



CITY OF VINCENT

STREET TREES

POLICY NO. 2.1.2

(Adopted at the Ordinary Meeting of Council held on 22 May 2007)

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STREET TREES

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STREET TREES

OBJECTIVES

To provide guidance for the care, control and management of trees in road reserves and public places.

POLICY STATEMENT

1. Planning for Street Trees

The City:

- (i) Recognises the significance of street trees within the urban setting in terms of creating functional and aesthetic streetscapes and has the responsibility for the planning, establishment, care, control and maintenance of all street trees in the City; and
- (ii) Will plan for the retention of suitable trees within proposed road reservations and for urban enhancement by the planting of selected suitable street trees.

2. Street Tree Planting

The City is responsible for the planting of all street trees.

3. Street Tree Pruning under Powerlines

The City is responsible for the pruning of all street trees [under powerlines](#).

4. Street Tree Pruning where Unaffected by Powerlines

The City:

- (i) Will investigate requests for pruning street trees not under power lines and respond in accordance with adopted procedures; and
- (ii) Is committed to a pruning strategy to include crown thinning, under pruning, property line pruning (upon request) and remedial pruning.

5. Unauthorised Street Tree Planting

Street trees planted without the City's approval are considered unauthorised plantings, but may be retained at the approval of the Director [Technical Services Engineering](#) and subject to conditions being complied with.

6. Street Tree Removal

- (i) The City recognises the significant contribution made by street trees to both the aesthetic and environment aspects of existing streetscapes within the City. It also recognises that in some cases, tree retention may not be desirable, feasible or reasonable, owing to the condition, and possible location or species of the tree.
- (ii) The City wishes to avoid the unnecessary removal of street trees. Circumstances where retention is considered undesirable or unreasonable, include the following:
 - (a) the tree is diseased and beyond remedial treatment, or dead;
 - (b) the tree has been assessed by the City as structurally weak and/or dangerous, placing the public at risk or jeopardising safety;
 - (c) the tree has been irreparably damaged (e.g. by a storm, vehicle accident);
 - (d) the tree is hazardous to motorists/pedestrians owing to interference in suitable sightlines presented by the trees alignment or spacing;
 - (e) the tree is affected by road widening, service modification/relocation or other infrastructure works and all other options to retain the tree have been deemed by the City to be inappropriate;
 - (f) the tree is dangerously in contact with overhead power lines or distributor wires to properties and where, for reasons of growth habit pertaining to the variety, selective pruning is not practical with the only option being severe lopping;
 - (g) the tree precludes reasonable development of an adjoining property and all possible developments options have been explored by the developer and there is no reasonable alternative to removal; or
 - (h) the tree is not an approved variety and is unacceptable to the City.
- (iii) Owing to the hazardous nature of the task, residents/occupants will not be permitted to remove street trees themselves. Where removal is approved by the City, a replacement of an approved species and size will be planted by the City at the applicant's full expense.

7. **Unauthorised Interference, Removal, Pruning or Damage to Street Trees**

The City will pursue legal action (issue of an Infringement Notice/Modified Penalty or prosecution), where there is sufficient evidence to so, against any person who wilfully interferes, removes, prunes or damages a street tree, without the prior approval of the City.

8. **Street Tree Watering**

The City is responsible for the post planting care and maintenance of all street trees, however, wherever possible residents/occupants will be encouraged to assist with street tree watering.

9. **Street Tree Attachments**

An owner or occupier of land which abuts a verge may on a street tree located on the verge directly in front of his/her land, install a permissible street tree attachment subject to approval and in accordance with the Street Tree attachment guidelines.

- (i) Permissible street tree attachments are as follows:
 - (a) Swings
 - (b) Rope ladders
 - (c) Platforms
 - (d) Christmas decorations/lights
- (ii) Street tree attachments cannot be permanently fixed to street trees and sharp objects or other obvious hazards will not be permitted.
- (iii) Any street tree attachment must not obstruct a clear line of sight for a person(s) using the abutting thoroughfare in the vicinity of an intersection.
- (iv) Where there is no footpath, clear access of a minimum width of 2 metres immediately adjacent the kerb must be provided.
- (v) If a street tree attachment is considered to pose a safety hazard or does not meet the guidelines, the City will request the adjacent owner/occupier to undertake works to meet the requirements or remove the attachment.
- (vi) Street tree attachments installed prior to the adoption of this policy do not need to seek retrospective approval, however will need to meet the ongoing requirements of this policy.

