Council Policy

Council policy title:	Street and Park Tree Management
Council policy ref no:	C/POL/CST/001
Council policy owner:	Director Environment and Infrastructure
Adopted by:	Bayside City Council
Date adopted:	[insert meeting date/reference number]
Scheduled review:	[insert month and/or year]
Trim document reference no:	DOC/16/63073

(Council Policy is a public statement formally resolved by Council, which clearly states Council's requirements in relation to a particular matter or issue. For Council policy approval process see Section 10 and Appendix 1 of the Policy Handbook.)

1. Policy intent

The intent of this policy is to contribute to Bayside's liveability by protecting and enhancing Bayside's urban forest. This will be achieved by establishing service levels regarding the selection, maintenance, protection and removal of Council owned and managed trees.

2. Purpose/Objective

The objectives of this policy are to:

- provide guidance for the selection of street tree species and planting sites to preserve Bayside's leafy street character.
- minimise risks to the community by maintaining healthy street and park tree populations.
- protect public trees from damage during works and activities.
- minimise conflict between public tree roots and public and private infrastructure.
- define the circumstances by which public trees may be removed or pruned.
- recognise the value and importance of public trees within Bayside and to provide adequate protection for those trees.

3. Scope

This policy is applicable to all Council owned and managed trees.

4. Roles & Responsibilities

The Manager, Environmental Sustainability and Open Space is responsible for approving, implementing, complying with, monitoring, evaluating and reviewing and providing advice on this policy.

5. Monitoring, evaluation & review

This policy will be monitored, evaluated and reviewed by the Manager, Environmental Sustainability and Open Space, at a minimum, every three years.

Public tree planting and removal statistics are published annually in Council's Annual Report.

Public tree health statistics and maintenance data are contained in Council's tree database.

6. Policy statement

6.1 Selection of tree species and planting sites in streets and parks.

Council aims to have 100% of suitable sites in Bayside planted with a tree. Most property frontages in Bayside will be able to accommodate at least one tree within the naturestrip. Where possible, additional tree(s) may be planted where there is appropriate space and site conditions. Therefore some residences may have more than one street tree adjacent their property. Although site specific, trees are generally planted at a spacing of approximately 12 metres.

Council will determine the suitability of a site for planting. Appropriate tree species for the site will be selected in accordance with the *Street and Park Tree Selection Guide 2016*. The Guide provides a list of species that are suitable for each nature strip type, based on an assessment of the existing streetscape, constraints and urban character. Wherever possible indigenous species will be of local provenance.

6.1.2 Tree Selection within Vegetation Protection Overlay 3 (VPO3)

Tree planting on Council owned and managed land within Vegetation Protection Overlay 3 will consist of a minimum 80% of trees indigenous to Bayside.

6.1.3 Tree Selection between VPO3 and south of Highett Road

Street and Park tree planting between VPO3 and south of Highett Road will consist of a minimum 25% of trees indigenous to Bayside.

6.1.4 Tree Planting near Conservation Reserves

To minimise the risk of weed trees invading Council's Conservation Reserves (PCRZ), no street or park tree that could become a weed in a conservation reserve will be planted within 150 metres of that reserve. Naturestrips immediately adjacent to conservation reserves must be planted with indigenous species of local provenance.

6.1.5 Resident planting on Nature Strips

Consistent with Council's *Naturestrip Planting Policy (2015)* residents are not permitted to plant trees in the nature strip. Council may require a tree planted by a resident to be removed by the resident or arrange the removal of any trees not planted by Council.

6.2 Tree Maintenance Service Levels

All Council tree maintenance services are delivered through the contract for Management and Maintenance of Open Space Services (Contract No.080926). This contract complies

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with Electric Line Clearance Regulations and defines the service levels and standards to be met including those determined by national and state legislation and industry best practice.

Tree maintenance services are delivered by Council's Open Space Services contractor by the following methods:

i. Scheduled Maintenance and Inspection Services; and/or

ii. Customer-initiated Maintenance and/or Inspection Service Requests

6.2(i) Scheduled Maintenance and Inspection Services

Scheduled Maintenance and Inspection services are carried out by the Open Space Contractor in accordance with the contract for *Management and Maintenance of Open Space Services (Contract No.080926)*; which includes:

a) Periodic tree health inspections (12 month and two yearly);

b) Power line clearance inspections and pruning to ensure compliance with the *Electric Line Clearance Regulations*;

c) Canopy clearance inspections over driveways, roads and footpaths in compliance with VicRoads Road Management Plan and Manuals;

d) Deadwood removal;

e) Watering of significant trees or those in two year establishment period;

f) Structural and formative pruning; and

g) Tree risk assessment.

