through a possible tree loss is anticipated, the issue may be referred to Council for consideration and a decision.

9.6 Consultation

Council is aware that tree removal is an issue where community opinion can be divided. Consultation will be undertaken with the local neighbours of any mature tree being considered for removal ahead of a final decision having been made.

The consultation will be based on a letter drop to property neighbours who are located within 50m of the tree/s in question. The information letter will explain what the issue is that relates to the tree/s and what is proposed and provide a reasonable period for community comment, usually a period of 21 days.

Where a tree has been the subject of sudden damage and has been assessed as imminently dangerous the tree may be removed/made safe with immediate removal/pruning without consultation.

Consultation will not normally be undertaken where tree planting is to be undertaken in parks. Community involvement in park tree planting may be encouraged in certain locations.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 10 of 11

9. PARKS (Cont'd)

9.7 Property Damage

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Pursuant to the provisions of the above legislation the Director Infrastructure is instructed to deny liability for any damage caused to any property which results from a street tree.

In circumstances where the repair of damage to property causes hardship to the owner of the property damaged, the Director Infrastructure is authorised to make an ex-gratia payment of not exceeding \$100 to assist the owner of the property so damaged with the repair of the damage.

In this matter 'hardship' shall have the same meaning as it does in the Act.

9.8 Illegal Tree Removal

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Penalties may also be applied for any pruning/lopping or destruction of a tree to a state deemed by the Parks and Recreation Supervisor to necessitate removal to cover costs associated with inspection and removal of the remainder of the tree and the stump.

Incidents of vandalism of street trees maybe referred to the Police and will incur costs associated to replace the tree/s by Council.

Incidents of vandalism of trees maybe referred to the Police.

9.9 Memorial Trees

The Memorials Policy, Item 2, makes provision for memorial tree(s) to be planted in any street, park or reserve within the Port Pirie region.

Document No	Version No	Last review	Next review	Page
POL -0038	1.0	26 August 2020	30 Sept 2024	Page 11 of 11