



Trees Management Policy

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| Strategic Reference | Maintain and enhance our natural environment complemented by sympathetic buildings, facilities and activities |
| File Reference / Record No | 18/067/229 / NGO222155 |
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| Next Review Date | May 2024 |
| Applicable Legislation | Local Government Act 1999 Water Industry Act 2012 Environmental Protection Act 1993 Electricity Act 1996 Native Vegetation Act 1993 Planning, Development and Infrastructure Act 2016 Highways Act 1926 Road Traffic Act 1961 |
| Related Policies | Nil |
| Related Procedures / Documents | Nil |

1. Objective

The District Council of Yankalilla has a unique landscape and diverse rural environment, with the trees in the townships and rural settings contributing greatly to the area, providing many benefits including a habitat for native wildlife and many species of native vegetation. Trees within the towns and wider district provides significant community, environmental and economic benefits. One important function in the area is the protection and enhancement of this environment to ensure that trees within the area are managed appropriately in accordance with relevant legislation and procedures. Considerable investment is required to provide these benefits and to minimise Council's exposure to risk. Any person requesting or wishing to carry out work in relation to trees on Council property must consider the Tree Management Policy and consult Council. Through integration of tree management with established urban

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development and civil works disciplines, this policy will assist the continued provision of these benefits

1.1. General Principals

The management of the District Council of Yankalilla's street, park and reserve trees will be based on professionalism, open communication, consistency, quality and best practice. This is to ensure that trees on roads, community land and other landscapes are maintained in an equitable manner underpinned by risk management principles and resources that are made available;

It will enhance the character, desirability and sustainability of the District through:

1.1.1. Community Communication and Support

By effectively communicating and engaging with staff and the community, Council will ensure that the district's street, park and reserve trees and regional vegetation outcomes remain relevant, effective and efficient with regard to both short and long-term goals.

1.1.2. Cultural and Environmental Suitability

The District Council of Yankalilla's street, park and reserve trees will be matched to the locality's cultural, natural and urban characteristics to enhance amenity, ensure financial efficiency, maintain biodiversity and improve environmental performance.

1.1.3. Integrated Works

Integrating street, park and reserve tree requirements with urban development, civil works and utilities will minimise conflicts between built and natural assets to achieve financial efficiencies and enhance the natural environment.

2. Scope

The policy shall apply to all trees under the care, control and management of the Council and within the scope of relevant legislation.

3. Definition

Tree means a woody perennial plant, including palms that can have one or more trunks and a distinct elevated crown of lateral branches.

Park refers to public open space developed primarily for amenity and recreation.

Reserve is typically public open space managed in a natural state to conserve biodiversity and for other environmental benefit, though accommodating low levels of informal recreational use.

Rural trees and trees in rural road reserves are trees located outside the Districts Gazetted Townships. Due to the number and varied location of these trees they are not kept or recorded in Councils trees registers unless they are significant or part of a specific tree management plan.

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Community Plan means the current plan identifying Council's strategic objectives as required pursuant to section 122 of the Local Government Act 1999.

Council Owned and Managed Land means land owned by Council and includes land in the care, control or management of Councils pursuant to any Act of Parliament, and includes Public Roads as defined in the Local Government Act 1999.

Planting means the placement of a tree in the ground at an identified site.

Public Spaces means any land to which the public has access to and that is under the care and control of Council.

Regulated Tree means a class of tree declared to be regulated by the Development Regulations or a tree declared to be a Regulated Tree, or a tree within a group of trees declared to be Regulated Trees by the Development Plan.

Road means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles, cyclists or pedestrians but not including an alley, laneway, walkway or other similar thoroughfare vested in a council.

Significant Tree means a class of tree declared to be significant by the Development Regulations or a tree declared to be a Significant Tree, or a tree within a group of trees declared to be Significant Trees by the Development Plan

4. Policy Statement

The District Council of Yankalilla recognises the importance of its natural environment, comprising all street, park, reserve and roadside trees. The policy provides the direction for Council to manage, develop, protect and conserve trees, vegetation and the wider environment, in a manner that is reasonable, consistent, promotes the principles of sustainable development and within the resource allocation provided by Council. Ensuring trees on roads, community land and other public landscapes within the care and control of Council are planted and maintained consistent with current legislative requirement, risk management principles, ecologically sustainable development principles and community amenity values.

