

Responsible Directorate	Infrastructure
Responsible Business Unit/s	Parks and Sustainability
Responsible Officer	Manager Parks and Sustainability
Affected Business Unit/s	Development Services City Planning Engineering Design Engineering Operations

Objective

The objectives of this policy are –

- To provide guidance in relation to the management of the City's tree assets
- To increase the City's tree canopy cover
- To protect and increase the long term viability of City trees on verges adjacent to development sites
- To provide safe amenity to pedestrians, road traffic and property
- To preserve the existing street and reserve trees within the City
- To enhance the amenity of trees and reserves through the planting of new trees
- To define the circumstances under which the City's trees may be removed or pruned

Scope

This policy applies to all trees that are owned or managed by the City of Stirling – such trees shall be referred to as City trees. A City tree includes any tree which has a majority (> 50%) of its trunk growing from Council managed land.

Residents/owners, builders, developers, contractors, representatives and event organisers are all expected to comply with this policy.

Policy

1. Overall

The City of Stirling manages over 400,000 City trees, to ensure its residents receive all the economic, environmental, social and health benefits trees bring to our city and suburbs. These include:

- Providing cooler, greener, more comfortable access ways for walking and cycling
- Improving air quality
- Improving property values
- Providing habitat for native fauna
- Reducing urban heat island effect
- Enhancing the character of our suburbs.

The City recognises the importance of trees in creating functional and attractive streets and reserves within the urban environment. As such, the City is committed to planning, planting, establishment and maintenance of all City trees with the goal of:

- Preserving the City's urban forest through tree protection and maintenance programs
- Increasing the number of City trees through proactive planting programs
- Boosting canopy coverage on verges and reserves within the City.

To effectively promote the City's goals, all City trees, unless proven hazardous, will be:

- Protected from any activity, including development, that threatens their health and/or longevity with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Protected from infrastructure conflict, where possible, with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage
- Prioritised when considering applications for new developments so that potential conflicts with City trees will be addressed before an application is approved for planning, construction/building and verge related permits.

The Manager Parks and Sustainability has the authorisation for the planting, pruning, removal and management of City Trees, under this policy.

2. Tree Planting

The City is responsible for the planting of all City trees as identified under its annual programs which include community tree planting programs and street tree requests from residents/occupants. However, residents are able to plant a verge tree in front of their residence on application to the City. Tree planting is generally carried out in the winter months to aid in the establishment of trees. The selection of tree species is determined by the City.

Remnant trees will be retained within the streetscape or reserve at the discretion of the City.

Street Tree Planting

Street tree plantings must adhere to the following conditions:

- Be positioned within the verge according to the City's Street Tree Planting Guidelines
- Generally, a minimum of one tree shall be planted per property frontage; larger verge spaces can be subject to more than one tree
- Plantings near road intersections and driveway crossovers will be subject to pedestrian and road safety assessments by the City
- All new developments that do not have a street tree on the verge will have a tree planted in the next available planting season, as deemed appropriate by the City, and included as a condition of development along with a contribution payment by the applicant towards the cost of the tree/s planted as per Council's Fees and Charges

Unauthorised Street Tree Planting

Street trees planted without the City's approval are considered unauthorised plantings – an unauthorised street tree planting shall constitute any one of the following:

- A tree planted of an inappropriate species for verge planting
- A tree planted out of alignment in relation to the City's verge planting specifications
- A tree of an undesirable species that has self-germinated.

Where an unauthorised street tree planting is identified, the City shall determine whether the planting can be retained or removed, dependent upon its conformity to the City's planting specifications.

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

Street Tree Watering

The City is responsible for the post planting care, maintenance and watering of all newly planted street trees until the trees are established, as determined by the City. Residents/owners are encouraged to water street trees during the establishment period, as per instructions provided at the time of planting

3. Tree Pruning and Removal

The City is solely responsible for the pruning of City trees. Unauthorised tree pruning of any City tree is not permitted. Trees will be pruned, where practicable, in line with the Australian Standard for Pruning of Amenity Trees. Where pruning is required for clearance of power lines, the trees will be pruned as necessary to comply with Electrical Service Providers' current clearance requirements set by the State regulator.

