

Tree Policy

Policy Type: Council Policy

Policy Owner: Manager Natural Areas and Parks

Policy No. CP- 029

**Last Review Date: ~~21 November 2017~~
November 2019**

Policy Objectives

To provide guidance and direction in the management of all the City's trees.

Policy Scope

This policy sets out the process and conditions by which trees ~~are pruned, removed and planted~~are managed within the City. This policy applies to all trees located on land vested in the City of Melville and all trees managed by the City of Melville (public open space), in line with the Urban Forest and Green Spaces Policy.

Definitions / Abbreviations Used In Policy

~~No definitions or abbreviations used in Policy.~~

Policy Statement

1. General:

All trees are assets of the City that contribute to the well-being of the community and to the natural environment. The City recognises and values the significance of trees within the urban setting for the many social, economic and environmental benefits they provide. The City is committed to protecting, maintaining and increasing its tree population, ~~whilst meeting its obligation to provide a safe environment for the community.~~

The City is responsible for ~~planting, establishing, maintaining~~managing and removing all trees within the streetscape or park/reserve on City-managed land. The City will actively protect existing trees, promote the planting of trees and ~~has reserves~~ the right to plant street trees on ~~Council verges adjacent~~City managed land, inclusive of verges adjacent to properties. ~~t to properties where no street trees currently exist.~~

2. Tree Planting:

~~The City is responsible for planting all trees within the streetscape or park/reserve. In keeping with good horticultural practices the City undertakes a seasonal tree planting program, ordering up to 12 months in advance to ensure good stock availability. The City is responsible for planting all trees within the streetscape or park/reserve. In keeping with good horticultural practices the City undertakes a seasonal tree planting program, ordering up to 12 months in advance to ensure good stock availability.~~

When planting a tree the City will:

- Assign the species in consideration of
 - Mature size and form;
 - Suitability to the site;
 - Range of tolerances; and
 - Contribution to species diversity.
- Determine the location through consideration of
 - Any existing street tree alignment;
 - Potential impact on road and pedestrian safety;
 - The presence of below ground and/or adjacent services and infrastructure.
- Provide post-planting care, watering and maintenance until the tree is established, as determined by the City.
- ~~nominate the species.~~
- ~~consider the mature species size and shape suitability for the site.~~
- ~~plant a pot size suitable for the site. Where practicable plant tree species endemic to the area when planting adjacent to natural areas.~~
- ~~choose a location that considers the~~
 - ~~— safety for both pedestrian and vehicles, including restriction to sight lines or impact on road safety;~~
 - ~~— impact on utilities or underground services.~~
 - ~~— impact on adjacent infrastructure.~~
- ~~provide post installation care including watering and maintenance until established as determined by the City.~~
- ~~for street trees the City will position the tree in line with any existing street tree alignment and centrally between property boundaries where practicable.~~

2.1 Unauthorised Tree Planting

If appropriate residents may be able to plant a tree on their adjacent verge if written approval is received from the City prior to any works or ordering being undertaken.

If approval is given to a resident to plant on City land it is on the understanding that:

- The City shall approve the species and location;
- The tree shall be planted in alignment with the requirements provided by the City;
- Any tree planted shall become a City asset and managed accordingly.

~~When an unauthorised planting is identified the City shall determine whether the planting will be retained or removed. Unauthorised tree planting shall be defined as a tree planted within the streetscape or park/reserve without the City's approval~~

2.2 Unauthorised Tree Planting

Unauthorised tree planting shall be defined as a tree planted within City managed land without the City's approval.

The decision to retain or remove an unauthorised tree will be entirely at the discretion of the City

3. Tree Pruning, Maintenance and/or Removal:

The City is responsible for the management of all trees on land managed by the City. All work shall be undertaken by City staff or the City's Contractor, in accordance with Australian Standard 4373 Pruning of Amenity Trees or as specified by the City.