4.1. Tree Asset Management

Council recognises the regions trees, comprising all street, park and reserve trees, as a valuable public asset which makes significant contributions to the sustainability of the community, economy and environment. It directly influences the District's appeal, desirability, and the quality of life of residents. To ensure ongoing community benefit Council will plan for, resource and implement effective urban forest management processes.

4.2. Street Trees

Council will develop and maintain a street tree asset register. The register will document the location, type and condition of street trees. The tree register will be used to prioritise and document street tree planting, removal and maintenance requirements and actions.

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Council will prepare a strategic Street Tree Planting Plan which will identify tree planting and maintenance goals for each streetscape.

Council will, **where budget allows**, develop and implement annual streetscape development programs based on the Street Tree Planting Plan and priorities identified from the street tree asset register.

4.3. Park Trees

High quality tree cover will be sustained on parks to provide amenity and enhance recreational use. The number of trees established on parks by Council in any five-year period will exceed the number removed.

Council will work to develop and maintain a register of park trees. The register will document the location, type and condition of park trees. The register will be used to prioritise and document park tree planting, removal, maintenance requirements and actions.

4.4. Reserve Trees

Appropriate tree cover will be sustained on reserves to conserve local indigenous tree types, habitat and natural amenity.

A register will be maintained of trees planted on and removed from reserves.

4.5. Tree Selection and Planting

Council recognises that its existing environment supports a diverse assortment of both native and non-native trees, the conservation of which is fundamental to maintaining the district's appeal, character and biodiversity. The District Council of Yankalilla enjoys a large variety of existing trees and vegetation which has several distinct facets, including: native and non-native species in both townships and the wider rural areas, important remnant indigenous vegetation and historical plantings of special significance. To preserve its environment, heritage and amenity, Council will select and utilise plant species and cultural practices appropriate to socially, environmentally, economically and culturally sustainable development.

Council will select tree species to match local environmental conditions and planting program goals. Responsibility for tree species selection rests with Council's Urban Supervisor.

Standard procedures for consultation regarding proposed tree planting projects will be developed and implemented. They will guarantee stakeholders likely to be impacted by proposed works appropriate timeframes and mechanisms for comment. (Ref: Local Government Act 1999, Section 232 (b)).

Tree planting will meet statutory and regulatory requirements with regard to utilities and built infrastructure as prescribed in the:

- Local Government Act 1999
- Water Industry Act 2012
- Environmental Protection Act 1993
- Electricity Act 1996

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Planting sites will be located to ensure adequate space to enable tree growth to maturity with minimal pruning and maintenance. New trees will not be planted beneath the canopies of existing specimens, as experience has shown this to cause stunting and disfigurement of saplings.

Trees planted by Council will be high quality stock and of a size suitable for the application. Tree planting and establishment will utilise current best practice.

A diverse range of species will be planted to minimise exposure to risk from pests and diseases.

4.6. Street Trees

Council will establish and sustain tree cover throughout residential streets. The number of street trees established by Council in any five-year period will exceed the number removed within the townships.

Streets will be prioritised for streetscape development tree planting. Priority will be given to streetscape planting which maximises amenity, reduces maintenance requirements, aids risk management and affords a high level of cost effectiveness. Streets with a high proportion of deteriorating trees, or with a relatively high number of missing trees, will be planted as a priority.

Streetscape development programs will, where practical:

- Replace street trees where they are missing in established avenues.
- Retain and maintain existing healthy and structurally sound street trees, and may
- Replace trees which have a relatively short life expectancy, structural flaws or developing hazards.

Street tree planting will consider potential impacts on visibility, access and road safety. Tree planting locations will be consistent with motorist and pedestrian safety requirements as detailed by Transport SA in Operational Instruction 20.1: Care, Control and Management of Roads by the Commissioner of Highways. (Ref: Highways Act 1926 - Section 26A.)

