



Tree and Streetscape Policy

Reference Number:	5.1
Type:	Council
Category:	Environment & Open space
Relevant Community Plan Outcome:	<ul style="list-style-type: none"> • Provide accessible social infrastructure and services that engage our diverse community. • City assets and infrastructure are developed and well maintained on a strategic and equitable basis. • Create valued urban places that bring people together and reflect local character and identity.
Responsible Officer(s):	Manager Open Space, Recreation and Property
First Issued/Approved:	May 1990 (Policy 28/5/90, Item 19)
Minutes Reference:	CoS 6/6/14, Item 3.36
Last Reviewed:	June 2016
Next Review Due:	June 2018
Applicable Legislation:	<p>Local Government Act 1999, Development Act 1993 and Development Regulations 2008 Electricity Act 1996, Water Resources Act 1997 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) Heritage Act 1997 Environment Protection Act 1993 Animal and Plant Control (Agricultural and Other Purposes Act) Act 1986, South Australian Water Corporation Act 1994 Road Traffic Act 1961 Native Vegetation Act 1991 Disability Discrimination Act 1992</p>
Related Policies:	<p>Memorials Policy Footpath Policy Environmental Sustainability Policy Public Consultation Policy</p>
Related Procedures:	<p>Trees: Legislation and Risk Management Guidelines for Local Government (Local Government Association Mutual Liability Scheme, 2004) City of Charles Sturt Risk Management Framework Australian Standard for Risk Management (AS/NS 4360-2004) Australian Standard for Pruning Amenity Trees (AS 4373/2007) Community Plan 2013 – 2027 A City where people come first One Planet Living: Greening the Western Suburbs 2008 – 2013 City of Charles Sturt Open Space Strategy 2016 City of Charles Sturt Tree and Streetscape Management Plan</p>

Related Procedures:	City of Charles Sturt Consultation Policy City of Charles Sturt Crime Prevention Through Environmental Design Policy
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1. Purpose

The City of Charles Sturt Tree and Streetscape Policy has been developed in line with the strategies, actions and objectives of:

- 2013 – 2027 A City where people come first
- Living Green: 2020
- City of Charles Sturt Open space Strategy 2016

It is the intention of this policy to both formalise and clearly state Council's commitment to the greening of the City:

- To document the principles by which trees in streets, reserves and streetscapes will be managed with a consistent and equitable approach.
- To ensure that verge areas within the streetscape are developed and maintained in a consistent and equitable manner under an appropriate risk management framework.
- To ensure that street trees, reserve trees and streetscapes are cared for, nurtured and protected within the City of Charles Sturt.
- To ensure that street trees, reserve trees and streetscapes are fit for purpose and provide amenity while being managed within an appropriate risk management framework.

1.1 The Role, value and importance of trees

The City of Charles Sturt values the role and functions of trees and recognises the environmental, aesthetic, economic and cultural benefits they contribute.

Trees are important in:

- The creation of a sense of place, unifying architectural forms and creating a sense of unity while linking and softening streetscapes and determining the character of our City.
- Improve the local climate by reducing the air temperature, increasing humidity and collectively reducing the urban heat island effect, that is, where urban centres have higher temperatures due to the high number of heat absorbing surfaces with little shade.
- Removing carbon dioxide from the atmosphere through the natural process of photosynthesis and storing the carbon (C) in their leaves, branches, stems, bark and roots. Approximately half the dry weight of a tree's biomass is carbon.
- Providing habitat for native flora and fauna

2. Scope

This policy provides a strategic framework for the planting and management of trees and streetscapes within public open space (including streets) managed by Council.

3. Policy Statement

3.1 Vision

The Streetscapes and Public Open Space within the City of Charles Sturt provide for the aesthetic, amenity, habitat and biodiversity needs of the city while maintaining a sustainable and sensitive approach in context with the natural and built environment.

3.2 Goal

To protect, conserve, nurture and value the existing trees and other vegetation within the public open space and streetscapes of the City of Charles Sturt and to enhance, improve and develop these sites in a sustainable and functional manner ensuring the provision of attractive, well maintained trees and streetscapes for present and future generations.

3.3 Objectives

3.3.1 Primary Objective

To ensure that effective management, maintenance, replacement and improvement programmes are developed and implemented for trees and other vegetation in all streetscapes and areas of public open space within the City of Charles Sturt focussing on community safety, amenity, biodiversity, habitat and sustainability.

