

- Objectives:** People
- Outcome:** 1.1 - A healthy, active, connected and inclusive community.
- Strategy:** 1.1.1 - Provide well planned and maintained public open space and community infrastructure.

## Purpose

The purpose of this Policy is to:

- Fulfil Council's obligations in reducing the impact of heat waves by increasing the level of vegetation and trees and minimising the proliferation of heat producing surfaces such as artificial turf and hardstands;
- Provide safe amenity to pedestrians, road traffic and property;
- Preserve the existing street and reserve trees within the Shire;
- Enhance the amenity of streets and reserves through the planting of new trees; and
- Define the circumstances under which the Shire's trees may be removed or pruned.

The Shire of Serpentine Jarrahdale manages a large number of Shire trees, to ensure its residents receive all the economic, environmental, social and health benefits trees provide. 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; and
- Enhancing the character of our suburbs.

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

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

To effectively promote the Shire's goals, all Shire 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 activities 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; and
- Prioritised when considering applications for new developments so that potential conflicts with Shire trees will be addressed before an application is approved for planning, construction/building and verge related permits.



## Definitions

“**tree**” is any single or multi-stemmed woody perennial plant, generally more than 2m in height at maturity.

“**shire tree**” is any tree which has a majority (more than 50%) of its trunk growing from Council managed land.

“**street tree**” is any tree, naturally occurring or planted on the street verge by the Shire or developers as a contribution to the streetscape, amenity and the urban forest.

“**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.

“**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 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 Shire owned tree assets which can include, but not limited to, poisoning, pruning, causing malicious damage to, removal and/or ringbarking.

“**road reserve**” means any land dedicated at common law or reserved, declared or otherwise dedicated under an Act as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both.

“**street verge**” means the portion of road between a property boundary and the road kerb, bitumen edge, or edge of maintained trafficable surface. It may accommodate public utilities, footpaths, stormwater flows, street lighting poles, street trees and other landscaping.

## Policy

1. The Manager Operations and the Environmental and Sustainability Services jointly have the authorisation for the planting, pruning, removal and management of Shire Trees, under this policy. Any decision on tree removal need to be jointly approved by Operations and Environmental and Sustainability Services.

**Tree Planting**

2. The Shire will plant and approve the planting of endemic, native and exotic trees to achieve the goals identified within the Shire's Climate Change Strategy and Local Action Plan.
3. The retention of remnant trees within the streetscape or reserve will be prioritised and at the discretion of the Shire.
4. The Shire is responsible for the planting of all Shire trees as identified under its annual programs, which include community tree planting programs run by Landcare SJ Inc. and street tree requests from residents/occupants. Tree planting is generally carried out in the winter months to aid in the establishment of trees.
5. The Shire will supply and plant selected trees free of charge on receipt of a written application from a ratepayer/householder. The preferred species (from a list of available street trees held by the Shire) and planting location can be requested in the application but final selection is at the discretion of the Shire. An application form is available from the Shire's administration centre or downloaded from its website.

**NOTE:** Street trees in new subdivisions are provided by the developer. The provision of a street tree by the Shire, as outlined in this policy, is applicable to existing suburbs only, where a street tree has not been supplied by the developer at subdivision stage or during the maintenance period.

