

TREE MANAGEMENT COUNCIL POLICY

POLICY STATEMENT

This Policy provides clear guidelines for the for the retention, maintenance and removal of trees within the City of Bunbury on land owned or managed by the City of Bunbury.

POLICY SCOPE

This Policy will:

- provide guidance in relation to the management of the City's tree assets;
- increase and retain the City's tree canopy cover;
- protect and increase the long-term viability of City trees on verges, reserves, public open spaces, and including those adjacent to development sites;
- provide safe amenity to pedestrians, road traffic and property;
- improve the cooling of the City in summer and help reduce the Urban heat Island Effect;
- enhance the amenity of trees and reserves through the planting of new trees; and
- define the circumstances under which the City's trees may be removed or pruned.

POLICY DETAILS

1. Council may consider the removal of trees for the following reasons:
 - 1.1. The tree is dead;
 - 1.2. The tree is dying from disease that cannot be successfully treated unless it is defined that they must remain in the landscape for habitat provision or other purposes;
 - 1.3. The tree is structurally weak or dangerous and places public at unacceptable risk;
 - 1.4. The tree affects sight distance as per Austroads Guide to Road Design: Part4A;
 - 1.5. The tree interferes with essential services i.e. Western Power, AlintaGas, Aqwest, Water Corporation, MainRoads;
 - 1.6. The tree is causing or likely to cause significant damage to property or infrastructure i.e. road surfaces, walls, fences, buildings, footpaths, kerbing and drainage.
 - 1.7. Where development approval has been granted. The applicant will be required to pay removal costs and the amenity value of the tree, calculated in accordance with the City's Amenity Formula, and reinstatement costs of replacement tree prior to removal.

Note: In the case of clauses 1.3, 1.4, 1.5 and 1.6 removal will only be considered after alternatives have been identified and evaluated by an appropriately trained City officer or qualified arborist e.g. root barriers, redesign of structure, crown pruning, root pruning, tree relocation.

2. Requests for the removal of trees will not be considered for the following circumstances:
 - 2.1. When the removal is requested to improve or create views;
 - 2.2. Where a tree is considered to have some significant value i.e. an historic tree, conservation value and is habitat for native and threatened species; a rare species or form of species;
 - 2.3. Where proposed development can be altered to avoid conflict with existing trees;
 - 2.4. Due to the creation of natural litter e.g. leaves, twigs, flowers, sap, fruit;
 - 2.5. Due to unwanted shading of lawns, gardens or infrastructure;
 - 2.6. Due to unjustified property damage claims;
 - 2.7. Due to causing minor allergenic or irritant responses.
3. Requests for tree removal from the public will only be considered when a request has been submitted and in accordance with the *Council Policy Tree Management*

PROCEDURE

Planting, pruning and removal of City trees is the responsibility of the City of Bunbury, the City bares this responsibility for various reasons. Trees are an important social (environmental and aesthetic) utility.

The City spends considerable funds on its annual maintenance program and utilises qualified arborists. The City has a duty to exercise reasonable care in the management of vegetation for which it is responsible, including verge trees, to avoid creating a hazard or allowing one to manifest.

The City does not support residents pruning trees due to risk of injury to oneself and other residents, but also injury and spread of diseases to the tree and poor practice that could lead to weakening of the tree.

The City has 16,477 rateable/non-rateable land assessments and 14,575 street tree assets captured (Feb 2016). Residents are not permitted to plant, prune or remove City trees.

The City of Bunbury actively manages its tree assets to ensure the City's residents receive all the economic, environmental, and social and health benefits that trees afford our community. These include:

- Reducing air pollution and airborne particulates
- Storing and sequestering of carbon from the atmosphere
- Reducing heat from built environment
- Creating microclimates that reduce the effects of summer heat, reflection and glare, ultra-violet radiation, wind and evaporation.
- Helping to control erosion, dust, atmospheric pollution, smoke from fires, noise, and fire risks.

- Reducing energy costs due to shading in summer decreasing the need for air conditioning
- Providing habitat for native fauna
- Providing a sense of place and creation of local identity and character
- Increasing property values
- Architectural abilities for delineating space, screening, linking and providing privacy.
- Potential to contribute towards traffic calming
- Aesthetic qualities in terms of form, texture, colour, seasonal change, movement, sound and perfume.
- Heritage value, through recognition of historic, cultural and local significance
- Defining areas

1. Tree Planting

Tree planting bolsters ecological linkages in the urban forest. Landscape and Open Space (LOS) undertakes tree planting in winter, subject to funding. Property owners may request that a tree be planted on the verge. The species provided is as selected by the City and in most cases this is determined by the predominant suitable tree species in the existing streetscape.

Any request will be assessed by the City and crossovers, intersections, powerlines, environmental factors and existing street trees are all considered as part of the assessment. The applicant is responsible for watering the tree during its establishment period.

The below table outlines the clearance required between trees and infrastructure:

Planting Locations

Prior to planting, the City may liaise with service providers to ensure below ground assets are not compromised.