3.3.2 Secondary Objectives

- To provide a framework for the Tree and Streetscape Management Plan for all trees and other vegetation in streetscapes and areas of public open space within the City of Charles Sturt.
- To establish and maintain, where appropriate, biodiversity and habitat plantings.
- To maintain and protect sites of cultural significance
- To incorporate, wherever practical, water sensitive urban design into new streetscapes and plantings.
- To encourage the lobbying of appropriate bodies and levels of Government to ensure adoption of policies, procedures and legislation to achieve the primary objective.
- To ensure the protection and maintenance in a healthy condition of established large, historic, regulated and significant trees in the City of Charles Sturt.
- To encourage and support community interest in the planting and healthy growth of trees in the City of Charles Sturt.
- To develop community awareness, involvement and education program which emphasises the benefits to the community of planting and maintaining trees in residential, commercial and industrial areas of the city.
- To give preference to the planting of natives (particularly species indigenous to the Council area) along Council's waterways, parks and within the coastal zone.
- To minimise conflicts between trees, roads, footpaths, kerb, watertable, and other built forms and to ensure the health and protection of all trees (privately and publicly owned) during public works and the optimum life of adjacent infrastructure assets.

3.4 Tree and Streetscape Management

All trees and streetscapes owned by or under the control of Council will be managed, maintained and developed in accordance with the City of Charles Sturt's Tree and Streetscape Management Plan and the appropriate risk management framework to ensure that the risk and liability to Council associated with trees is minimised.

3.4.1 Significant and Regulated Trees

Sections 23(4a), 54A and 54B of the Development Act 1993 and Regulations, establish the legislative requirements in relation to the management of significant trees, and define where approvals from the Development Assessment Panel (DAP) are required. All significant and regulated trees within the City of Charles Sturt shall be managed within this legislation.

A report will be presented to the Asset Management Committee in relation to all Significant and Regulated trees assessed as requiring removal, with the exception of those trees removed as a matter of urgency due to public safety risks or risks to property:

- The urgent removal of any significant or regulated tree will be undertaken under Section 54(a) of the Development Act 1993;
 - Urgent work in relation to trees*
 - (1) If a tree-damaging activity must be undertaken in relation to a regulated tree as matter of urgency;*
 - (a) to protect any person or building*
- Any tree removed under Section 54(a) of the Development Act 1993 will be reported to Elected Members via email, prior to its removal.

3.4.2 Trees on private/Non Council property

Responsibility for trees on private property will remain with the property owner. Significant and Regulated trees, as defined by the criteria set out in the Development Act 1993 and Regulations, will be subject to the requirements of this Act. The City of Charles Sturt will encourage the retention, protection, planting and maintenance of trees on private property through education and advice.

3.4.3 Trees Spanning Council and Private Property

Any tree having a trunk of such a size that it spans both Council and private property shall be considered, for the purpose of maintenance, Council property and therefore managed in accordance with the Tree and Streetscape Management Plan.

3.4.4 Trees Encroaching From Private Property

Trees that are overhanging or encroaching on public property and are presenting a risk to public safety will be managed in accordance with the Local Government Act 1999.

3.4.5 Verge Development

Authorisation may be given, under Section 221 of the Local Government Act 1999 to privately develop the verge area adjacent their property. Any such development must meet with the criteria and guidelines as detailed in the Tree and Streetscape Management Plan.

3.4.6 Works Adjacent Trees on Council Property

Where public works (undertaken by contractors, service providers and/or Council Officers) are planned or proposed to be undertaken within the root zone of a tree, a full assessment in relation to the potential impact of the proposed works shall be completed.

Where the proposed works are considered to have a potentially negative impact on the tree, alternative design or work methods are to be employed to minimise or eliminate the potential damage to the tree.

Where a tree has been assessed as being worthy of retention, a site specific Tree Protection Zones (TPZ), in accordance with the requirements of AS 4970 2009, shall be developed, implemented and maintained by the person responsible for the affected work site.

In the case of Tree Protection Zones relating to development applications, resources will be dedicated to ensure that the direction and conditions within the Tree Protection Zones are adhered to and maintained.

3.5 Tree Removal

All applications for tree removal on Council property must be made in writing, clearly stating the reason the tree should be removed and should include any supporting documentation.

The application will be formally assessed by appropriately qualified staff and will take into consideration the health, condition, structural integrity, level of risk and management options for the tree against specific criteria. Where a tree is of good health and condition, all alternative measures should be fully investigated and any legislative requirements fulfilled. Council will not remove the tree unless the person making the request can demonstrate to Council a valid reason for the removal of the tree.