6.2(ii) Customer-initiated Maintenance and/or Inspection Requests

Residents may contact Council and request maintenance and inspection of a particular tree that they believe requires attention. Upon receipt of a customer enquiry, the tree will be inspected by a qualified Arborist and works scheduled if and as required. The customer will be notified of the outcome of the inspection.

Note: The seasonal dropping of leaves, flowers, fruit, seeds or small elements of deadwood by urban trees is considered normal and does not provide the basis for Council to prune or remove a tree.

6.2.2 Bayside Tree Database
The Open Space Tree Database records all council owned and managed trees. All trees are given an individual identifying number against which all inspection details and works undertaken are recorded.

6.3 Protection of Council's Trees

Council trees are valued assets by the community and are protected under Consolidated Local Law (s70 (2)) and the Summary Offences Act 1966 s9 (1).

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6.3.1 Working Near Council Trees

Conditions for the protection of Council trees are issued to developers of land via Asset Protection, Hoarding, Planning and/or Vehicle Crossing Permits obtained prior to commencing works near Council trees.

Any other works, such as routine road openings by authorities or utilities installers that require excavation within three metres of a tree must comply with the *Working Near Council Trees Guideline*.

Failure to comply with tree protection conditions will result in the permit holder being liable for penalties under the Local Law.

6.3.2 Tree Vandalism

Any pruning, lopping, removal of branches, or poisoning of a Council tree by a member of the community is considered vandalism and is subject to prosecution under Consolidated Local Law (s70 (2)) and the Summary Offences Act 1966 s9 (1).

6.4 Tree root interactions with public and private infrastructure

Council will manage tree root interaction with public and private infrastructure in the following ways:

6.4.1 Consideration of street trees and their root systems during design

To preserve Bayside's leafy street character, Council requires all new developments to make allowances for the protection of Council-owned or managed trees on nature strips and parks during the design and planning process.

Council assesses planning and building permit applications to ensure new developments have considered and incorporated street/park tree(s) and their underground root systems into the design process.

All developments should be designed and built to accommodate one or more large mature trees in the naturestrip (depending on the property's frontage) regardless of the presence of a tree at the time of design and planning.

6.4.2 Tree Roots Causing Infrastructure Damage

When tree roots are reported to be interfering with private infrastructure, Council's Open Space Arborist will respond to the matter in accordance with the Council's *Tree Root Investigation Procedure*.

If mitigation measures such as root pruning are considered to be ineffective to manage the situation, an assessment of the tree will be undertaken using the Tree Removal Guideline (G/ESO/003) to determine whether the tree meets the criteria for removal.

6.4.3 Root Barriers

Root barriers have been trialled in Bayside with limited success. This is due to Bayside's soil profile consisting mainly of deep sandy soils with little water holding capacity. Root barriers can also be rendered ineffective where holes

are made for the installation of utilities such as water, gas and telecommunications. Therefore, installation of root barriers in Bayside naturestrips will only be considered in exceptional circumstances.

6.4.4 Raised tree roots in Naturestrips

Street trees sometimes develop raised tree roots within the naturestrip for anchorage and to absorb water and minerals from the soil. Raised tree roots are considered normal and will not be considered for pruning or removal unless it is causing an obstruction for pedestrian access where there is no alternative pedestrian access, e.g. in a street with no footpath.

Where Council does not provide a footpath for pedestrian access and it is reported that tree roots are obstructing pedestrian access, the Open Space Arborist will inspect the tree roots and determine the level of management required to maintain safe pedestrian access.

6.4.5 Tree roots entering pipes or drains

Cracked pipes or drains leak moisture and provide an ideal entry point and growing environment for any plant roots in the area. It is the responsibility of the asset owner to maintain pipes so they are fully sealed and do not leak.

6.5   Requests for tree removal to facilitate development

Council receives requests from developers to remove street/park trees in order to facilitate development on an adjacent site. Approval for removal of a tree is granted subject to the request meeting the criteria for removal under Council's *Removal of Public Trees to Facilitate Development Procedure*.

6.5.1 Criteria for removal of a tree to facilitate development

A street or park tree will be considered for removal following a developer's request, provided it meets the following criteria:

1. The tree has a Safe Useful Life Expectancy (SULE) of less than 10years; and
2. The tree has a value of less than $30,000 calculated using the *Tree Amenity Valuation Procedure* (PR/ESOS/TM/001); and
3. The tree cannot reasonably be expected to be implemented into the design of the development; and
4. The applicant agrees to pay for the cost of removing the tree/s; and
5. The applicant agrees to pay planting costs for 2 replacement trees; and
6. The applicant agrees to pay compensation for loss of amenity in the amount of the current value of the tree.

