

TREE MANAGEMENT COUNCIL POLICY

POLICY STATEMENT

This Policy provides guidance and direction in the management of all Council owned trees.

POLICY SCOPE

This policy sets out the processes and conditions by which Council owned trees are managed in the City of Bunbury. This policy applies to all trees located on land vested in the City of Bunbury, and all trees on land managed by the City of Bunbury.

POLICY DETAILS

The City is responsible for managing and removing all Council owned trees.

The City recognises and values the significance of trees within the urban setting for the many social, environmental, cultural, aesthetic, and economic benefits they provide. Trees contribute to the wellbeing of the community and to the natural environment. The City is committed to protecting, maintaining, and enhancing its tree population, in line with the objectives and actions in the City of Bunbury Greening Plan.

PROCEDURE

1. Tree Maintenance Requests, Tree Pruning and Tree Removal

1.1 General

All tree works are to be undertaken by qualified City of Bunbury staff members or by contracted arborists appointed by the City. All works are to comply with *AS4373 (2007) – Pruning of Amenity Trees*.

Annually, the City's contracted arborists undertake a ground up visual inspection on each Council owned street tree. Reserve trees are inspected on an individual basis when a hazard has been reported by a resident or staff member.

Pruning of trees located beneath overhead power lines is undertaken to comply with Western Power exclusions zones around the aerial lines. The City often undertakes this pruning; however Western Power has authority to prune Council owned trees without consulting the City.

Residents are not permitted to prune or remove a Council owned tree, under Section 5 and Part 8 of the *City of Bunbury Public Property Local Law and the Local Government Act, 1995*. The City can issue infringement notices and/or prosecute residents found in breach of this law

and/or regulation. Residents who breach this law and/or regulation, may be responsible for the replacement and establishment costs of a reinstatement tree.

1.2 Tree Maintenance Requests - General

A tree maintenance application for Council owned trees can be submitted by residents. The City will respond to all requests for tree maintenance. The following points will not be considered as justifiable reasons to prune or remove a City owned tree.

Tree removal or pruning will **not be considered** when:

- The tree obstructs views partially or entirely.
- Proposed verge developments such as non-essential crossovers or new hardstand areas can be designed to avoid conflict with existing trees.
- The tree produces natural litter e.g. leaves, twigs, flowers, sap, fruit.
- The tree overshadows private gardens or infrastructure.
- Damage to property claims based on Council owned tree are unjustified.
- The tree is perceived to aggravate minor allergenic or irritant responses.
- The tree is disliked and is considered inappropriate for the site by residents.
- There is a perceived risk of damage to property or person, including perceived fire risk by the resident.
- The tree is overhanging a property boundary.

Pruning or removal will not be considered where a Council owned tree has value as determined by Council staff. Values include:

- Conservation value.
- Habitat provision for native and threatened species.
- Cultural value and significance.
- Is a rare species or form of species.

1.3 Tree Pruning

Pruning is generally undertaken by the City to remove structural hazards or to extend the useful life expectancy of a Council owned tree.

A tree pruning request for a Council owned tree can be submitted by residents. The City will consider pruning of Council owned trees, after an assessment by a contracted arborist or qualified staff member. Pruning can take place to:

- Reduce the proven risk of harm to persons or property.
- Ensure safe and clear traffic and pedestrian access on footpaths, roads, and crossovers.
- Manage the health and well-being of the tree if the tree is dead or in irreversible decline.
- Manage the form of the tree.
- Mitigate contact between trees and built infrastructure.

- Maintain views from public lookouts.
- Protect public art and signage.

1.4 Tree Removal

A tree removal request application can be submitted by residents. The City will consider the application after an assessment by a contracted arborist or qualified staff member. Each tree removed by the City will be replaced by a minimum of one tree at the subsequent planting season, at the City's discretion. See section 2.2 below.

Council will consider the removal of Council owned trees if the tree is:

- Dead or in irreversible decline.
- Significantly damaged and beyond remediation.
- Inappropriate for the site considering section 2.3.
- An unauthorised planting.
- Dying from disease that cannot be successfully treated unless deemed it must remain in the landscape for habitat provision or other purposes, if safe.
- The tree is structurally weak or dangerous and places public at unacceptable risk.
- Impacting sight distance as per Austroads Guide to Road Design: Part4A,
- Interferes with essential services i.e. Western Power, AlintaGas, Aqwest, Water Corporation, MainRoads,
- Determined to be structurally unsound by a contracted arborist or a qualified member of staff.
- Not in keeping with streetscape aesthetics as determined by the City.
- Causing or likely to cause significant damage to property or infrastructure i.e. road surfaces, walls, fences, buildings, footpaths, kerbing and drainage, as determined by the City.
- Damaged by any development, or where retention or relocation is not a viable option. See section 4.
- Where development approval has been granted. The applicant will be required to pay for removal costs, the loss of amenity value resulting from the trees removal, and or the reinstatement costs, prior to removal. See section 4.