Street Tree Scheduled Pruning

The City undertakes pruning on street trees as required on an annual schedule. The scheduled street tree pruning may fulfil any of the following requirements, as determined by the City:

- To clear the canopy from interference with overhead power lines, electrical feeder lines to individual properties and other essential services
- To remove overhanging branches considered hazardous to road traffic, buildings or structures
- To underprune low growing branches considered hazardous to traffic or pedestrians
- To define the form, structure and framework of trees
- To remove dead, dying, diseased or pest infested limbs and branches or abnormal growth.
- To underprune low growing branches that impede parking control signage and or streets signs

Tree Requests for Pruning

The City will investigate requests from residents/owners for tree pruning. If the City determines that pruning is required but is not urgent, then the pruning will be incorporated into the next scheduled pruning for that suburb/locality.

If the City determines that the pruning requires an immediate response, then this will be attended to on an as-needs basis. The resident/occupant will be informed of the outcome of any pruning request by an appropriate means.

Tree Removal

The City is responsible for the removal of City trees. Unauthorised tree removal of any City tree is not permitted. The authorised officer/ contractor of Council will undertake any tree removals that are required.

It is recognised that in some cases tree retention is not feasible owing to the condition, location or species of the tree, its implications for development on an abutting site and/or the achievement of other Council objectives. Trees may be considered for removal, as determined by the City, under the following circumstances:

- The tree is dead
- The tree is diseased or in decline
- The tree has been assessed by the City as structurally unsound
- The tree has been irreparably damaged by a storm or other event
- The tree is an unauthorised street or reserve tree
- The tree has been affected by infrastructure works and the tree cannot be retained
- The tree interferes with vehicle safety sightlines, as assessed by the City
- The tree is in contact with power lines and selective pruning is not practical

If a City tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by the authorised officer, permission for the removal of a City tree may be granted by the authorised officer under this policy.

Where a tree is removed by the City or removed without authorisation by another party, the City will replace the tree on the same verge or reserve in the next available planting season, at its discretion. The City may seek to recover all related costs, as outlined in section 5 Bonds and Payments.

Tree Pruning and Removal Requests

The City will investigate and respond to all tree pruning and removal requests. However, the following are not considered to be sufficient or justifiable reasons for the pruning or removal of City trees:

- The tree species is disliked
- The tree is too large in size
- The tree attracts birdlife or other fauna
- The tree shape or structure is not liked
- The tree causes allergy and/or health problems
- The tree is an inconvenience during development/ works/ etc
- The tree is in the way of a non-essential crossover or verge paving/treatment option
- The tree obscures or potentially obscures views (other than traffic/pedestrian sight lines)
- The tree shades private gardens, lawns, solar panels, solar hot water installations etc.
- The tree species causes nuisance by natural debris production, which includes the dropping of leaf, flower, fruit, bark, etc.

4. Street and Reserve Tree Protection at adjacent Development Sites

Street and reserve trees need to be protected at development sites in order to preserve the amenity of streetscapes and neighbourhoods. All developments, where trees are affected, will include a suitable advice note and/or condition of approval.

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 that are to be retained on City managed land adjacent to the property by adhering to the following guidelines:

- 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 for Protection of Trees on Development Sites
- The size of the TPZ will be determined by the City, dependent on the size of the tree and verge space available
- 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
- The TPZ should not obstruct roads or footpaths unless approved alternatives are in place.

Street Trees and Crossovers/Driveways

A minimum setback of a crossover/driveway from any street tree on the verge is required. The setback distance will be in direct relation to the Diameter at Breast Height (DBH) of the street tree:

- DBH of up to 200mm requires a minimum setback of one metre
- DBH of 201mm to 400mm requires a minimum setback of two metres
- DBH of 401mm or greater requires a minimum setback of three metres.