6. The Shire will require developers to plant a minimum of one street tree per lot frontage (and additional trees on the side verge of corner lots) in new subdivisions, and maintain street trees for two years until establishment. Street plantings shall be in accordance with the developer's submitted and approved Master Street Tree Plan, with a requirement for more than 70% native species and a preference for local native species.
7. The Shire strives to create a balance between promoting development and providing cooler, greener and more comfortable urban environment. As such, the Shire applies the following street planting guidelines:
  - The Shire at all times reserves the right to reserve verge space for future tree planting;
  - Where there is no existing street tree, the Shire will plant at least one street tree in the next available planting season, space and budget permitting;
  - Verges which have been treated with paving are required to have at least one street tree in accordance with the Verge Management 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.
8. Street tree plantings must adhere to the following conditions:
  - Be positioned within the verge;
  - Generally, a minimum of one tree shall be planted per property frontage, while 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 Shire; and
  - 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 Shire, 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.
9. Urban landowners are entitled to one tree per 10-15m of verge but not more than three trees per frontage. A normal residential lot shall be allocated one tree on its front verge, while a corner lot may be allocated an additional two to three trees on its side verge. Rural and industrial lots are entitled to one tree per 30m. All allocations are subject to available funding each year, and may be placed on a waiting list for subsequent planting seasons.
10. The Shire shall be responsible for the final selection and planting of each tree. Property owners are requested to ensure trees are watered twice weekly, with 60 litres per tree per watering application, during the warmer months for a minimum of two years from the date of planting and/or until established. In planting street trees the Shire will observe restrictions imposed by service authorities where required.
11. The Shire may approve trees being planted on verges by ratepayers/householders at their own expense, subject to written application. The species and location must be approved by the Shire with the applicant accepting the responsibility for watering the trees until well established. Fruit trees may be planted, subject to Shire approval, with the applicant accepting the responsibility for the management of mess and nuisance, and fruit flies and other pests and diseases. The Shire reserves the right to remove fruit trees if fruit flies or other pests and diseases become an issue.
12. Street trees planted without the Shire's approval are considered unauthorised plantings. An unauthorised street tree planting shall constitute any one of the following:
- A tree of an inappropriate species for verge planting;
  - A tree out of alignment in relation to the Shire's verge planting specifications; or
  - A tree of an undesirable species that has self-germinated.

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

13. Street trees are to be located:
- So as to not interfere with underground services or overhead lines in that location;
  - No closer than one metre from infrastructure, including crossovers, footpaths, street lights and drainage pits;
  - No closer than 10m from the intersection of front and side boundaries if on a corner lot;
  - Not less than 10-15m apart; and
  - Consistent with proposed future development (e.g. footpath construction or property development), to minimise the requirement to remove trees.



14. The Shire 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 Shire. Residents/owners are encouraged to water street trees during the establishment period, as per instructions provided at the time of planting.

### **Tree Pruning and Removal**

15. The Shire is solely responsible for the pruning of Shire trees. Unauthorised pruning of any Shire 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.
16. The Shire will undertake street tree pruning, the extent of which will be determined by the Shire's operational programming. The Shire will consider written requests from ratepayers / householders for the removal or pruning of street trees subject to acceptable justification. Depending on the reasons submitted for removal, the ratepayer/householder may be required to meet all costs involved. The Shire will consider granting approval to ratepayers/householders to carry out street tree pruning subject to a written request.
17. The Shire undertakes pruning of street trees as required on an annual schedule. The scheduled street tree pruning may fulfil any of the following requirements, as determined by the Shire:
- 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; or
  - To underprune low growing branches that impede parking control signage and/or street signs.
18. The Shire is responsible for the removal of Shire trees. Unauthorised removal of any Shire tree is not permitted. The authorised officer/contractor of Council will undertake any tree removals that are required.
19. 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 Shire, under the following circumstances:
- The tree is dead;
  - The tree is diseased or in decline;
  - The tree has been assessed by the Shire 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 Shire; or
  - The tree is in contact with power lines and selective pruning is not practical.
20. If a Shire 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 Shire tree may be granted by the authorised officer
21. Street trees that die or are damaged or removed will be replaced. No damage to existing street trees or other native vegetation, including their root systems, shall occur during any modification to the verge. If it is found that the health of trees or other vegetation declines following verge modification to the point where removal is necessary, or if unauthorised pruning or removal has occurred, the property owner may be responsible for all costs associated with removal and replacement of the tree or vegetation, as per the Helliwell method (or other method authorised by the Shire).
22. The Shire will investigate requests from residents/owners for tree pruning or removal. If the Shire 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 Shire determines that the pruning or removal 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 request by an appropriate means.
23. The following are not considered to be sufficient or justifiable reasons for the pruning or removal of Shire 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.

### **Street and Reserve Tree Protection at Adjacent Development Sites**

24. 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.
25. The Shire will require developers to locate roads and infrastructure to retain remnant trees and other vegetation where possible, particularly significant trees, in accordance with other policies relating to conservation of remnant vegetation.
26. The Shire will identify strategic roads to act as ecological linkages, with particular emphasis on planting locally native understorey species as well as trees where suitable.