Infrastructure	Clearance Required - Metres
Street intersection	10
Traffic signals (from pole)	10
Crossovers	3
Power pole	3
Underground services pits	2 from edge
Storm water inlet	2 from edge
Bus stop	10 - subject to site conditions
Signs - Stop, Give Way & Speed	5 if in front or 2 if behind the sign
Signs - Other	2
Roadside kerbline	1.5

The below table outlines preferred tree spacing and heights in verges

Tree Spacing in Verges

Verge Width Type	Verge Width Metres	Approximate Tree Height Metres	Approximate Tree Spacing Metres
Very Narrow	Up to 2	Small Trees to 5	3-5
Narrow	2-3	Small Trees to 9	5-7
Medium	4-6	Medium Trees to 15	7-10
Wide	7-10	Tall Trees to 22	10-13
Very Wide	Over 10	Very Tall Trees Over 22	13-17

2. Street Tree Watering

Street trees installed by the City will receive an initial watering at time of planting and the City encourages property owners to water the street tree during its establishment period

3. Unauthorised Tree Planting

Trees planted without the City’s approval are considered unauthorised plantings and will be considered as one of the following:

- A tree planted of an inappropriate species for location.
- A tree planted out of desired alignment.
- A tree of an undesirable species.
- A tree that has self-germinated.

Where an unauthorised tree planting is identified, the City will determine whether the planting will be retained or removed dependent on its suitability for the location. Where an unauthorised planting will not be retained, the resident will be given the opportunity to relocate the tree onto their own property prior to removal.

Trees are not to be privately planted on the verge without prior written approval from the City.

4. Pruning of Trees

Pruning is generally only undertaken by the City to remove structural hazards or to extend a trees useful life expectancy.

Pruning of trees unaffected by powerlines does not normally occur, however pruning may be undertaken in the interests of:

- Public safety;
- Traffic and pedestrian access;
- Removing growth abnormality or disease;
- Maintaining views from public lookouts;
- Protecting public art and signage; and
- Managing the health and well-being of the tree.

The City's qualified arboricultural contractors undertake an annual ground up visual inspection on each street tree in the City. For trees other than street trees, where a hazard has been reported, a visual ground up inspection will be undertaken by arboricultural contractors or an appropriately trained Officer of the City.

Pruning of trees located near aerial power lines is necessary to prevent trees from growing into the Western Power exclusions zones around the aerial lines. The City undertakes these works to comply with Western Power statutory requirements, although, Western Power has authority to prune without consulting the City.

Any tree works are to comply with AS4373 (2007) – Pruning of Amenity Trees and should be undertaken by suitably qualified/trained City of Bunbury staff members or by suitably qualified/trained arborists as appointed by the City.

The following reasons will not warrant consideration for pruning:

- Too tall or wide;
- Ugly;
- Perceived fire risk;
- Due to leaf litter, bark, twigs, flowers, sap, fruit;
- Tree shades lawns, gardens, houses, pools, solar panels etc.;
- Overhanging property boundary;
- A perceived and unwarranted danger that the tree or a limb may fail;
- Unsubstantiated damage to infrastructure;
- Perceived risk of damage to property;
- To enhance or clear views, inclusive of advertising signage;
- The tree attracts birdlife or other fauna;
- The tree causes allergies or health problems;
- The tree is dropping litter on footpath;
- The tree shape and structure is not liked;
- For the installation of non-essential crossovers or verge paving.

Residents are not permitted to prune city trees

Section 5.2(h) of the *City of Bunbury Local Government and Public Property Local Law* states: "a person must not, without a permit – (h) fell any tree on or across any public place...".

Section 5(1)(a) of the *Local Government (Uniform Local Provisions) Regulations 1996* states: "a person must not, without lawful authority – interfere with the soil of, or anything on, land that is local government property".

Part 8.8 of the *City of Bunbury Local Government and Public Property Local Law* states:

“A person shall not on, in or from any local government property, without having first obtained a written approval from the local government to do so—

- (m) cut, break, injure, deface, pull up, pick, remove, or destroy any tree, shrub, flower, grass or plant of any kind...”.

The City of Bunbury can issue infringement notices or prosecute people found in breach of this law and/or regulation. Parties who breach the regulation and/or this Local Law may also be responsible for the amenity value, replacement and establishment costs of a suitable replacement tree.

5. Significant Trees Register

The City maintains a Significant Tree Register as part of the City of Bunbury Municipal Inventory 2001.

6. Tree Removals

Trees are assessed by suitably qualified City staff, where possible, using the Quantified Tree Risk Assessment method – an internationally accepted approach to tree assessment. QTRA measures the probability of failure against the likelihood of harm based on the Tolerability of Risk framework (HSE 2001).

Council may consider the removal of trees for the following reasons:

- a) The tree is dead;
- b) The tree is dying from disease that cannot be successfully treated unless it is defined that they must remain in the landscape for habitat provision, conservation value or other purposes;
- c) The tree is structurally weak or dangerous and places public at unacceptable risk;
- d) The tree affects sight distance as per Austroads Guide to Road Design: Part4A;
- e) The tree interferes with essential services i.e. Western Power, AlintaGas, Aqwest, Water Corporation, Main Roads;
- f) The tree is causing or likely to cause significant structural damage to property or infrastructure i.e. road surfaces, walls, fences, buildings, footpaths, kerbing and drainage.
- g) Where development approval has been granted. The applicant is required to pay removal costs, amenity value calculated in accordance with the City’s Amenity Formula and reinstatement costs prior to removal.

