

Council Policy – Shire Trees

Responsible Directorate	Operations
Responsible Business Unit/s	Operations
Responsible Officer	Manager Operations
Affected Business Units	All

Objective

The objective of this Policy is to support the values and goals of the Shire of Serpentine Jarrahdale Urban and Rural Forest Strategy 2018 – 2028, and to promote a cool, healthy, and liveable community that integrates the natural environment and reflects the unique sense of space and identity of the Shire of Serpentine Jarrahdale (the Shire).

Scope

This Policy applies to Shire officers, property owners, developers, contractors, the community, and other stakeholders.

Policy

Introduction

The Shire's operational tree management processes and procedures ensures consistency with this Policy and that all existing trees and native flora remain protected, and that the urban tree canopy increases now and in the future. Trees are identified to be an important natural asset that:

- increases biodiversity and faunal habitats,
- improves soil health and stability,
- provides wind breaks, improves air quality and carbon sequestration,
- maintains groundwater levels, and helps to reduce stormwater flows and nutrient loads,
- combats urban heat island effect,
- improves mental health and wellness, increasing community connection and engagement by encouraging outdoor activity and recreation, and
- increases property values and reduced energy demand costs.

1. Tree Species Selection and Planting

The Shire will select and approve the planting of endemic, native and exotic trees to achieve the goals identified within the Urban and Rural Forest Strategy 2018 – 2028, Climate Change Strategy and Local Action Plan.

The Shire encourages the planting of trees within the verge by offering a Street Tree Program to Shire residents. Property owners can apply for a free tree via the Shire's website.

1.1 New Developments

New developments within the Shire are largely guided by the Shire's local schemes, policies, and structure plans. Where possible, developers should protect and retain existing trees as a priority and plant new trees wherever possible in accordance with the approved Landscape Management Plan and Master Street Tree Plan.

The Shire requires that developers plant a minimum of one (1) tree per lot frontage and two (2) to three (3) additional trees on the side verge of corner lots in new subdivisions and maintain the trees for two years, or until they are established. Where canopy cover is considered insufficient or where saplings or small trees are proposed to replace mature trees, additional trees may be required.

Note: Trees within new developments are provided by the developers.

1.2 Verge Planting

Urban landowners are entitled to one (1) tree per 10-15m of verge but not more than three (3) trees per frontage. A normal residential lot shall be allocated one (1) tree on its front verge, while a corner lot may be allocated an additional two (2) to three (3) additional trees on the side verge.

Rural and industrial lots are entitled to one (1) tree per 30m.

The Shire is responsible for the final selection and planting of each tree:

- Trees are to be planted at a minimum of one (1) metre from essential infrastructure and utilities.
- Verges treated with paving or other hardstand materials, are required to have at least one (1) street tree in accordance with Council Policy Urban and Rural Verge.
- The Shire reserves the right to allocate verge space for future tree planting.
- If there is no existing street tree, the Shire will plant at least one (1) in the next available planting season, (space and budget permitting).
- Planting near road intersections and driveway crossovers will be subject to pedestrian and road safety assessments by the Shire.

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

Note: All allocations are subject to available funding each year and may be placed on a waiting list for subsequent planting seasons.

1.3 Tree Planting by Property Owners

The Shire may approve trees being planted within the verge by residents/property owners at their own expense, subject to written application. The species and location are to be approved by the Shire and the applicant must accept the responsibility for watering the trees until well established.

1.4 Unauthorised Planting

Trees planted within a verge without the Shire's approval are unauthorised plantings. This constitutes any 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,

- a tree of an undesirable species that has self-germinated.

Where an unauthorised tree has been identified, the Shire shall determine whether the tree can be retained or removed.

2. Tree Maintenance

The Shire is solely responsible for the pruning of Shire trees and any unauthorised pruning is not permitted.

In accordance with relevant Australian Arborist Standards and codes of practice, the Shire undertakes pruning of Shire trees on an annual schedule. The scheduled pruning may fulfil any of the following requirements, as determined by the Shire:

- to clear the canopy from interference with overhead powerlines, electrical feeder lines to individual properties and other essential services,
- to remove overhanging branches considered hazardous to road traffic, buildings, or structures,
- to under prune low growing branches considered hazardous to road 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,
- to under prune low growing branches that impede parking control signage and/or street signs, and
- fire mitigation purposes.