Date Adopted:	22 May 2007 (replaces previous Trees Policy adopted on 26 May and 9 June 1997 and Policy 2.1.3 – Existing Street Verge Trees adjacent to Property Developments adopted on 26 May 1999)
Date Amended:	18 January, 6 December 1999
Date Reviewed:	22 May 2007
Date of Next Review:	May 2012

**GUIDELINES AND POLICY PROCEDURES
RELATING TO STREET TREES
POLICY NO. 2.1.2**

1. Planning for Street Trees

- (i) The City shall give consideration to the use or retention of street trees as part of any streetscape in its planning process.
- (ii) Naturally occurring trees, where appropriate, shall be retained within the streetscape.
- (iii) Selection of new tree species will be undertaken using the City's street tree selection tool ~~varieties shall be in accordance with landscape codes applicable to various arboreal zones of the City~~ and to suite the character of particular localities.
- ~~(iv) Detailed guidelines pertaining to streetscape planning and design, as outlined under in the Street Tree Management Plan 2007 shall apply.~~

2. Street Tree Planting

- (i) The City shall undertake tree planting on streets, as part of its annual street tree management replacement program. Requests from residents/occupants will also be considered.
- (ii) The following serve only as guidelines for all street tree plantings. Variations under exceptional circumstances shall be at the discretion of the Director Technical Services Engineering:
 - (a) plant at least three (3) metres away from any public utility junction box, manhole, pole or aerial feeder line;
 - (b) trees to be planted at a distance of 2.8 to 3 metres from the private property line or at such alignment as approved under the Utility Provider's Code of Practice;
 - (c) street trees to be planted at no less than 6 metre centres. (Spacings to be dependent upon species type and specific locations);
 - (d) plantings near road intersections and crossovers will be subject to pedestrian and motorist safety assessment by the City; or
 - (e) street tree selection - mixing of street tree species in one street may be appropriate dependent upon the outcome of community consultation where an entire street is to be replanted.

3. Street Tree Pruning under Powerlines

- (i) The City (or its contractor) shall undertake the pruning of all street trees affected by powerlines on a programmed basis.

- (ii) Programmed street tree pruning shall include trees on the side of the street affected by overhead powerlines as well as trees affected by electrical feeder lines to individual properties on the opposite side of the street.
- (iii) Programmed pruning shall not normally include trees on the opposite side of the street to powerlines.
- (iv) Programmed pruning is to be planned each year, on a needs basis in consultation with the Director of Energy Safety (referred to in section 5 of the Energy Co-ordination Act 1994), and in accordance with pre-determined arboreal/geographical sectors of the City.
- (v) Programmed street tree pruning shall address at least one of the following requirements to:
 - (a) clear the canopy from interference with overhead powerlines and other essential services;
 - (b) remove overhanging branches considered hazardous to traffic, buildings or structures;
 - (c) underprune low growing branches considered hazardous to traffic or pedestrians;
 - (d) form the shape of developing trees;
 - (e) re-define the frame work of mature trees;
 - (f) rejuvenate vigour into unthrifty growth;
 - (g) reduce crown density or to redistribute growth to lateral branches; or
 - (h) remove dead, dying, diseased or pest infested limbs and branches.
- (vi) Residents/occupants may seek to have a street tree under powerlines pruned in advance or out of the programmed schedule and requests for the City's approval must be submitted in writing to the Director [Technical Services Engineering](#) or nominee.

4. Street Tree Pruning where Unaffected by Powerlines

- (i) Under its programmed pruning schedule, the City shall crown thin, under prune, property line prune (upon request) and remedial prune selected street trees unaffected by power lines, this pruning will be undertaken in the interests of:
 - (a) public safety;
 - (b) reducing structural risk to the tree; or

- (c) removing growth abnormality or disease, from the tree.
- (ii) Requests from residents for the pruning of street trees not located under powerlines to reduce their height (therefore reducing leaf/fruit drop or improving light penetration), shall be made in writing. Such requests will be considered on their merits by the City's Parks Services. Where, in the opinion of the Director ~~Technical Services~~ Engineering or nominee, the pruning is considered significant or beyond what is "*normal tree maintenance*" a recommendation will be made to the Council, based on the following criteria:
 - (a) species of tree;
 - (b) location;
 - (c) reasons highlighted by Resident;
 - (d) health and condition of tree;
 - (e) value of tree in overall streetscape; and
 - (f) potential for significant nuisance or damage to property.
- (iii) Where residents/occupants contact the City with a request to prune a tree unaffected by power lines, the following procedures is implemented:
 - (a) the tree is physically inspected by a Parks Services Technical Officer / Arborist. ~~An inspection report is completed, containing relevant statistical details;~~
 - (b) the resident/occupier will be advised of the City's decision concerning their request; and
 - (c) in the event of a specific issue relating to pruning of significant trees, unaffected by power lines not being adequately covered by this policy/procedure, the matter is referred to Council for consideration and determination.
- (iv) Street trees shall not be pruned to reduce shading of private property, improve visibility for advertising signs or in order to provide or restore views from private property.
- (v) Chipping and recycling of tree prunings is the preferred method of disposal.