~~The City is responsible for all pruning, maintenance and removal works on all street and park/reserve trees, this includes trees adjacent to developments. All work shall be undertaken by City staff or the City's Contractor; unauthorised work shall be considered vandalism by the City and may result in prosecution.~~

Pruning is undertaken by the City, as deemed necessary to:

- ~~• to clear the canopy or branches from interference with overhead services and/or poles;~~
- ~~• remove overhanging branches considered hazardous to traffic, pedestrian, buildings or structures;~~
- ~~• remove low branches considered hazardous to pedestrians or traffic, or impeding statutory signage;~~
- ~~• remove dead, dying, pest infested or diseased branches or abnormal growth;~~
- ~~• define form, structure or framework of the tree, conducting preventative maintenance; and~~
- ~~• be in accordance with AS 4373 Pruning of Amenity Trees, or as specified by the City.~~

At the City's discretion a tree will be considered for removal in the following circumstances:

- ~~• the tree is an unauthorised planting;~~
- ~~• the tree is dead or in decline;~~
- ~~• the tree is irreparably damaged or structurally unsound;~~
- ~~• the tree has been or will be affected by infrastructure works and cannot be retained;~~
- ~~• the tree has been deemed to be a hazard to persons or property, as assessed by the City;~~



the tree is deemed, by the City, to be inappropriate for that location;

- if the street tree impedes development on the adjacent lot and all possible design options have been exhausted by the City; and
- the Mayor and the Ward Councillors, with agreement from the Director Technical Services, agree that the tree is inappropriate.

The City shall investigate and respond to all requests for pruning and/or removal of a tree. However the following do not provide sufficient or justifiable reasons:

- the tree is disliked
- the tree is considered to be the wrong species, shape or size
- the tree is perceived to cause health problems
- the tree is perceived as a safety concern
- the tree attracts unwanted fauna
- the tree causes nuisance by producing natural debris like leaf fall, bark, nuts, flower, or fruit etc.
- the tree obstructs, partially or fully, views (other than vehicular./pedestrian sightlines)
- the tree shades other features like gardens, lawns, vegetable patches, solar panels, solar hot water systems, satellite dishes etc.
- the tree restricts access, or is an inconvenience, during development or works.

Where a tree is required to be removed, by the City, a replacement tree will be planted in the next planting season.

3.1 Requests for Tree Maintenance

The City will respond to all requests for tree maintenance and removal however the following do not provide justification for tree removal or pruning:

- The tree is disliked.
- The tree partially or wholly obstructs views.
- The tree is perceived to present a risk of harm.
- The tree is perceived to aggravate health concerns.
- The tree produces leaf litter, flowers, fruit and bark.
- The tree attracts unwelcome fauna and associated issues.
- The tree is perceived to be inappropriate for the site.
- The tree overshadows private gardens or infrastructure.
- The tree occupies the site of a proposed crossover where an alternative location exists (refer Trees and Development below).

3.2 Tree Pruning

The City will consider pruning to:

- Ensure unrestricted access to pedestrian and vehicular traffic on footpaths, roads and crossovers.
- Ensure that 'lines of sight' are kept clear of vegetation, as determined by the City and in consultation with AusRoads Design Guidelines.
- Manage the amenity, form or health of the tree.
- Mitigate contact between trees and built infrastructure.
- Reduce the potential of harm to persons or property, as determined by the City.

3.3 Tree Removal

Each tree removed by the City will be replaced by a minimum of one tree the subsequent planting season. A tree will only be considered for removal, at the City's discretion, when it is:

- Inappropriate for the site; or
- An unauthorised planting; or
- Dead or in irreversible decline; or
- Significantly damaged and beyond remediation; or
- Will be significantly or unavoidably damaged by development with retention not a viable option; or
- Demonstrably structurally unsound and presents an unacceptable potential of harm to person or property, as determined by the City; or
- Not in keeping with the overall streetscape aesthetics as determined by the City; or
- When agreed by the Mayor, relevant Ward Councillors and Director of Technical services in writing.

