

# STREET TREE POLICY

<b>Legislation / local law requirements</b>	<i>Local Government Act 1995, section 9.48</i> <i>Local Administration Act 1997, section 55</i> <i>Main Roads Act 1930, sections 24 and 27A</i> <i>Public Works Act 1902, Part V</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i> City of Vincent Local Government Property Local Law 2021, Part 9
<b>Relevant delegations</b>	2.2.9 Control Reserves and Certain Unvested Facilities 3.1.5 Local Government Property Local Law 2021
<b>Related policies, procedures and supporting documentation</b>	Verge Treatments, Plantings and Beautification Street Tree Policy – Guidelines and Procedures (to be developed)

## PRELIMINARY

### INTRODUCTION

Trees in urban environments provide many social, environmental and economic benefits. Key among these is increased habitat, biodiversity, and canopy coverage. Trees contribute to the amenity and walkability of local neighbourhoods through the provision of shade and the mitigation of 'urban heat island effect' which contributes to enhanced community well-being and property values.

The City 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.

### PURPOSE

The purpose of this policy is to ensure the effective management and protection of all street trees within the City of Vincent.

### OBJECTIVE

To provide guidance for the planting and management of street trees to maximise canopy coverage within thoroughfares.

### SCOPE

This policy sets out the process and conditions by which street trees are managed within the City and applies to all trees located in thoroughfares within the City of Vincent.

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## POLICY PROVISIONS

### POLICY

#### 1. Street Tree Planting

- (i) The City is responsible for the planting of all street trees which will be undertaken through its annual planting program during the winter months.
- (ii) Suitable planting locations for new and/or additional trees will be determined by the City.
- (iii) Tree planting to provide continuity of canopy coverage will take precedence over adjoining property owners' objection to street trees being located on the road verge.
- (iv) Adjacent land owners will be informed of the City's intention to plant street trees at least two weeks prior to planting.
- (v) Tree species selection will be determined by the City taking into account the following –
  - Provision of canopy coverage – larger growing species will be preferred due to their increased contribution to canopy coverage;
  - Preference of Australian native species to achieve an annual target of 75% new planting across City owned or managed land being native tree species;
  - Streetscape species diversity, in line with existing streetscape maintenance requirements, to improve the resilience of our urban forest against current and future threats, including climate change, and pest and diseases; and
  - Other factors such as life expectancy, drought tolerance, disease and pest resistance and maintenance needs.
- (vi) The City will undertake scheduled watering to ensure the establishment of new tree plantings. Ongoing watering will be undertaken where feasible, subject to weather conditions.

#### 2. Unauthorised or Unsuitable Street Tree Planting

- (i) The City is responsible for the planting of all street trees. Any other planting without authorisation by the City is not permitted.
- (ii) A street tree planted without the City's approval may be retained at the discretion of the City providing it is a suitable variety for the specific location.
- (iii) Owing to the varying growth habit of tree species, certain trees or species may be deemed by the City to be unsuitable in particular locations (e.g. due to unpredicted growth characteristics, risk of disease / pest infestation, limb stability, etc). In such instances, a qualified Arborist will be engaged to provide a report and recommendations on the tree which will be carried out in accordance with the policy.

#### 3. Street Tree Pruning

- (i) The City is responsible for the pruning of all street trees.

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- (ii) The City, or its nominated contractor, shall undertake the pruning of street trees on a scheduled basis, where required, to address at least one of the following requirements –
- Clear the canopy from interference with overhead powerlines and other essential services;
  - Remove overhanging branches considered hazardous to traffic, buildings or structures;
  - Under prune low growing branches considered hazardous to pedestrians, cyclists or motorists;
  - Remedial prune to form the shape of trees, encourage new growth or remove dead, dying or diseased limbs and branches; or
  - Property line prune (upon adjoining property resident request) to remove any canopy overhanging into private property.