5. **Unauthorised or Inappropriate Street Tree Planting**

- (i) An unauthorised street tree planting shall constitute any one of the following:
 - (a) a tree planted without written approval of the City;

- (b) a tree planted of an inappropriate species for verge planting or under powerlines; or
 - (c) a tree planted out of alignment in relation to the City’s street tree planting specifications.
- (ii) Where an unauthorised street tree planting is identified, the City shall determine whether the planting can be retained and whether it conforms to the City’s planting specifications and to species choice.
 - (iii) Where the planting is of a recent origin and the tree is of a conforming variety but on the wrong alignment or spacing, the City shall appropriately relocate the tree after the resident/occupant has been notified as long as the species lends itself to transplanting.
 - (iv) Where the planting is of a recent origin and the tree is non-conforming in species and planting specifications, the resident/occupant shall be given the option of relocating the tree on private property prior to the City considering its removal and replacement.
 - (v) Where the planting is more established, and the variety considered not appropriate to transplanting, associated policy relating to Street Tree Pruning and/or Street Tree Removal shall apply.

6. Street Tree Removal

(i) Requests

A person shall not remove/prune any street verge tree. Any unauthorised person who removes/prunes/damages a street verge tree commits an offence.

- (a) street tree removals shall generally be on a “*remove and replace*” basis;
- (b) adjoining residents will be advised prior to removal, outlining reasons for such removal(s);
- (c) requests from residents for the removal of street trees shall be in writing and will be considered on their merits by Parks Services based on the following criteria:
 - safety, health and condition of the trees;
 - reasons highlighted by the residents;
 - value of tree in streetscape/landscape;
 - potential for significant nuisance or damage to property; and
 - history of requests and associated actions in the street;

- (d) the Director ~~Technical Services~~ Engineering or nominee shall deal with street tree removal requests based on the above criteria; or
 - (e) where an entire street tree replacement program is implemented, staged removal of existing trees shall be the preferred option.
- (ii) Circumstances where trees may normally be removed

The City will normally undertake the removal of street trees under the following circumstances:

- (a) the tree is diseased and beyond remedial treatment, or dead;
 - (b) the tree has been assessed by the City as structurally weak and/or dangerous, placing the public at risk or jeopardising safety;
 - (c) the tree has been irreparably damaged (e.g. by a storm, vehicle accident);
 - (d) the tree is hazardous to motorists/pedestrians owing to interference in suitable sightlines presented by the trees alignment or spacing;
 - (e) the tree is affected by road widening, service modification/relocation or other infrastructure works and all other options to retain the tree have been deemed by the City to be inappropriate;
 - (f) the tree is dangerously in contact with overhead power lines or distributor wires to properties and where, for reasons of growth habit pertaining to the variety, selective pruning is not practical with the only option being severe lopping;
 - (g) the tree precludes reasonable development of an adjoining property and there is no reasonable alternative to removal; or
 - (h) the tree is not an approved variety and is unacceptable to the City.
- (iii) Circumstances Where Street Trees will NOT Normally be Removed

The following are not considered sufficient reasons for the removal of street trees:

- (a) the tree obscures or potentially obscures views (other than traffic/pedestrian sight lines);
- (b) the tree variety is disliked;