27. For all demolition and construction works the developer/ owner is responsible for the protection (in line with the Australian Standard for Protection of Trees on Development Sites) of all Shire trees that are to be retained on Shire 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 Shire, 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, with any lesser exceptions first approved by the Shire; and
  - The TPZ should not obstruct roads or footpaths unless approved alternatives are in place.
28. 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 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.
29. 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; or
  - Providing any other inaccurate site information.
30. A street tree is an asset forming part of the verge infrastructure. As such, the Shire actively seeks to protect street trees adjacent to development sites using the following guidelines:
- If any inaccurate information presented to the Shire as part of a development application results in a tree being pruned or removed, the required setback being impeded, or unauthorised removal or pruning, the Shire 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; and



- If a tree needs to be removed, or is removed without authorisation, the applicant will be required to reimburse the Shire the full costs associated with the tree removal/pruning.
31. All costs owed to the Shire due to any of the above circumstances will be in line with Section 5, Bonds and Payments of this guideline.
32. The Shire prioritises tree retention on Shire 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 Shire which requires the removal of one or more street trees, the applicant will be required to arrange removal of the tree(s) with the Shire's Operation and Parks business unit.
33. 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 Shire for the costs associated with the loss of the tree asset, as outlined below in Bonds and Payments.
34. 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 Shire and at the Shire's discretion;
  - All replacement trees will be of a species and size that is acceptable to the Shire; and
  - The replacement cost will be met by the developer/applicant as outlined below in Bonds and Payments.

### **Bonds and Payments**

35. Where development or other activities have the potential to impact on Shire trees, a bond for the protection of the tree will be held by the Shire 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.
36. Where a Shire tree removal is approved by the Shire 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.
37. The costs associated with removal, pruning and/or damage of a Shire tree include the following three elements:
- Removal costs – amounting to the fees incurred by the Shire for physically removing the tree or part thereof;





- Amenity Value – calculated in accordance to the Shire’s amenity tree calculation (currently the Helliwell method or other Shire approved valuation system); and
- 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 will take into consideration the location, significance, biodiversity provision, and amenity of the tree. Reinstatement tree costs will include watering costs for two subsequent summers.

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

### **Vandalism to Shire Trees**

38. Members of the community who witness vandalism of the Shire trees are encouraged to report this information. All reported incidents of vandalism will be investigated and responded to appropriately by the Shire.
39. Where vandalism has been committed, the Shire 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 Shire’s website seeking information; and
  - Erecting signage asking for any information pertaining to the vandalism.
40. Once information is acquired an appropriate resolution will be carried out, which may involve:
  - The installation of signage at the site advising of the damage and/or 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; and
  - Further legal action.

### **Community Consultation and Involvement**

41. The Shire values its community’s opinion, and encourages consultation and communication in the improvement of its urban forest. As such, the Shire 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 media;
  - Encourage community consultation in programmed street tree plantings and removals by providing opportunities to comment;
  - Prioritise community safety in conducting Shire tree maintenance works; and



- Raise community knowledge about the benefits of trees and the urban forest through tree information leaflets, the Shire’s web page and local media.

**References**

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|---|---|
| <b>Name of Policy</b>                         | 2.1.12 Street Trees   |
| <b>Previous Policy</b>                        | New Policy  |
| <b>Date of Adoption and Resolution Number</b> | Adopted OCM179/12/17 18/12/2017 Ordinary Council Meeting  |
| <b>Review dates and Resolution Numbers</b>    |   |
| <b>Next review date</b>                       |   |
| <b>Related documents</b>                      | <p><b>Acts/Regulations</b><br/> <i>Local Government Act 1995</i><br/> <i>The Local Government Act 1995 – S9.1 – cl. 2, 3, 6 and 8</i><br/> <i>The Local Government Act 1995 – S2.7 – Role of Council</i><br/> <i>Local Government (Uniform Local Provisions) Regulations 1996 – R5 and R17</i></p> <p><b>Plans/Strategies</b><br/> Strategic Community Plan 2017 - 2027</p> <p><b>Policies</b><br/> Town Planning Scheme No. 2 – provisions of TPS2 relating to applications regarding or affecting street trees<br/> Local Planning Scheme No. 3 – provisions of LPS3 relating to applications regarding or affecting street trees</p> <p><b>References</b><br/> Nil</p> <p><b>Delegations</b><br/> Nil</p> <p><b>Work Procedures</b><br/> This policy is to be read in conjunction with the attached guidelines</p> |

Note: changes to references may be made without the need to take the Policy to Council for review.