Council will plant street trees in response to requests from the community if:

- Site constraints do not preclude planting.
- Streetscape development planting has not been scheduled within the following two years.
- The resident making the request commits to watering the tree until it is established.
- The species planted is consistent with the Street Tree Planting Plan.
- Individuals wishing to plant a tree or trees on a road verge must apply to Council in writing for authorisation (Local Government Act 1999, Section 221 (2)(e)).

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4.7. Park Trees

Tree planting on community land will be consistent with the purpose for which the land is held, as detailed in the relevant Community Land Management Plan.

Tree planting will focus on improving recreational use of parks through the provision of shade and shelter.

Council may support community tree planting events on parks. Groups or individuals wishing to plant trees on parks must apply to Council in writing for authorisation.

4.8. Reserve Trees

Appropriate tree cover will be sustained on reserves. The number of reserve trees established by Council in any five year period will exceed the number removed.

Indigenous species will be favoured in and near natural bushland areas to conserve biodiversity and maintain character. If exotic species are required in or near natural areas, preference will be given to planting sterile forms or species which are not likely to self-propagate.

Council may support community tree planting events on reserves. Groups or individuals wishing to plant trees on reserves must apply to Council in writing for authorisation.

4.9. Rural Trees and Trees in Rural Road Reserves

It is Council's policy to retain all trees which are growing on road reserves and other reserves except in the following circumstances:

- Where roads are widened or re-constructed (or will be in the foreseeable future) and it is not possible to avoid the trees.
- Where the trees are on a surveyed fence line.
- Where trees adversely impact public utilities or infrastructure in any way.
- Where trees require thinning to enable the better specimen to grow to maturity.
- Where existing tree removal and replacement is identified in a streetscape project.
- Where the tree presents a hazard to the public
- Where the trees are an identified weed species

4.10. Tree Removal

Council views removal of established, healthy trees as undesirable but recognises it may be required on occasion. Tree removal may be approved subject to the following provisions:

Except by resolution of Council, no tree over 3m in height will be removed from property under Council's care and control unless it is dead, presents an immediate threat to the public or to

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property of substantial value, is diseased and treatment is not feasible, or it is a proclaimed pest species.

Where a Council tree is removed, a suitable replacement will be established unless it is impractical to do so due to the proximity of existing vegetation.

Requests for removal of trees growing on property under Council's care and control must be made in writing.

Where Council determines that a tree will be removed on the request of a resident or ratepayer the cost of tree removal and replacement may be recovered from the resident, unless the tree was removed due to its death, disease or risk to public or property

- Where a request for tree removal is based on allergy, consideration may be given to removing the tree if:
- The request is supported by evidence from a medical specialist, and
- The medical evidence directly attributes ongoing allergic reaction to a particular species of tree, and
- The species of tree is uncommon in the vicinity of the applicant's residence, and
- Alternative options for managing the issue have been determined to be unfeasible.

Trees which provide valuable habitat or contain active bird nests will not be removed except for reason of public safety. Where pruning or removal of trees with active hollows or nests is required, work will be delayed to avoid impacts on fauna if it is safe to do so. Consideration may be given to relocating hollow logs into neighbouring trees.

Details of all street and park trees removed, will include only those greater than 3m in height, and will be documented in the relevant tree asset register.

Ratepayers will not be given authority to remove trees from Council property, other than proclaimed pest species. Ratepayers wishing to remove proclaimed species from the nature strip adjoining their property must apply in writing and obtain Council authorisation prior to undertaking the works (Local Government Act 1999, Section 221 (2)(e)).

In emergency situations Council may clear trees that have fallen from private property onto Council property. Council may recover the cost of such works from the property owner if the tree failure resulted from negligence. Where practical, the property owner will be consulted regarding disposal of the wood.

4.11. Tree Maintenance

Council recognises that comprehensive and professional tree maintenance is essential to the sustainability and safety of the urban forest. Council will endeavour to utilise accepted best arboricultural practices in all tree establishment and maintenance functions.

