

TREE MANAGEMENT POLICY

Policy Owner: Group Manager Services	
Date Last Amended: 29 October 2021	Review Date: 29 October 2024

1. Policy Statement/Objective(s)

Shellharbour City Council is committed to the sustainable management of trees on Council owned and managed land (public land). Council acknowledges that the preservation of existing trees contributes to; social amenity, biodiversity, heritage and environmental quality of our City for current and future generations.

Shellharbour City Council considers trees to be natural assets of our City and therefore will establish and maintain a Significant Tree register for all individual trees identified as Significant. The retention of a tree is considered a priority over removal where safe to do so.

This policy outlines Council's approach to assessing trees for pruning and removal on Council owned or managed land, for operational purposes and as a response to customer requests. This policy also outlines Council's approach to replacing trees that die, require removal or pruning as a result of injury through natural causes or vandalism on public land. Public safety in all of Council decisions is the key priority.

2. Scope

This policy applies to trees located on Council owned and managed land (public land) within the Shellharbour City Local Government Area (LGA).

Trees located on private land are not covered under this policy.

Tree removal required as part of development works or projects which are assessed under the *Environmental Planning and Assessment Act 1979* are not covered under this policy.

3. References

- *Biodiversity Conservation Act 2016*
- *Biodiversity Conservation Regulation 2017*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Protection and Biodiversity Conservation Act 1999*
- *Local Environmental Plan 2013*
- *Local Environmental Plan 2013* including Schedule 5 listed heritage trees
- *Local Government Act 1993*
- *Local Land Services Act 2013*
- *Local Land Services Regulation 2017*

- Rural Local Environmental Plan 2004
- State Environmental Planning Policy (Vegetation in Non – Rural Areas) 2017 (SEPP)
- Australian Standard AS4970-2009 Protection of Trees on Development Sites
- Australian Standard, AS4373-2007 Pruning of amenity trees

4. Internal Consultations

Manager Environment
Environment Officer

5. Definitions

Biodiversity	Biodiversity or biological diversity refers to the variety of life within a given environment or ecosystem and can be measured at various levels. A healthy level of biodiversity in our natural environment supports the supply of oxygen, clean air and water, pollination of plants, pest control, and natural wastewater treatment
Community	the population of residents within a defined area. Example - the community of residents which live adjacent to a Significant tree
Councils owned and managed land	all land in within Shellharbour LGA that is under Council management including natural areas, open spaces, road reserves and other public spaces.
Customer	a person residing in Shellharbour City which contacts Council for a request or enquiry is a customer to Council
Tree	For the purpose of this policy a tree is one that meets one or more of the following criteria: <ul style="list-style-type: none"> • is three (3) metres or more in height, • has a trunk circumference of 30cm or more at natural ground level, • has a branch spread of three (3) metres or more
Environmental Quality	qualities of the natural environment that can be measured and monitored as indicators of environmental health. These include air quality, water quality, flora/fauna, pollution, noise, waste and pests
Social Amenity	a feature of the environment that is considered desirable or useful. Trees can create visual amenity on streetscapes and add aesthetic values to property. They provide privacy, shelter/shade from heat and can reduce wind speed in urban areas
Significant Tree	Is a tree that has been assessed and determined by Council to be Significant on the basis of its values in - biodiversity, habitat, landscape connectivity, social amenity, heritage, aesthetic, listing status, age or landmark qualities

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6. Variation and Review

Council reserves the right to review, vary or revoke this policy.

Review History -

Date Policy first adopted – version 1	4 September 2018
Date of amendment – version 2	29 October 2021

7. Policy

7.1. Aim of this Policy

The aim of this Policy is to define the assessment process Council undertakes for the pruning, removal and replacement of trees on Councils owned and managed land. This process supports a transparent and coordinated approach for tree management and retention or replacement of trees that contribute to social amenity, biodiversity, heritage and environmental quality of our City.

7.2. Requests for Tree Removal or Pruning

Requests from community members for the removal or pruning of trees on Council land should be submitted through Council's customer request system. Authorised Council officers will then arrange a site visit and conduct an assessment in line with the requirements of this Policy.

7.3. Assessment for Tree Removal or Pruning

Council will undertake an assessment of each tree prior to determine whether it can be pruned or removed using Council's *Tree Risk Assessment Matrix* and/or other relevant industry guidelines. Removal of a tree will not be the first option considered. Where possible, alternative actions will be undertaken including selective pruning, bracing, engineering solutions or partial removal where safe to do so.