Should the distances required need to be less than the above specifications, a site inspection will need to be conducted to determine if the distance can be reduced on a tree by tree basis. Council inspection fees and charges may apply.

To keep retained trees in a sound condition and to reduce the impact on its root system, no setback requests less than 1.0 metre will be accepted. For further information, refer to the Crossover Policy.

If any discrepancies are identified after approval is granted, the applicant will need to resubmit plans for approval with the correct information. All costs and fees associated are to be met by the applicant. Discrepancies can include any of the following:

- Incorrect DBH measurement
- Failure to mark street trees in the submitted plan
- Failure to mark street tree locations correctly in the submitted plan
- Providing any other inaccurate site information.

A street tree is an asset forming part of the verge infrastructure. As such, the City actively seeks to protect street trees adjacent to development sites using the following guidelines:

- If any inaccurate information presented to the City as part of a development application results in a tree being pruned or removed, the required setback being impeded, unauthorised removal or pruning of a tree, the City will recover the full costs associated with the works from the applicant
- If street tree damage, decline or death occurs as a result of the development then costs may be recovered from the owner/ developer for rectification pruning, or removal and replacement of the tree
- If a tree needs to be removed or, is removed without authorisation, the applicant will be required to reimburse the City the full costs associated with the tree removal / pruning

All costs owed to the City due to any of the above circumstances will be in line with Section 5, Bonds and Payments of this policy.

Tree Removal and Replacement at Development Sites

The City prioritises tree retention on City managed land adjacent to development sites, and will only consider removal when no other reasonable design alternative exists. In the event that an approval to commence development is granted by the City's Approvals business unit, which requires the removal of one or more street trees, the applicant will be required to arrange removal of the tree(s) with the City's Parks and Reserves business unit.

Where a tree is to be removed/ pruned, the landowner/applicant will be required to meet the contributory costs associated with the removal and replacement of the tree and will be required to compensate the City for the costs associated with the loss of the tree asset, as outlined in Section 5, Bonds and Payments.

Replacement street trees that are required as a result of being removed through the development process will be in line with the following:

- A minimum of one replacement tree will be planted on the verge adjacent to the development
- Where a number of frontages are created due to subdivision, then a minimum of one tree shall be planted on each frontage, space permitting
- Where there is room for more than one tree on each frontage/lot, then multiple trees will be planted in relation to the available space
- Any additional replacement trees that are not able to be planted on the verge adjacent to the development will be planted elsewhere in the City and at the City's discretion
- All replacement trees will be of a species and size that is acceptable to the City.
- The replacement cost will be met by the developer/ applicant as outlined in Section 5 – Bonds and Payments.

Street Tree Planting

The City strives to create a balance between promoting development and providing cooler, greener and more comfortable urban environment. As such, the City applies the following street planting guidelines:

- The City at all times reserves the right to reserve verge space for future tree planting
- Where there is no existing street tree, the City will plant at least one street tree in the next available planting season, space permitting
- Verges which have been treated with paving or synthetic turf are required to have at least one street tree in accordance with the Verge Treatment Policy
- When considering development of car parks and/or parking bays in the road or other reserve, the plan must accommodate a new tree planting per every six car bays in its design

5. Bonds and Payments

Where development or other activities have the potential to impact on City trees, a bond for the protection of the tree will be held by the City prior to the commencement of development. A bond will be held for the duration of the works. Minimum bond amounts will be determined by Council's Fees and Charges.

Where a City tree removal is approved by the City in relation to a development, the associated contributory costs of the tree and its removal (or pruning) shall be paid by the property owner or representative prior to the removal and commencement of development.