Council will develop and implement standards which integrate accepted best practices into tree planting and maintenance programs. The standards will focus on delivering customer and staff satisfaction through tree establishment, long and safe tree life expectancy, and ensuring public and staff safety.

Council will water trees planted as part of streetscape development works for two to three years. Residents will be encouraged to water new trees for two to three years until established.

Council will minimise the need for staking young trees by purchasing quality stock. Should stakes be required, they will be removed as soon as practical after tree establishment.

Council trees will be pruned to the standard detailed in Australian Standard AS 4373-1996 Pruning of Amenity Trees.

Trees will be pruned to:

- Establish a sound and amenable structure appropriate to the species, the planting site and purpose.
- To manage risk.
- To maintain tree health and longevity through correction or prevention of structural flaws, disease or potential damage.

Council will trial tree establishment and maintenance products and processes to determine their suitability to local purposes and conditions. Council will make information gathered through trials available to the public.

Tree trimming is carried out by Council, to improve vision at intersections and to provide suitable clearance areas around roads, footpaths and signs. Pruning of trees will be carried out to ensure the tree remains in a healthy and aesthetic state.

Council will generally trim trees that overhang a road/footpath from a private property to provide suitable pedestrian access and sight distance. However, at locations of extensive overhanging the property owner may be requested to remove the offending limbs/foliage at their own cost and dispose of accordingly.

Council may issue an order pursuant to Section 254 of the Local Government Act 1999 ordering the removal of overgrown vegetation, the cutting back of overhanging branches or the removal of a tree. If the work is not performed, then Council reserves the right to perform the work and recover the cost pursuant to Section 257 of the Local Government Act 1999.

Council will generally not enter private property to trim trees that overhang a boundary from a tree growing on Council Land, unless the Council is advised in writing and the overhanging is considered an undue hazard. Property Owners have a right of abatement which allows them

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to remove branches at the boundary line provided it is undertaken with reasonable care and does not adversely affect the appearance, health or stability of the tree.

Residents and ratepayers are not authorised to prune trees on streets and reserves outside of the residents right of abatement.

Council will maintain a close working relationship with essential service providers to ensure that impacts on trees and amenity are minimised. Council will work with SA Power Networks to develop a Vegetation Clearance Agreement (Electricity Act 1996), to monitor associated works (Electricity (Principles of Vegetation Clearance) Regulations 1996) and to ensure compliance with the conditions of the Vegetation Clearance Scheme.

4.12. Trees, Urban Development and Civil Works

Council recognises that vegetation is an integral part of urban infrastructure which in some circumstances may be in conflict with other community assets or private property. As an example, interaction between footpaths and roots can injure trees, damage footpaths and increase risk to pedestrians. Such conflict reduces community benefit and increases cost. Council therefore aims to manage interaction between the trees and other assets to balance environmental, social and financial goals and achieve sustainable outcomes.

Council will endeavour to sustain quality tree cover through urban and rural development and civil works projects. Horticulture personnel will collaborate with other professions to integrate sustainable tree management practices with civil infrastructure and development projects. Where trees are removed due to civil works or urban development, appropriate replacements will be planted.

Where replacement of street trees is planned due to their declining health or structural integrity, maintenance or upgrading of built infrastructure will be coordinated with their replacement.

Civil works planning processes will document:

- The nature and condition of trees existing on the site and adjoining properties prior to works.
- The nature and condition of vegetation to be retained and/or established.
- Requirements for tree protection and maintenance before, during and following construction.
- Methods, materials and processes employed to prevent or minimise impacts between trees and other infrastructure.

Development applications will detail footing designs that are capable of withstanding all foreseeable impacts of existing and proposed trees in the vicinity, including impacts related to street, park and reserve trees.

Should development require a driveway or service connection to the street, designs will avoid or minimise impacts on trees that are to be retained or established.

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A driveway crossover shall not be constructed or installed within 1.0 metre or 2.5 times the tree's diameter at 1.5m above ground level (whichever is the greater) of any Council tree, unless essential to provide primary access.