Note: In the case of clauses d, e, f and g removal will only be considered after alternatives have been identified and evaluated e.g. root barriers, redesign of structure, crown pruning, root pruning, tree relocation.

Trees will not be considered for removal under the following circumstances:

- h) When the removal is requested to improve or create views;
- i) Where a tree is considered to have some significant value i.e. an historic tree, conservation value, a rare species or form of species, and its removal will detract from the aesthetics of the area;

- j) Where proposed development can be altered to avoid conflict with existing trees;
- k) Due to the creation of natural litter e.g. leaves, twigs, flowers, sap, fruit;
- l) Due to unwanted shading of lawns, gardens or infrastructure;
- m) Due to unjustified property damage claims;
- n) Due to causing minor allergenic or irritant responses.

6.1 General tree removal procedure:

The following process will be followed after a tree removal request is submitted:

- 3.1. Acknowledgement sent to the applicant informing receipt of application;
- 3.2. Initial inspection by a qualified City of Bunbury officer or person appointed by the City of Bunbury to undertake the inspection;
- 3.3. Where a tree is removed under the Tree Management Policy a replacement tree shall, wherever possible, be provided in its place or nearby. The replacement tree species is that provided by the City and specified as an appropriate species for the location.

7. Tree Removal for Development

Where a City tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by an authorised planning officer, a request for assessment will be forwarded to a LOS Officer. Permission for the removal of a City tree may be granted by the LOS officer under this Policy. If approved, the associated cost of the tree (as calculated using the City’s Amenity valuation method) is to be paid to the local government or representative prior to removal by the City’s authorised arboricultural contractor.

Process:

- i. Initial planning application assessed by a planning officer;
- ii. Where the development cannot be altered to accommodate the tree, planning submits an assessment request to LOS officer and the tree is valued.
- iii. LOS Officer advises planning of the valuation and planning process the transaction. LOS notified once payment is received and action removal.

The costs associated with the removal of a tree include:

- a) Removal costs: amounting to the fees incurred by the City for assessing and removing the tree;
- b) Amenity value: calculated in accordance with the City’s amenity formula; and or
- c) Reinstatement Greening Costs: calculated in accordance with the greening required to replace the loss incurred by removal as determined by Council, taking into consideration the location, significance and the amenity of the tree.

The VALUATION of a tree is calculated using the City of Bunbury tree valuation formula:

Tree Value= Basic Value x Tree Size x Aesthetics X Locality x Species x Special Species X Form X Condition X Habitat X Significance.

8. Development

Trees can be killed or damaged by a wide range of construction activities and need to be protected at development sites. All developments, where trees may be affected will need to comply with Australian Standard 4970-2009 – Protection of trees on development sites. Developments will include a suitable advice note and/or condition of approval and bonds may be held.

Tree Protection Zone (TPZ) Requirements at Development Sites

For all demolition and construction works the developer/owner is responsible for the protection of all City trees on City managed land adjacent to the property by adhering to the following:

- A fence must be installed to create a TPZ at the cost of the applicant.
- The type of fencing must be in line with the Australian Standard 4970 for Protection of Trees on Development Sites.
- The size of the TPZ will be determined by the use of the tree tec formula http://www.treetec.net.au/TPZ_SRZ_DBH_calculator.php.
- At minimum, the TPZ will cover two metres by two metres around the tree trunk- any lesser exceptions must first be approved by the City of Bunbury.
- The TPZ should not obstruct roads or footpaths unless approved alternatives are in place

9. Intentional Damage

Section 5(1)(a) of the *Local Government (Uniform Local Provisions) Regulations 1996* states: “a person must not, without lawful authority – interfere with the soil of, or anything on, land that is local government property”.

Part 8.8 of the *City of Bunbury Local Government and Public Property Local Law* states:

“A person shall not on, in or from any local government property, without having first obtained a written approval from the local government to do so—
(m) cut, break, injure, deface, pull up, pick, remove, or destroy any tree, shrub, flower, grass or plant of any kind..”.

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10. Native Vegetation

Under the *Environmental Protection Act 1986*, which is administered by the Department of Water and Environmental Regulation, a permit may be required to remove or prune native vegetation.

COMPLIANCE REQUIREMENTS

LEGISLATION

- Local Government Act 1995
- Environmental Protection Act 1986
- Aboriginal Heritage Act 1972

INDUSTRY

- Australian Standards – AS 4373-2007 Pruning of Amenity Trees, AS 4970-2009 Protection of Trees on Development Sites
- Austroads Guide to Road Design: Part4A
- Quantified Tree Risk Assessment Practice Note V5.2.3 (Au) 2017

ORGANISATIONAL

- City of Bunbury Significant Tree Register
- City of Bunbury Local Planning Policies
- City of Bunbury Local Government and Public Property Local Law

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