The costs associated with removal, pruning and/or damage of a City tree include the following three elements:

- A Removal costs – amounting to the fees incurred by the City for physically removing the tree/ or part thereof;
- B Amenity Value – calculated in accordance to the City's amenity tree calculation (currently the Helliwell method or other City approved valuation system);
- C Reinstatement Tree Costs – calculated in accordance to the greening required to replace the loss incurred by the tree removal. The level of reinstatement required will be determined by Council (and listed in the Council's Fees and Charges) and will take into consideration the location, the significance, the biodiversity provision, and the amenity of the tree. Reinstatement tree costs will include costs for watering two subsequent summers.

The contributory costs for tree removal shall be 90% of the three cost elements above.

6. Vandalism to City Trees

Members of the community who witness vandalism of the City trees are encouraged to report this information. All reported incidents of vandalism will be investigated and responded to appropriately by the City.

Where vandalism has been committed, the City will take steps to gather information relating to the incident which may include:

- Sending letters seeking information to residents in the vicinity of the vandalism
- Talking to residents in the local area
- Posting notices in local newspapers, notice boards and on the City's website seeking information
- Erecting signage asking for any information pertaining to the vandalism.

Once information is acquired an appropriate resolution will be carried out, which may involve:

- The installation of signage at the site advising on the damage/seeking further information
- Retaining any dead tree in sound condition indefinitely
- Planting of other trees at the location of the vandalism to compensate for the damage
- Reclaiming costs associated with any works required to rectify the damage
- Issuing of fines or recouping the full cost of the asset and replacement
- Further legal action.

7. Community Consultation and Involvement

The City values its community's opinion, and encourages consultation and communication in the improvement of its urban forest. As such, the City will endeavour to apply the following practices:

- Increase resident involvement in the ongoing care of its urban forest by hosting community street tree planting programs
- Inform affected residents of street tree plantings and removals through various mediums
- Encourage community consultation in programmed street tree plantings and removals by providing opportunities to comment
- Prioritise community safety in conducting City tree maintenance works
- Raise community knowledge about the benefits of trees and the urban forest through tree information leaflets, the City's web page and local media.

Definitions

Diameter at breast height (DBH) is the recognised method for measuring the diameter of the trunk of a tree. The measurement is taken at 1.4 metres from the ground level. Refer to Australian Standard 4970-2009 Protection of Trees on Development Sites for more detailed information.

Helliwell method is a recognised system that allows for a monetary value to be placed on the visual amenity provided by an individual tree asset.

Tree is defined in the City's Thoroughfares and Public Places Local Law 2009 as a woody perennial plant generally having a single stem or trunk which will grow to a height of approximately 4 metres or more.

- **City Tree** is any tree which has a majority (> 50%) of its trunk growing from Council managed land
- **Street Tree** is a tree that is located within the road reserve
- **Reserve Tree** is a tree that is located within a park, reserve or natural area
- **Remnant Tree** is any tree that has naturally grown in an area, usually prior to development.

Tree Protection Zone (TPZ) is an area above and below ground that is set aside for protection of trees roots, trunk and crown in order to provide for the viability and stability of a tree that is to be retained at a development site.

Urban Forest is a population of trees and other plants growing within an urban setting for the purpose of improving the liveability of that urban setting whilst providing social, economic and environmental benefits to the community as a whole.

Vandalism means the unlawful destruction, damage or injury to City owned tree assets which can include, but not limited to, poisoning, pruning, causing malicious damage to, removal and/or ringbarking

Relevant management practices/documents

Crossover Policy

Verge Treatment Policy

Permits to Use Verge Areas and Protection City Property during Building Works Policy

Street Tree Planting Guidelines

Legislation/local law requirements

Local Government Act 1995

Local Government (Uniform Local Provisions) Regulations 1996

Local Planning Scheme No. 3 – City of Stirling

Planning and Development Act 2005

City of Stirling Local Government Property Local Law 2009

City of Stirling Thoroughfares and Public Places Local Law 2009

Office use only

Relevant delegations

Not applicable

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