When pruning is required for the clearance of power lines, the trees are to be pruned as necessary to comply with the Department of Mines, Industry Regulation and Safety guidelines.

2.1 Tree Maintenance Requests by Resident/Property Owners

The Shire will consider written requests from resident/property owners for the removal or pruning of Shire trees subject to acceptable justification.

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 request requires immediate response, then this will be attended to on an as-needed basis. The resident/property owner will be informed of the outcome of any requests by the appropriate means.

The following are not considered to be sufficient or justifiable reasons for the pruning or removal of Shire trees:

- the tree species is disliked,
- is too large,
- attracts birdlife or other fauna,
- the shape or structure is not liked,
- causes allergy and/or health problems,
- is an inconvenience during development/works etc,
- is in the way of a non-essential crossover or verge paving/treatment option,

- obscures or potentially obscures views (other than traffic/pedestrian sight lines),
- shades private gardens, lawns, solar panels, solar hot water installations etc, and
- the tree species causes nuisance by natural debris production, which includes the dropping of leaf, flower, fruit, bark, etc.

2.2 Tree Removal

This policy recognises that there may be circumstances which justify the removal of Shire trees, and this policy establishes how the Shire will deal with applications. Circumstances may include:

- the tree is dead, diseased or in decline,
- has been assessed by the Shire as structurally unsound,
- has been irreparably damaged by a storm or other event,
- was planted without authorisation,
- has been affected by infrastructure works and the tree cannot be retained,
- interferes with vehicle safety sightlines, as assessed by the Shire, or
- is in contact with power lines and selective pruning is not practical.

The Shire is responsible for the removal of Shire trees, and unauthorised removal is not permitted. In the event a tree requires removal, qualified Shire officers or contractors will undertake the works. Depending on the reason submitted for the removal, the resident/property owner may be required to meet all costs involved in its removal and replacement.

The Helliwell method is used to place a monetary value of the tree. It takes into consideration tree size, life expectancy, tree cover and importance in the landscape. This method will be used to determine what the tree is worth and the amount the resident/property owner will need to pay for retributions.

Any Shire tree that dies, is damaged, or removed requires replacement in accordance with the Shire's Urban and Rural Forest Strategy.

If it is found that the health of a Shire tree or other native vegetation has declined following a verge modification by resident/property owner, to the point where removal is necessary, or if unauthorised pruning or removal has occurred, the resident/property owner may be responsible for all costs associated with its removal and replacement as per the Helliwell method (or other method authorised by the Shire).

2.3 Tree removal due to development application

If a Shire tree prevents the impending development of an abutting property, and all possible design solutions have been deemed exhausted by the authorised Shire officer, permission for the removal of a Shire tree may be granted.

The associated contributory costs of the tree and its removal (or pruning) shall be paid by the property owner or development representative prior to the removal and commencement of development.

3. Tree Protection Adjacent to Development Sites

Shire trees are to be protected at development sites to preserve the amenity of streetscapes and neighbourhoods. All developments where trees are affected will include a suitable advice note and/or condition for approval.

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.

3.1 Demolition and Construction Works

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 Tree Protection Zone (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 (2) metres by two (2) 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.

A minimum setback of a crossover/driveway from any Shire tree within a verge is required. The setback distance will be in direct relation to the Diameter at Breast Height (DBH) of the tree:

- DBH of up to 200mm requires a minimum setback of one (1) metre,
- DBH of 201mm to 400mm requires a minimum setback of two (2) metres, and
- DBH of 401mm or greater requires a minimum setback of three (3) metres.

Should the setback distance 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 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, consult the Shire's Council Policy - Crossovers.

3.2 Discrepancies

If any discrepancies are identified once approval is granted, the applicant is required to resubmit plans for approval with the correct information. All costs and fees associated are to be met by the applicant.