- (c) the tree variety causes nuisance by way of leaf, fruit and/or bark shedding or the like;
 - (d) the tree causes allergy and/or health problems;
 - (e) the tree is in the way of a non-essential crossover or verge paving option;
 - (f) the tree shades private gardens.
- (iv) Existing Street Trees Adjacent to a Development
- (a) prior to a development being determined, an inspection of the site shall be carried out by the responsible Officer of the Planning, Building and Heritage Services Section. Where a new or altered crossover or driveway is proposed such that it will require the removal of a street tree or be located within 1.0 metre of an existing street tree, the Director [Technical Services Engineering](#) or nominee shall also assess the tree to determine whether a street verge tree is likely to be adversely affected as a result of the proposed development or whether the street tree can be removed;
 - (b) if the street tree removal is not approved, the responsible Planning, Building and Heritage Services Officer shall advise the applicant, in writing, that retention of the street tree is required and that the development access be redesigned. If removal of the street tree is approved, the officer shall advise the applicant that the street tree will be removed by the City at the applicant's expense and a replacement tree may be required to be planted by the City, at the applicant's expense;
 - (c) in a situation where the street tree must be retained and the applicant is not willing to alter the development plans relating to crossover and/or driveway location, the planning application will either be **refused** or if feasible, approved with a condition requiring the crossover and/or driveway to be relocated away from the street tree;
 - (d) crossovers shall be located a minimum of 1.0 metre from a street tree. Reduction to 0.5 metre may be considered, depending on availability of alternatives, tree species and location, sight lines and traffic safety;
 - (e) where approval is given to remove a street verge tree, the removal costs as determined by the Director [Technical Services Engineering](#) or nominee shall be paid in advance by the applicant prior to the City carrying out the removal work;
 - (f) where approval for the removal of an existing street verge tree has been granted, a suitable replacement tree as determined by the Director ~~Technical Services~~ [Engineering](#) or nominee

shall be planted by the City at the applicant's expense. Such payment must be received prior to the works being carried out;

- (g) Should an existing street verge tree be damaged as a result of development works, the applicant/builder shall reimburse the City for any arboricultural works required to ensure its survival. The extent/cost of this work shall be determined by the Director [Technical Services Engineering](#) or nominee; or
- (h) Where an existing street verge tree is pruned/removed without authorisation, legal action may be taken at the discretion of the Chief Executive Officer.

7. Street Tree Watering

- (i) The City shall undertake the watering of all new street trees, as and when required, until the trees are established.
- (ii) Street tree watering shall include all of the City's programmed plantings as well as those planted on request from residents/occupants.
- (iii) Residents/occupants shall be encouraged to water the adjacent street tree during the establishment period. A written request to this effect shall be lodged with the resident soon after the tree is planted.
- (iv) The City shall adopt appropriate practices of post planting care to ensure the survival of all trees planted.

8. Unauthorised Interference, Removal, Pruning or Damage to Street Trees

In cases where there is reasonable proof of unauthorised interference, removal, pruning or damage to a street tree, legal action (court action and/or issue of a modified penalty) may be taken at the discretion of the Chief Executive Officer.

9. Street Tree Attachment

The City has developed the following guidelines to support its residents in maximising the use of the verge by permitting safe, useful recreational attachments to street trees.

- (i) Approval process

The owner/occupier should contact the City's Parks team on 9273 6000 or mail@vincent.com.au to discuss what and how they are proposing to attach items to their street tree.

The City may request that a site meeting be arranged to look at the tree and provide advice on how the owner/occupier can meet the Street Tree attachments guidelines.

The City will provide written approval to proceed with the Street Tree attachments or if the tree/location is not suitable, an explanation in regard to why the application was refused.

(ii) Street Tree Attachment Guidelines

Street tree attachments are not to be installed within 0.5 metres of a footpath or driveway and at all times provide clear access to other infrastructure/services located on the verge.

All materials to be used as part of the installation are to be in good condition. (i.e. No sharp edges or frayed ropes will be acceptable).

All ropes or attachments around tree branches are to be sleeved to prevent strangulation and eventual decline in the trees health and vigour.

Swings or rope ladders are only permitted on branches of a minimum of 10cm in diameter.

Platforms are not permitted in street trees located under power lines. Solar or low voltage lights/decorations are permitted, however must be installed so that annual pruning requirements are able to be undertaken where required.

(iii) Responsibilities of Owner/Occupiers

Ensure that an approval has been provided by the City prior to the installation of attachments.

Ensure that the Street Tree attachments meet and continue to meet the Street Tree attachment guidelines

Ensure that the tree remains healthy and attachments are well maintained.

Ensure any tools and materials are removed from the site after the works are completed

(iv) Considerations

This activity is considered to be a private or recreational pursuit, therefore the City is not responsible for personal injury caused by a member of the public to themselves or a third party.

It is recommended that residents discuss the proposal with neighbours to identify any potential issues that may arise as a result of installing the Street Tree attachments.

The City will not be held responsible for any damage that occurs to Street Tree attachments as a result of annual tree maintenance requirements. (i.e. Pruning)

The City reserves the right to remove a street tree attachment at any time.