4. Tree Structures/ Ornaments:

In the interest of tree health and public liability, no signage, structural or hanging apparatus shall be secured to any tree managed by the City. The City reserves the right to remove such structures and apparatus, or request their removal by the adjoining property owner.

Damage to any tree managed by the City shall be considered vandalism by the City and may result in prosecution. The City reserves the right to seek compensation for all works associated with the removal of such items and remediation of any damage to the tree, up to and including removal and replanting.

~~No structural or hanging apparatus shall be attached /secured to any City tree. The City will request the property owner to remove these or they will be removed by the City, seeking compensation for works carried out as required.~~

5. Vandalism

The City encourages the reporting of vandalism towards the City's trees, all reports will be investigated and responded to appropriately.

If an individual is proven to have vandalised a City tree in any way the City of Melville Activities in Thoroughfares, Public Places and Trading Local Law 2014 Part 9 – enforcement will be applied.

65. Trees and Developments:

6.1 Tree Protection for Building and Development

All trees on the verge adjoining a development site shall be protected in accordance with Australian Standard 4970 - *Protection of trees on development sites*. It is the responsibility of the applicant to ensure that all contractors/site managers are aware of this requirement.

If a City managed tree is not protected in accordance with the Australian Standard 4970 - *Protection of trees on development sites*, development advice notes and/or approval conditions the applicant and or the owner may be liable for associated costs to repair or replace any City managed tree damaged as a result of the development process/works.

Where the tree is able to be retained the City will seek to recover costs including all pruning and remedial works required.

Where the tree is unable to be retained the City will seek to recover the costs of: these costs will include:

- Removal of the tree including stump grinding.
- Two replacement trees with establishment for three years.
- Fair value assessment as determined by the City of Melville Tree Evaluation Method.

Enforcement action will also be pursued through the City of Melville Activities in Thoroughfares, Public Places and Trading Local Law 2014 Part 9 where an offence has occurred.

~~All developments where City trees are present will be formally assessed by the City prior to the commencement of any works and will include a suitable advice note and/or condition in any approval. The City will determine the fair value of the tree as part of this assessment.~~

~~The Developer and/or Owner are responsible for assessing site conditions during the design phase of development and all trees shall be noted on all plans and documentation.~~

~~In the event a tree is authorised for removal as part of a development application, (including planning, building, demolition and crossover application), the following will occur:~~

- ~~• The City will require the Owner or Developer to pay for all costs associated to these works, prior to any work commencing.~~
- ~~• The Contractor/Owner will request the City to arrange for the removal, at the contractor/owners cost.~~
- ~~• The City will also require the applicant to fund the full cost of two replacement trees and maintenance of those two trees for the first two years.~~



- ~~Replacement trees shall be of a species selected by the City, and shall be planted by the City the following planting season.~~
- ~~A minimum of one street tree shall be planted on the verge adjacent to the development. Where a second tree is required it shall be planted at the same location. If there is insufficient space, the second tree will be placed elsewhere at the City's discretion.~~

~~During all development works, including demolition, and construction, the developer/owner is responsible for the protection of all trees on City managed land. All street trees that are not approved to be removed, shall be retained and protected at the contractor/owners cost. Protection includes;~~

- ~~The installation of a Tree Protection zone (TPZ) to cover a minimum area of 2 meter Diameter from the edge of the tree trunk. The final size may be increased as determined by the City, dependant on the size of the tree, but shall not obstruct footpaths or roads unless approved alternative routes are in place.~~
- ~~Nothing is to be attached to or lent up against the tree during any period during the development and chemical or other material shall not be placed or dumped to cause harm to the tree.~~
- ~~Limit compaction and/or digging within the root zone of the tree where possible/ practicable.~~
- ~~Additional watering as required, or determined by the City, to be supplied by the contractor/owner to sustain the tree during the development. Where the owner/contractor is unable to supply additional water as required, the City may, by request, assist. At a minimum this will be required if an existing reticulation system has been turned off for the duration of the development, changing the trees environment, the development runs over an extended period of time , multiple years, or during the summer period.~~