Should a request be received for an additional driveway crossover, or for widening of an existing driveway crossover, the request will be refused if in conflict with the above set out requirements.

If approval is granted for tree removal to allow service or driveway connection, Council will recover the cost of tree removal, planting and establishment of a suitable replacement.

Installation or maintenance of underground services beneath established trees will utilise work methods which minimise root impacts.

4.13. Significant Trees

Council recognises that individual trees may possess or develop increased significance in relation to a range of criteria beyond those for which protection is provided by the Planning, Development and Infrastructure Act 2016. The time that may be required for trees to develop such significance makes maintaining existing specimens and planning their replacement an ongoing and long-term requirement. Council will plan and implement maintenance and planting programs to ensure that significant trees are provided for future generations.

Specimen trees will be planted in appropriate locations to provide significant trees for the future.

Existing and potentially significant trees will be identified in a significant tree asset register.

Trees of significance will be nominated for inclusion in the Significant Tree Register of the National Trust of South Australia.

Maintenance and protection requirements of significant trees on community land will be documented in the relevant Community Land Management Plan.

4.14. Tree Risk Management

Council recognises that the benefits provided by trees require continued public provision and that appropriate measures are necessary to effectively manage associated risk.

Priority will be given to tree maintenance works involving trees assessed as having highest risk to public or property.

Should a resident or ratepayer request Council's involvement regarding a dispute or risk associated with a neighbour's tree, Council will in the first instance limit assistance to provision of the Legal Services Commission of SA's booklet *Trees and the Law*, a guide for neighbours and referral to a community mediation service. Consistent with Local Government Association Mutual Liability Association guidelines, in extreme circumstances where an immediate risk to persons or property exists, Council may consider issuing an order requiring the owner to undertake work on the tree (ref: Section 299, Local Government Act 1999).

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4.15. Requests for Action

All requests or complaints for tree planting, trimming or removal (unless in an emergency) are to be provided to Council in writing, establishing the nature and source of the request or complaint. The request will be recorded and referred to the appropriate staff member for assessment. An assessment will then be made to determine, if further specialised advice by a suitably qualified person is required or the necessary work established. Once the extent of work is determined it will be referred to Council's Gardening staff or approved contractual service provider for action.

The person responsible for initiating the request is to be notified of the determination as part of this process

4.16. Council will refuse to undertake the following works

- Removal of healthy and stable trees, unless a condition under 4.10 applies
- Removal or maintenance of trees for views
- Pruning of trees contrary to Australian Standards 4373, Pruning of Amenity Trees
- Any pruning work outside what a species will tolerate
- Removal of native vegetation unless permission has been given from the Native Vegetation Council.
- Removal of trees for minor nuisance issues (i.e. leaf litter).

4.17. Breaches of the Tree Management Policy

A breach of the Trees Management Policy occurs when unauthorised works are carried out on a tree by any person(s).

To avoid any breach of the Tree Management Policy, before any works are undertaken on trees located on land under the care and control of Council, landowners /members of the public are to contact Council to determine if they require Council consent. In addition, the landowner / members of the public should obtain a copy of the Council's Tree Management Policy and positively identify the tree on which the proposed works are to be carried out.

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5. Further Information

This policy will be available for inspection at the Council office listed below during ordinary business hours and provided to interested parties as per Council's Fees and Charges Register. Copies are available to be downloaded, free of charge, from Council's website:

www.yankalilla.sa.gov.au/policies

District Council of Yankalilla
1 Charles Street
Yankalilla 5203

Phone: (08) 8558 0200

Email: council@yankalilla.sa.gov.au

Office hours: Monday to Friday, 9.00am to 5.00pm (except public holidays)

6. Grievances

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

7. Review Cycle

This document is subject to review in two (2) years from the date of authorisation.

8. Document History

| Date | Version | Council Resolution No. | Description of changes |
|---------------|---------|------------------------|------------------------|
| February 2018 | 1.1 | C18037 | Adoption of Policy |
| May 2022 | 2.0 | C22084 | Review of Policy |