Trees are assessed by an Authorised Council officer on a case by case basis. Factors that are considered in the assessment of a tree for pruning or removal include:

- Risk to life and property
- Clearance requirements for pedestrians and vehicles
- Visibility needs for exiting driveways
- Clearance requirements near buildings (dependent on-site constraints)
- Tree health and structure
- Structural damage to a building or asset (supporting documentation required)
- Guidelines in Council's Vegetation Removal Application
- Environmental and sustainability principles, including maintaining trees with habitat value
- Shellharbour DCP requirements
- Relevant streetscape strategies for the area
- Local, State and Federal legislative requirements

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7.4. Factors that are unlikely to constitute grounds for the Removal or Pruning of Trees

The following reasons are not significant considerations in determining if a tree will be pruned or removed:

- Improvement of views
- Dropping of unwanted materials (e.g., leaf or seed drop)
- Interference with other private structures

Pruning will be considered for shading of solar panels, but not removal. A shade graph must be submitted to Council showing the anticipated amount of sunlight has been accurately identified prior to installation of the solar panels including anticipated natural growth.

Repeat tree requests regarding the same matter will not be investigated by Council unless additional information is provided by the customer.

7.5. Emergency Situations

In emergency situations, Council will provide a risk-based approach for determining tree pruning and removal decisions.

Council will not conduct works on private property; it is up to the Customer to contact emergency services for works relating to private property.

7.6. Fees and Charges

Costs associated with the approved pruning or removal of trees on Council land for solar access, including supporting documentation to show structural damage to a building or asset will be paid for by the applicant.

Where Council determines that there are extenuating circumstances, (such as Council works resulting in the need for pruning or removal to occur), Council will cover the costs associated with pruning or removal.

Fees are set in Council's fees and charges.

7.7. Tree replacement following removal

Where a tree removal is undertaken, Council where practical, will replace the tree/s with the same or suitable species within the immediate vicinity of the removed tree.

Where replacement in the vicinity of the original tree is not practical, the replacement tree may be installed at a suitable location determined by Council.

Where a tree with identified habitat value is proposed for removal or pruning, replacement habitat may be required, for example via the installation of nest boxes.

Factors considered in determining the replacement of a tree/s may include:

- Ecological factors – habitat value, connectivity and biodiversity value
- Geological factors - topography, climate and soil type
- Environmental factors – climate and season
- Social factors – shade, amenity, aesthetics and heritage value

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- Physical factors – species size, root system and maintenance requirements
- Shellharbour City Development Control Plan (DCP) requirements
- Relevant State Environmental Planning Policy requirements
- Adjacent neighbouring land use
- Services including current and future overhead/underground

Council will also replace trees that die of natural causes, or require removal as a result of injury through natural causes or vandalism on public land. Unauthorised removal or intentional damage of trees on public land is an offence.

7.8. Planting of trees

Planting of trees on Council land, including requests by customers to plant on Council land, must be approval by Council. In approving tree planting, consideration will be given to factors listed in **Section 7.7** of this Policy.

Street tree species selection is determined by Council in accordance with *APPENDIX 7 - Plant Lists For Shellharbour LGA* within DCP, and factors listed in **Section 7.7** of this Policy. Streets may be planted with single species to create a uniform avenue or use a mix of species depending upon the existing or desired, environmental or aesthetic outcome.

7.9. Consultation and notification

Council will notify the community if a tree, including those identified as significant must be removed from a public area if the removal has the potential to impact nearby residents.

Council will provide information on new street tree plantings to residents adjoining the proposed planting location/s. All plantings undertaken by Council will be in accordance with *APPENDIX 7 - Plant Lists For Shellharbour LGA* within DCP, and factors listed in **Section 7.7** of this Policy.

If a street tree is to be removed the property owner or occupier will be notified, except where emergency work is required.

7.10. Engagement

Council actively promotes the value of trees as a natural asset in our City. Council will undertake programs to encourage community awareness and involvement in sustainable tree management. This may include promoting work by Bushcare and Landcare groups, Council promotion of National Tree Day activities and Nursery plant sale days.

8. Related Forms/Documents

- Vegetation Removal Application (available on Council's website).
- Request for Service (available on Council's website)

Policy Authorised by:

Name: Council Resolution No. 204

Date: 4 September 2018

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Policy Name: Tree Management Policy

Date of Last Amendment: 29/10/2021

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