6.5.2 Waiving of the tree amenity valuation fee
The Director Environment and Infrastructure has delegated authority to waive the tree amenity valuation fee for special cases where applicants satisfy the following criteria:

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1. The tree removal is required to provide access for a person residing at the property with a permanent disability that cannot be met without removal of the tree; and

2. the need is certified by a medical practitioner; and

3. the applicant holds a Centrelink or Department of Veterans Affairs Pensioner Concession card or can otherwise demonstrate that the financial impact of the full cost is unreasonable, having regard to the particular circumstances.

All fees collected as compensation for street or park tree removals will be used in the management, maintenance and improvement of Bayside's urban forest.

6.6   Periodic removal of street and park trees

Council will consider the periodic removal of individual street and park trees in the following circumstances:

i.   When removal is the only option to mitigate a high or extreme risk identified by a Council Arborist qualified to use the *International Society of Arboriculture Basic Tree Risk Assessment*;

ii.   The tree is dead or in decline with 80% or greater canopy loss (may be retained for habitat if it is safe to do so);

iii.   The tree is causing damage to utilities such as water mains and there is no other option to resolve the issue and maintain the supply of essential services;

iv.   The tree is causing damage to public infrastructure or private property and there is no reasonable option to otherwise resolve the issue (e.g. the cost of repairs outweighs the amenity benefits provided by the tree as valued using the 'Tree amenity valuation' method);

v.   Where a medical certificate is provided from a specialist in the relevant field to certify that a specific tree is causing a specific allergenic problem for a resident that significantly diminishes the quality of life that person enjoys and there is no other way of managing the problem;

vi.   The tree is affected by private development and has met all the criteria outlined in the *Street and Park Tree Removal for Development Procedure*.

vii.   Where the tree/s are identified by a Council Arborist as in decline or unable to be maintained to meet road clearance and power line clearance regulations.

viii. The removal of trees may be required to facilitate renewal of the streetscape. *The Large Scale Street Tree Replacement Procedure* guides the streetscape renewal process.

6.7   Community Engagement regarding Tree Management

Community engagement regarding the communication of maintenance, removals and planting of trees and parks is carried out through the *Community Engagement for Park and Street Tree Works Procedure (PR/ESOS/TM/002).*

The Community Engagement Policy sets outs goals and objectives for engaging with the community for all other matters regarding Council's public trees.

6.8   Appeal process

Should there be a disagreement with the application of this Policy an appeal can be lodged with the Director Environment and Infrastructure for review. If appropriate the Director Environment and Infrastructure may refer the matter to Council for decision.

7   Related documents

State and local laws	Bayside Planning Scheme Vegetation Protection Overlays 2 & 3 Tree Protection Local Law No 2 Electric Line Clearance Regulations
Plans and Strategies	Bayside Council Plan 2013-2017 Open Space Strategy 2015 Electric Line Clearance Management Plan Tree Strategy 2004, reviewed 2011
Policies	Tree Vandalism Reward Policy Vehicle Crossing Policy Asset Protection Policy Naturestrip Planting Policy 2014 (C/POL/CST/038)
Guidelines	Street and Park Tree Selection Guide 2016 Tree Planting Guideline G/ESO/004 Tree Pruning Guideline G/ESO/005 Tree Removal Guideline (G/ESO/003) Naturestrip Planting Guideline (public brochure) Working near Council Trees Guideline (public brochure)
Procedures	Street Tree Selection Procedure Tree Amenity Valuation Procedure (PR/ESOS/TM/001) Community Engagement Regarding Tree Management Procedure (PR/ESOS/TM/002) Large Scale Street Tree Replacement Procedure (C/POL/CST/003) Street and Park Tree Removal in Response to Development of Adjacent Land Procedure (PR/ESOS/TM/004)

8   Definitions & Abbreviations

Term	Meaning
Lopping	The indiscriminate cutting of branches or stems between branch unions or internodes resulting in decay and structurally weak branch development
Scheduled maintenance	The periodic inspection and pruning (when required) of every street and park tree in Bayside
Power line clearance	To pruning of branches away from powerlines to a distance specified by the Electric Line Clearance Regulations.

Please note: This policy is current as at the date of approval. Refer to Council's website (www.bayside.vic.gov.au) or staff intranet to ensure this is the latest version.