

	Tree Management Policy <i>Policy No. WKSPOL 11</i>	Version No:	1
		Responsible Officer/s:	Works Manager
		Classification:	Council
		Issued:	6 June 2016
		Next Review:	February 2026

1. Purpose

The Policy is intended to provide guidance in relation to general planting, maintenance and, if necessary, the removal of trees (and vegetation) on Council managed land and roads and within the scope of relevant legislation.

The Policy provides the strategy to manage, develop, protect and conserve the environment of the Council area, in a manner that is reasonable, consistent, promotes the principles of sustainable development and within the resource allocation provided by Council.

2. Scope

The Policy shall apply to all trees under the care, control and management of the District Council of Grant and within the scope of legislation.

3. Definitions

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

Planting the installation of a tree at an identified site.

Road a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes –

- a bridge, viaduct or subway; or
- an alley, laneway or walkway;

Community Land Local Government land classified as community land pursuant to the Local Government Act. Does not include roads or land excluded from Community Land classification.

Regulated Tree

- a tree, or a tree within a class of trees, declared to be regulated by the regulations (whether or not the tree also constitutes a significant tree under the regulations); or
- a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations);

Note: At the time of adoption of this Policy, there are no 'Regulated Trees' in the Council area

Reserve includes parks, gardens, reserves, playgrounds, ovals, and other areas such as water retention locations.

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Risk Management coordinated activities to direct and control an organisation with regard to risk (AS/NZ ISO 31 000).

Significant Tree

- a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or
- a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of the Act;

Note: At the time of adoption of this Policy, there are no 'Significant Trees' in the Council area

4. Principles

The key principles of the Policy are:

- To ensure that Council effectively and reasonably manages trees on roads, community land and across the landscape;
- To provide for effective maintenance, replacement and functional programmes for planting and preservation of trees;
- To coordinate and ensure that resources are allocated so that Council meets in its strategic and operational obligations;
- To ensure the effective and efficient use of resources, reasonably allocated to maintain and manage trees across the Council landscape;
- To manage the requirements related to the legislative framework;
- To focus on the provision of amenity, biodiversity and environmental sustainability;
- To consider the ongoing impacts of external stakeholders including SA Power Networks and other authorities;
- To consult with the community and promote the positive influence trees will provide to the general landscape;
- To minimise and consider issues of conflict between trees and Council infrastructure using the principles of risk management;

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5. Policy

5.1. Tree Planting on Roadsides and Council Land

The Council does not plant street trees as a matter of course. Rather, streetscape planting is considered on a case by case basis and is generally done for amenity reasons in a planned manner.

Before planting or authorising the planting of vegetation in a road, Council must consider the requirements of Section 232 of the *Local Government Act 1999*, amongst other considerations.

New tree plantings will consider:

- The surrounding vegetation composition and any environmental or aesthetic considerations;
- The purpose of the road as well as the construction of the road and any impact the trees may have on it, or surrounding structures;
- The impacts the proposed trees may have on any services present, above or below the ground, taking into account Legislative requirements eg Sewerage Act 1929, Electricity Act 1996, Road Traffic Act 1961;
- The type of traffic using the road and potential impacts of road safety;
- The possible impacts on the safety of the public;
- Tree Management Guidelines to determine species and suitability of species;
- Any other matters which may be pertinent to the site.

Where the proposed vegetation may have significant impact on residents, Council will follow the steps in its Public Consultation Policy.

5.2. Private planting on roads

Property owners or occupiers may only plant trees on a road if authorised to do so by the Council under Section 221 of the *Local Government Act 1999*.

Landowners will generally not be permitted to plant trees on a road, however if a number of property owners wish to plant trees and the proposal is not something already being contemplated by Council, the Council may consider the matter and manage the process, including any required consultation.

Planting may also be considered as part of a revegetation program with a community group.

