



Bellingden Shire Council **POLICY**

Internal Use Only

External Use

COUNCIL MANAGED TREES

Department:

Responsible Officer:

Contact Officer:

Date Approved by General Manager:

Date Confirmed by SCC:

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1. PURPOSE

To provide a clear direction for the management of trees on Council owned or managed property.

To confirm the importance of public vegetation in creating the character of landscapes in Bellingden Shire.

To facilitate the development of pro-active approaches towards tree management in Bellingden Shire.

2. SCOPE

This policy applies to any vegetation that is located on land owned or managed by Council and may include road reserves, park areas, playing fields, public reserves and the like.

3. DEFINITIONS

Significant vegetation means;

Vegetation identified as significant in any specific Tree Audit's undertaken by Council
Vegetation identified as a heritage item in Schedule 5 of BLEP 2010.

4. POLICY STATEMENT

General

- a) Council will take a long term view towards retention of the vegetated character of the Shire. This may involve current generations accepting temporary reductions in amenity to ensure that future generations benefit from the replacement of declining trees with new species that will take time to reach maturity.
- b) Although Council's approach to the management of public trees must necessarily be a mix of pro-active and re-active measures, Council will aim to move towards a proactive system of management that will ultimately reduce the need for unpredictable and re-active actions to mitigate potential hazards.
- c) Generally, Council will prioritise the retention of healthy trees in public places over requests for removal, where those requests are not based upon legitimate and

potentially serious safety issues. The following arguments will not normally be sufficient justification for Council actions;

- The falling of vegetative debris associated with the normal characteristics of healthy trees, including leaves, flowers, fruit, bark, twigs and minor branches.
- Sooty mould
- View creation or preservation
- Solar access for energy efficiency devices
- Shade creation and / or access to winter sun
- Dank environments and associated slippery or mouldy conditions
- Overhanging branches
- Perceived unsightliness
- Drain blockages due to falling leaves and debris

The following arguments will generally be sufficient justification for Council actions;

- The tree, or part/s of the tree, pose a high and unacceptable risk to the public because of it's poor condition and circumstances.
 - Action is required to maintain safe and serviceable vehicular and pedestrian access on public lands.
- d) If a potential risk can be mitigated by the relocation of items (eg: seating, play equipment, parking areas) or restrictions on use, then these options shall generally be given preference by Council over options involving damage to vegetation.
- e) If a potential risk can be adequately mitigated by the selective removal of individual limbs or branches then this option shall generally be given preference over total removal of the vegetation, but only where the remaining tree would remain aesthetically and structurally sound.
- f) Council may, in certain limited circumstances, consider allowing the self funded removal of vegetation on public land by concerned persons when removal by council is not currently justifiable on the basis of risk and/or budgetary constraints. Such circumstances may include (but are not restricted to) the pre-emptive removal of vegetation that is highly likely to become a future risk to life or property or the removal of vegetation that is a noxious weed, an environmental weed or a non-preferred species of vegetation.
- g) Council will adopt a systematic method for determining tree hazards and tailor staff training procedures and arborist reporting guidelines around this adopted system.

Pro-active Management Measures

- a) Council will advertise for the services of a retained Arborist to;
- form part of a *Council Managed Tree Reference Group*
 - provide expert advice to Council on the prioritisation of recurrent funding resources towards the management of trees
 - provide expert advice on matters of immediate concern where hazards are identified.

To ensure transparency and impartiality, Council will not engage the services of the retained Arborist to perform any actual tree removal works that they have endorsed in their advisory role to Council.

- b) Council will establish a *Council Managed Tree Reference Group* to set strategic directions for the long term management of vegetation on public lands within Bellingen Shire and advocate for the allocation of resources towards this end. The Group will be comprised of core representatives from;
- The community (up to 3 representatives)
 - The retained Council Arborist
 - One representative from the **Asset Management & Design** organisational unit and one representative from the **Works** organisational unit.
 - A representative from either the **Planning** organisational unit or **Sustainability & Natural Resources** unit, depending upon the relevant experience of officers, or the particular focus of the reference group, from time to time.

Depending upon the circumstances, the Reference Group may also seek input from the following persons / organisations at any particular time.

- Council's Risk Management Officer
- Council's Heritage Advisor
- Relevant Chambers of Commerce
- Potential funding bodies
- Other community organisations that may have a particular interest or experience in the matter at hand.

Terms of reference will be developed to ensure that the Groups' focus is on matters of long term strategy, as opposed to operational matters concerning immediate risk / urgency.

- c) A core task of the Reference Group will be to develop a;
- Preferred Species List to inform Council's future approach towards new or replacement plantings on Council managed property.
 - Risk assessment framework to determine the suitability of the selected species in the particular context of a proposed planting.
- d) Council will consider an annual budget provision to undertake tasks that will support the strategic, rather than reactive management of Council managed trees.

Re-active Management Measures

As vegetation can rapidly become unsafe as a result of adverse weather conditions and the like, it is imperative that Council has clear procedures to ensure that removal requests are allocated to the correct areas within Council and responded to in a timeframe that is appropriate given the reported threat.

- a) Council will aim to improve the knowledge base within Council relating to tree management issues. In this regard, Council will investigate and arrange appropriate training for designated Officers to enable them to make routine decisions relating to vegetation management.

- b) A formal procedure for the receipt, investigation and actioning of tree removal/pruning requests for vegetation on public land will be developed and implemented by Council.
- c) Council will consider removal requests initially from a landowner's perspective, rather than as a regulatory authority. Any Development Application seeking consent for the removal of vegetation on public land will not be signed by the General Manager (as landowner) until such time as an operational position has been determined.
- d) Any recommendation to retain vegetation, contrary to a request for removal, must be referred to, and supported by Council's retained Arborist prior to finalisation of the removal request, where the request for removal relates to a matter of structural stability or safety.
- e) Where a non urgent request has been made for the removal of significant vegetation (eg: replacement of an avenue planting of trees in gradual decline) the request may be referred to the *Council Managed Tree Reference Group* for further consideration and to provide a strategic position on the priority that should be attached to the removal request.
- f) Council will consider an annual budget provision to complete urgent tree removal or maintenance works.

5. ROLES AND RESPONSIBILITIES

The management of public vegetation is an operational function of Council involving the ongoing management of a Council asset. Accordingly, the management of public vegetation is a role that will be undertaken by the **Asset Management & Design** and **Works** organisational units of Council.

The role of the **Planning** organisational unit will be to advise on the regulatory approvals needed, if any, for the **Asset Management & Design** and **Works** organisational units to fulfil their management role.

6. RELATED PROCEDURES

None upon commencement.

Note: It is the strategic intent of the policy that procedures will be progressively developed and adopted as the policy is implemented.

7. LEGAL PARAMETERS

The ongoing management of Council Managed Trees will take place within the statutory limits imposed by relevant legislation and environmental planning instruments such as;

The Environmental Planning & Assessment Act 1979
State Environmental Planning Policy (Infrastructure) 2007
Bellingen Local Environmental Plan 2010

8. ASSOCIATED DOCUMENTS

- a) Heritage Listed Weed Species Policy

Note: It is envisaged that additional associated documents will be located and itemised as the Policy is implemented and periodically amended by Council