2. Tree Planting

2.1 Winter Street Tree Programme

The City is responsible for the planting of trees on land vested in the City and on City-managed land under its annual tree planting program. This program includes new tree planting on Council owned land. Residents can order a verge tree for planting in front of their property. Generally, one tree will be planted per verge, while properties with large verges with adequate room could receive more than one tree. Property owners can provide input on the species selection and positioning of the tree on the verge. The City is responsible for the post planting watering of all newly planted street trees as per watering schedules, until they are

deemed by the city to be established. Residents/owners are encouraged to water street trees to assist in the establishment of the street tree.

2.2 Replacement Trees

Where a tree has been removed from residential verges under this policy, The City will endeavour to plant a replacement tree on the same verge. Where it is not possible to plant a replacement tree on the same verge, the City will plant the new tree in a suitable location as near as possible to the original location.

2.3 Tree planting considerations

When planting a tree, the City will allocate tree species in consideration of:

- Mature size and form.
- Suitability to the site.
- Existing street tree pattern and structure.
- Range of tolerances and
- Contribution to species diversity.

The City will determine the location of the new tree through consideration of:

- Existing street tree alignment.
- Potential impact on road and pedestrian safety.
- The presence of below and above ground infrastructure.
- Agreed outcomes between the property owner and the City through engagement.

3. Unauthorised Tree Planting

Trees are not permitted to be privately planted on the verge without prior written approval from the City. Where an unauthorised tree planting is identified, the City will determine whether the planting will be retained or removed. 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.

To access removal or retention of unauthorised tree planting, Council will consider if the planting is:

- An appropriate species for location.
- Aligned in relation to other street trees.
- Self – germinated or planted.

4. Trees and Developments

4.1 Tree protection for Building and Development Applications

All developments are to use the Australian Standard *4970-2009 – Protection of trees on development sites* as a guide where there is a requirement to protect adjoining verge trees.

Tree Protection Zone (TPZ) Requirements at Development Sites

For all demolition and construction works the applicant is responsible for the protection of all City owned trees adjacent to the development property by:

- Installing a fence to create a TPZ at the cost of the applicant.
- 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 using 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 will be subject to approval by the City.
- The TPZ should not obstruct roads or footpaths unless approved alternatives are in place.

4.3 Tree Assessment Process for Building and Development Applications

All City owned trees adjoining proposed development sites will be formally assessed and documented prior to planning approval.

The assessment will note:

- The amenity value of each tree as calculated using the City's Amenity valuation method formula:

$$\text{Tree value} = \text{basic value} \times \text{tree size} \times \text{aesthetics} \times \text{species} \times \text{special species} \times \text{form} \times \text{condition} \times \text{habitat} \times \text{significance}.$$
- The existing condition and health of the tree for comparison before and after the development process.
- Any advice notes or conditions included as part of the development approval.

4.4 Tree Removals for Developments

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

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

If the applicant does not agree with any tree assessment and recommendations, with clear and justifiable reason, then section 1.3 of this policy can be applied.

Permission for the removal of a City tree may be granted by the City staff, under this Policy. If a tree removal is approved, the amenity value of the tree using the above calculation, removal costs and reinstatement costs will be paid by the applicant, prior to removal. All tree removals are to be undertaken by the City's appointed contracted arborist.

The applicant will pay the invoice for the tree removal which includes:

- Tree removal.

- Stump grinding to 30mm below ground level.
- Traffic management cost as required.
- Costs for loss in amenity value: calculated in accordance with the City's amenity valuation method formula; and or
- 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. This will specify the number of replacement trees to mitigate the loss of removals.
- Establishment of replacement trees (2 years).

Upon receipt of this payment the City will arrange:

- Tree removal and stump grinding within approximately 10 weeks.
- Tree replacement timing and amount to be arranged.

4.5 Intentional Damage to a Council owned tree

Under Section 5 and Part 8 of the *City of Bunbury Public Property Local Law and the Local Government Act*, it is prohibited for developers to damage Council owned trees.

The City of Bunbury can issue infringement notices or prosecute applicants found in breach of this law and/or regulation. Applicants who breach this law and/or regulation may also be responsible for the planting and establishment costs of a suitable replacement tree.

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
- City of Bunbury Greening Plan
- City of Bunbury Sustainability Strategy

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