A valid reason will **NOT** include:

- Householder preference for no street tree or for a different species
- Complaints about appearance (unless these are related to very poor tree health or structure)
- Interruption of view
- Interruption of view to advertising/signage (General maintenance pruning shall be undertaken for clear visibility of any legislative and/or traffic management signage. Pruning trees for business signage will be undertaken on a case by case request basis)
- Complaints about leaf litter, twigs or other debris
- Complaints relating to tree roots protruding above the ground or competing with lawns
- Bird or Animal noise and associated mess
- Shading of solar panels

However in reference to the above dot points, Council may determine otherwise - refer 3.8 Consultation/Notification

Where the removal of a tree is approved outside of the criteria for tree removal as documented in this policy, suitable replacement plantings will be programmed, wherever possible, adjacent or as close as possible to the site of the removed tree/s. The cost of the tree removal will be included in a report to Council, and Council may choose to apportion some or all of the costs to the applicant.

The removal of trees on Council property is to be carried out only by Council staff or contractors engaged by Council. Permission will not be given for residents, ratepayers, developers or their contractors to carry out the removal of any vegetation on Council property.

3.5.1 Removal of Unsafe Trees

Trees assessed as being a risk to either public safety or property, including those damaged in storms or emergency situations, and significant or regulated trees are to be removed from roads, streets and public reserves as soon as practicable following identification and replaced in accordance with Councils Tree Management Plan.

Any significant or regulated trees removed as a matter of urgency, must be in accordance with section 3.4.1 of this Policy

In emergency situations Council may clear vegetation that has fallen from private property onto Council property.

3.5.2 Delegated Authority

The exercise of Council's delegated authority to approve the removal of trees on Council property is to be in accordance with the following:

- Trees are to be assessed in accordance with the assessment processes documented in the Tree and Streetscape Management Plan. All assessment processes should be based on sound and current arboricultural principles and employ risk control measures as a first option to tree removal
- Trees that are declining in health, deformed and/or assessed as being structurally unsound or not contributing to the habitat value of an area, forming a notable visual element to the landscape of the local area or providing links to other vegetation which forms a wildlife corridor of trees where all reasonable, remedial treatments and measures have been determined as being ineffective in increasing the trees life expectancy.
- Trees presenting a risk to public safety or Council property and all reasonable, remedial treatments and measures have been determined as being ineffective.
- Council approved projects where;
 1. All remedial treatments and measures have been determined to be ineffective.
 2. Where it is demonstrated that all reasonable, alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.
- Trees showing clear evidence of damage to private property. Where it can be demonstrated by the applicant, with supporting documentation from a suitably qualified professional that the tree is the cause of the damage and there are no appropriate remedial options.

Where a request for tree removal is based on impacts on the health of the applicant, evidence must be provided by a medical specialist, confirming health complications directly attributable to a particular species of tree and the species of tree is uncommon in the vicinity of the applicant's residence and all alternative measures have been considered and are deemed inappropriate.

Council members are to be informed of the use of delegated authority through regular information reports which shall be prepared and submitted to Council, detailing the reason for removal.

Requests for tree removal that have been refused under delegated authority, for which the resident requests further consideration should be the subject of a report to Council.

All reports to Council relating to risk based tree removals will include the risk assessment and risk matrix for Councils information.

3.5.3 Tree Removals for The Purpose of Driveways, Electricity Supply, Services or Access to Property during Development.

Should an established (more than 5 years old) tree be identified for removal to accommodate the development or redevelopment of a property, including the installation of a driveway, services or other property access, consideration must first be given to design and construction methods with the intent of retaining the tree. If, following the consideration of all options, the development cannot be accommodated while retaining the tree, removal may be considered subject to the owner/property developer compensating Council for the following (refer 3.8 Consultation/Notification):

- The value of the trees removed based on the BOOMSMA method of tree evaluation (with the unit value to be reviewed and updated in accordance with CPI increases or decreases on an annual basis)
- Unless, the tree is a juvenile (less than 5 years old) tree, in which cast, the compensation should equal the replacement cost of the tree
- The replacement costs of an appropriate specimen to be planted preferably adjacent to the affected property or as close to the property as possible.
- Any costs incurred in relation to removal process

3.5.4 Dead Trees

Dead trees should not be removed as a matter of course. Consideration should be given to the size, location, historical significance and habitat value. Any dead tree over 6 metres should be assessed by an appropriately qualified Council officer prior to removal being undertaken.

3.5.5 Unauthorised Tree Removal/Tree Damaging Activity/Deliberate poisoning of trees

All unauthorised tree removals, acts of vandalism, deliberate poisoning or any other intentional or unintentional tree damaging activity will be thoroughly investigated and where appropriate, prosecution will ensue in accordance with the relevant legislation. – Should clear evidence be obtained, an assessment will be undertaken and amenity tree evaluation (BOOMSMA method) and costs forwarded to the person responsible for the activity.