~~If pruning (roots or branches) is required, a written request shall be submitted by the contractor/owner. This will be assessed by the City and if deemed acceptable the works will be carried out by the City, at the contractor/owners cost.~~

~~All trees, being retained, shall be monitored by the City over the entirety of the development and should the tree be adversely affected by the development the City will seek compensation. Where more than one property frontage is created, due to sub division, then a minimum of one street tree shall be planted per frontage, where practicable.~~

~~For all development applications where no street tree exists, the applicant will fund the purchase of one street tree to be planted on the adjacent verge and associated maintenance costs for the first two years after installation.~~

~~Should any variation to the above be required, written approval will be requested from the City, prior to any approvals being granted or works being commenced.~~

~~If the street tree is not protected in accordance with planning approval conditions and/or advice notes and it is damaged or dies during development, the City will shall recover all costs associated with any pruning or the removal and replacement of the street tree, including the fair value assessment costs from the applicant owner. If a tree is removed under this clause, two replacement trees will be planted by the City~~

6.2 Tree assessment for Building and Development Applications

All City managed trees adjoining proposed development sites will be formally assessed and documented prior to planning approval or demolition/building works.

This assessment will inform:

- The fair value for each tree, using the City of Melville Tree Evaluation Method
- The existing condition of the tree, including amenity, form and health, for comparison during and after the development process.
- Any advice notes and/or conditions included as part on any approval.

6.3 Tree Removal for development

The City will not consider removal of a healthy City managed tree for development, except when:

- There is insufficient space to accommodate a compliant crossover.
- The proximity of works will significantly compromise the tree's amenity, health, form or longevity, as determined by the City.

6.4 Approved Tree Removal for Development

In the event a tree is authorised for removal as part of a development application, (including planning, building, demolition and crossover application), the following will occur:

- The applicant will approach the City to formally request the approved trees removal process to commence.
- The applicant will pay the invoice provided by the City for
 - Tree removal
 - Stump grinding to min 300mm below ground level
 - Traffic management cost as required
 - Two replacement trees
 - Establishment of replacement trees for 3 years
 - Upon receipt of this payment the City will arrange:
 - Tree removal and stump grinding within approximately 10 weeks
 - Tree replacement during the next planting season after development works have been completed.
- A minimum of one street tree shall be replaced on the verge adjacent to the development, where sufficient space.
- Where sufficient space additional trees may be placed on the verge at the City's discretion.

6.5 Tree maintenance/ management required during development process

If any pruning (branch or root) is required of City managed trees during the development process, the applicant shall contact the City to assess and arrange the required works.



Any works undertaken that have not had prior approval from the City shall be considered vandalism by the City and may result in prosecution, under the City of Melville Activities in Thoroughfares, Public Places and Trading Local Law 2014 Part 9.

6. Vandalism

~~The City encourages the reporting of vandalism towards the City's trees and all reports will be investigated and responded to appropriately.~~

~~If an individual is proven to have vandalised a City tree in any way the City of Melville Activities in Thoroughfares, Public Places and Trading Local Law 2014 Part 9 Enforcement will be applied.~~



References that may be applicable to this Policy

Legislative Requirements:	The Local Government Act 1995 Thoroughfare and Public Places Local Law
Procedures, Process Maps, Work Instructions:	N/A
Other Plans, Frameworks, Documents Applicable to Policy:	Open Space Strategy Urban Forest and Green Spaces Policy Verge Treatment Policy
Delegated Authority No:	N/A

ORIGIN/AUTHORITY

Item No.

Reviews

Ordinary Meeting of Council	15/03/2010	T10/3115
Ordinary Meeting of Council	21/05/2013	T13/3385
Ordinary Meeting of Council	10/12/2013	T13/3441
Ordinary Meeting of Council	17/11/2015	T15/3673
Ordinary Meeting of Council	19/04/2016	16.3
Ordinary Meeting of Council	21/11/2017	T17/3769
<u>Ordinary Meeting of Council</u>	<u>19/11/2019</u>	<u>T19/3827</u>