5.3. Vegetation Clearance / Overhanging Trees

Section 254 of the *Local Government Act 1999* allows the Council to make orders to require an owner or occupier of land 'to remove overgrown vegetation, cut back overhanging branches, or to remove a tree' if 'the vegetation, branches or tree create, or are likely to create, danger or difficulty to persons using a public place.'

Any landowner who has trees growing on their property with limbs overhanging a road, or trees that are considered to be dangerous to road users whether now or in the future, will be requested to undertake trimming of the trees within a specified

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time. If not undertaken within the specified time, the Council will arrange the works at the landowner's expense.

Council may order the owner or occupier of private land to remove or cut back encroaching vegetation under Section 299 of the *Local Government Act 1999*.

Landowners are required to keep trees growing on their properties trimmed and cleared back to the boundary fence to a minimum height of six metres or such other greater height as considered appropriate by Council.

5.4. Tree Maintenance Objectives

Maintenance programs will be developed to ensure continuing maintenance of trees on roads and reserve areas.

The allocation of resources by Council for maintaining trees will determine the extent of implementation of any maintenance programs developed for the purpose. Therefore the implementation of maintenance programs will be prioritised on the level of funding and resources available.

Maintenance programs will in particular be developed to ensure that reasonable clearance envelopes are provided, where practicable:

- Around Council owned road furniture such as signs, safety barriers, median fencing and guide posts;
- Adjacent to culverts and bridge abutments, including the watercourse; and
- Traffic islands and medians.

5.5. Removal of Trees

It is Council's policy to retain all trees which are growing on its land except in the following circumstances:

- The tree is considered to be a danger to the public;
- The tree is dead or diseased and offers limited habitat for wildlife;
- The tree is unsuitable for the location;
- The tree has caused or has reasonable potential to cause damage to Council's assets;
- The tree affect public utilities in a way which requires such harsh pruning that will limit the future development of the tree;
- The tree obstructs the view of oncoming traffic such that sight lines in accordance with Austroads Guidelines cannot be achieved;
- A road is to widened or reconstructed (or will be in the foreseeable future) and it is not possible to avoid the trees;
- Where trees affect Council infrastructure in any way, including footpaths, kerb and gutter and the tree is impacting;
- The tree is on a surveyed fence line;
- The tree is self-planted on a road reserve and is a pine, cypress or olive tree.

Removal is subject to meeting the requirements of the *Native Vegetation Act 1991*.

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5.6. Tree Damage

Trees from private property may inadvertently fall onto public roads and land under the Council's care and control. The Council considers public safety to be paramount in these situations.

Without removing and responsibility or liability which rests with the owner of the tree, the Council may act in the interests of public safety to clear fallen trees from roads and land under the Council's care and control. The Council will clear fallen trees only to the extent required to avert immediate risks to public safety. The tree owner is still considered to be responsible for the tree and will be expected to clear the remainder of the tree. If not undertaken within the specified time, the Council will arrange the works at the landowner's expense.

5.7. Arborists

Advice will be sought externally from Independent Arborists to assist in planning, assessments, monitoring, species selection and other tree management decision processes where circumstances dictate.

6. Availability

This Policy will be available for inspection without charge at Council's principal office during ordinary business hours and on Council's website www.dcgrant.sa.gov.au.

A copy of the Policy may be purchased from the Principal Council office upon payment of a prescribed fee in accordance with Council's Schedule of Fees and Charges.

7. References / Other Documents

7.1. Legislation

Native Vegetation Act 1991
Development Act 1993
Local Government Act 1999

7.2. Other

District Council of Grant Development Plan
Tree Management – Risk Management Guidelines for Local Government – January 2013
Roadside Vegetation Management Plan
www.sapowernetworks.com.au/safety/vegetation-around-powerlines/

8. Review

This Policy shall be reviewed by the District Council of Grant at a minimum, once within every four (4) year Council term (or on significant change to legislation or other matters which could affect this policy).

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Action	Date	Minute Reference
Adopted by Council	6 June 2016	16067.4.1
Amended	18 November 2019	19156.3
Minor formatting amendments	4 May 2020	Governance Officer