## 4. Street Tree Removal

- (i) The City recognises that in some cases, street tree retention may not be feasible, owing to the condition, and possible location or species of the tree.
- (ii) All requests for street tree removal will be assessed by the City in accordance with this policy.
- (iii) The removal of a street tree may be considered where the tree is –
- Diseased or dying beyond remedial treatment, or completely dead;
  - Determined by the City to be structurally weak or irreparably damaged (e.g. by a storm or vehicle accident);
  - Hazardous to pedestrians, cyclists or motorists owing to interference with sightlines presented by the tree's alignment or spacing;
  - 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 unsuitable;
  - Adjacent to an approved development crossover and all other options to retain the tree have been deemed by the City to be unsuitable;
  - Not an approved variety and is unacceptable to the City; or
  - Causing damage to surrounding infrastructure and all options to repair the damage and retain the tree have been deemed unsuitable by the City. In such cases, a qualified Arborist will be engaged to undertake an assessment of the tree and provide recommendations.
- (iv) Owing to the hazardous nature of the task, tree removal shall only be carried out by the City or suitably qualified arborist approved by the City.

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- (v) Where a tree is removed, the City will plant a replacement tree of a suitable species as practicably close to the location of the removed tree as part of its annual tree planting program.
- (vi) Where a tree is approved for removal for a subdivision or development, a replacement tree is to be planted by the applicant at their full expense, with the tree species, size and location being determined by the City.

## 5. Street Tree Protection

- (i) Any person undertaking works on the verge or works that are likely to impact the verge shall take all necessary precautions to ensure a street tree is not damaged during the course of the works.
- (ii) The following measures are to be carried out to provide protection to any affected street tree for the duration of the works –
  - A street tree is not to be pruned, or damaged as a result of the works.
  - Provision of free standing mesh fencing to provide protection to the street tree with due consideration of the tree protection zone requirements. This should be a minimum two metres from the base of the street tree unless otherwise approved by the City. The structure must be appropriately braced and regularly checked to ensure it is not creating any hazards and no building materials are to be placed or stored within this area.
  - No excavation works are to be carried out underneath the drip line canopy of a street tree unless approved by the City;
  - The use of appropriately sized machinery to ensure that contact with the canopy of the street tree does not occur;
  - Supplementary watering is to be provided, where required, to ensure the street tree remains in good health.
- (iii) If the protection detailed in clause 5(ii) is unfeasible, the City may request, at the applicants full expense, a report from a suitably qualified Arborist approved by the City to guide management of the tree during the development.

## 6. Unauthorised Interference, Removal, Pruning or Damage to a Street Tree

- (i) In accordance with the *City of Vincent Local Government Property Local Law 2021* (Part 9), it is an offence to unlawfully damage a street tree.
- (ii) Where a person unlawfully damages a street tree by way of unauthorised pruning, removal, interference or damage, the City may by Notice require that person to pay the cost of repairing the damage or replacing the street tree within a specified timeframe.

## 7. Street Tree Attachments

- (i) An owner or occupier may on a street tree located on the verge immediately adjacent to their property, install a permissible street tree attachment in accordance with the policy.
- (ii) A permissible street tree attachment may comprise the following–

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- A swing;
  - A rope ladder;
  - A platform / structure (e.g. tree house); and
  - Decoration and lighting.
- (iii) A street tree attachment other than a permissible street tree attachment specified in clause 7(ii) may be considered permissible at the discretion of the City in accordance with this Policy.
- (iv) A street tree attachment –
- must not be permanently fixed to a street tree and must not incorporate sharp objects, protrusions or other elements which, in the City’s opinion would present a hazard to people or property;
  - must not, in the City’s opinion, obstruct or interfere with a clear line of sight for pedestrians, cyclists or motorists; and
  - must not, in the City’s opinion, adversely affect the health or structural integrity of the street tree to which they are attached.
- (v) Where a street tree attachment is determined to not meet the requirements of this Policy, the adjacent owner/occupier must remove and/or modify all or part of the street tree attachment to comply with the requirements to the satisfaction of the City.

OFFICE USE ONLY	
Responsible Officer	Please use title only
Initial Council Adoption	DD/MM/YYYY
Previous Title	Applicable if the policy has been renamed
Reviewed / Amended	DD/MM/YYYY
Next Review Date	MM/YYYY