3.6 **Stump Removal**

Shall be carried out in accordance with contract conditions and specifications, within 30 days of the tree removal

3.7 **Tree Planting**

Tree planting shall be carried out in accordance with the Tree and Streetscape Management Plan.

Given the history and character of the City of Charles Sturt, both native (indigenous and other native trees) and introduced tree trees (exotic) will be planted subject to the overall streetscape or landscape use of the area.

The selection of tree species for planting and replanting shall also take into account environmental conditions, knowledge of the tree species when mature, proximity to solar panels and visibility of signage as the tree matures.

3.7.1 Whole Street Planting

Council will allocate funding for the Whole Street Planting programme on an annual basis. Street and species selection, consultation and planting will occur in accordance with the Tree and Streetscape Management plan.

Where it has been identified in the Tree and Streetscape Management Plan that formal avenues of trees are to be maintained or created, the option of having no planting outside individual properties will not be provided.

Where a street has a streetscape designed to incorporate trees and other forms of vegetation, the option of having no planting outside individual properties will not be provided.

3.7.2 Reactive Street Tree Planting

Reactive street tree planting will be carried out on a by request basis. Prior to tree planting, the resident/ratepayer must agree to the planting and to watering the tree for a minimum of three years.

Requests for individually/reactively planted street trees will only be accepted from the resident/ratepayer of the requesting property address.

Street and species selection, consultation and planting will occur in accordance with the Tree and Streetscape Management Plan.

3.7.3 Reserve and Open Space Tree Planting

Reserve and open space tree planting will be in accordance with reserve master plans (where they exist) and in accordance with the Tree and Streetscape Management plan.

3.7.4 Unauthorised Tree Planting Consultation

Trees which have been planted by residents/ratepayers and are inappropriate for the location will be assessed for removal and replaced with an appropriate specimen (where appropriate) during the next planting season. If the tree is assessed as requiring removal, the resident/s of the affected property will be consulted and if the tree is of such a size that it can be transplanted, the resident may be given the opportunity transplant the tree onto their own property.

3.7.5 Species Selection

Street, reserve and streetscape trees will be selected in accordance with the Tree and Streetscape Management Plan and, where appropriate individual reserve master plans.

3.8 Consultation and Notification

Community feedback and comment will be invited, in accordance with the Public Consultation Policy and the Public Consultation Implementation Procedure in the following circumstances:

- ***Where a request has been made to Committee /Council to consider removal of a tree which is deemed to be structurally sound and healthy and worthy of retention but where Committee / Council believe there may be a good reason for removal other than the health of the tree and where the tree is a Significant, Regulated or non-regulated large tree in a streetscape or reserve.***

- Where a Significant, Regulated or non-regulated large tree is to be removed in keeping with the criteria in 3.5.2.

All other processes or activities requiring community consultation, such as Whole Street Planting, will be in accordance with the Public Consultation Policy and the Public Consultation Implementation Procedure.

3.8 Planning and Development

3.8.1 New Developments

All tree species nominated for planting on streetscape plans and streetscape designs associated with new developments for Council owned property, will be approved by an appropriately qualified Council officer in consultation with the appropriate design and maintenance officers.

3.8.2 Tree Pruning and Maintenance

Tree pruning, including formative pruning and maintenance of small trees, shall be carried out on a predominantly cyclical basis, in accordance with the Tree and Streetscape Management plan. Reactive works will be limited to those works which present a risk to public safety, public or private property or may cause hardship due to disability or illness.

3.9 South Australian Power Networks (SAPN) Vegetation Clearance

Power supply line clearance is vital to the ongoing and safe supply of electricity to residents and businesses within the City of Charles Sturt. The City of Charles Sturt will continue to work with SAPN to ensure the best possible outcome is achieved and management of trees underneath powerlines is carried out by a competent, qualified Arborist in accordance with Australian Standard 4373 – 2007 Pruning of Amenity Trees and the relevant legislation.

3.10 Support for Community Based Greening Groups and Projects

Council will provide support and encouragement for community based greening groups involved in the planting of trees and other vegetation on public land within the City of Charles Sturt. Assistance may occur through the supply of propagating materials, supervised use of Council's Nursery (subject to the Manager Field Services authorisation), transportation of plants and equipment, supply of hand tools, provision of staff technical advice and similar in-kind actions.

Additionally, a community awareness and education programme which emphasises the benefits to the community of planting and maintaining trees and other vegetation shall be implemented and maintained.