Discrepancies may include:

- incorrect DBH measurement,
- failure to mark Shire trees in the submitted plan,
- failure to mark tree locations correctly in the submitted plans, and

- providing any other inaccurate site information.

The Shire recognises trees as an asset, forming part of the verge infrastructure, and as such actively seeks to protect the 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, or the required verge setback is impeded upon the Shire will recover the full costs associated with the works from the applicant,
- if a tree is damaged, in decline, or dies because of the development, then costs may be recovered from the property owner or developer for rectification pruning, removal or replacement of the tree, and
- if a tree requires removal, or is removed without authorisation, the applicant will be required to reimburse the Shire for the full costs associated with the tree removal/pruning.

3.3 Replacement Trees

Replacement trees that are required because of damages incurred during the development process will be in line with the following:

- any replacement trees that are not able to be planted on the verge adjacent to the development site will be planted elsewhere within the Shire at the Shire's discretion,
- all replacement trees will be of a species and size that is acceptable to the Shire, and
- the replacement costs will be met by the developer/applicant.

4. Bonds and Payments

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. The bond will be held by the Shire for the duration of the works. The minimum bond amount will be determined by the Shire's Fees and Charges.

The costs associated with removal, pruning and/or damage of a Shire tree includes 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 with the Shire's amenity tree calculation (currently the Helliwell method or other Shire approved valuation system), and
- reinstatement tree costs – calculated in accordance with the greening required to replace the loss incurred by the tree removal. The level of reinstatement required will be determined by the Shire and will take into consideration the location, significance, biodiversity provision, and amenity of the tree. Reinstatement tree costs will include water costs for two subsequent Summers.

Contributory costs for tree removal will equate to 90% of the three cost elements above.

5.0 Vandalism of Shire Trees

Members of the community who witness vandalism of Shire trees are encouraged to report this information via phone, or submitting a Customer Request on the Shire website, so that they may be investigated and responded to appropriately by the Shire.

Where vandalism has been committed, the Shire will take further steps to gather information relating the incident which may include:

- sending letters to residents within the vicinity of the vandalism seeking information,
- talking to residents in the local area,
- posting notices in local newspapers, notice boards, the Shire's website and social media platforms seeking information, and
- erecting signage asking for any information pertaining to vandalism.

Once information is acquired an appropriate resolution will be carried out, which may involve:

- installation of signage at the site advising of the damage and/or seeking further information,
- retention of 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 costs of the asset and replacements, and
- further legal action.

6. Community Consultation and Involvement

The Shire values the community's opinion and encourages consultation and communication in the improvement of its urban forest. As such, the Shire endeavours to apply the following practices:

- prioritise community safety in conducting Shire tree maintenance works.
- increase resident involvement in the ongoing care of its urban forest by street tree planting programs, and
- raise community knowledge about the benefits of trees and the urban forest through tree information leaflets, the Shire's webpage, social media, and educational programs.

Definitions

Tree is any single or multi-stemmed perennial plant, generally more than 2 metres in height at maturity.

Shire Tree is any tree which has a majority (more than 50%) of its trunk growing from Council managed land.

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 meters 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 the protection of trees' roots, trunk, and crown 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.

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, removal and/or ringbarking.

Verge refers to the parcel of land between a property boundary and the road kerb, bitumen edge, or edge of a maintained trafficable surface. It may accommodate public utilities, footpaths, stormwater flows, street lighting poles, street trees and other landscaping.

Relevant Policies / Council Documents

- Climate Change Strategy and Local Action Plan
- Urban and Rural Forest Strategy 2018 – 2028
- Town Planning Scheme No. 2 – provisions of TPS2 relating to applications regarding or affecting street trees.
- Local Planning Scheme No. 3 – provisions of LPS3 relating to applications regarding or affecting street trees.
- LPP4.16 – Tree Retention and Planting
- Council Policy - Request to Remove Dangerous Trees
- Council Policy - Urban and Rural Verge Policy
- Council Policy - Crossovers

Legislation / Local Law Requirements

- *Local Government Act 1995*
- *Environmental Protection Act 1986*

References

- Department of Mines, Industry Regulation and Safety
Guidelines for the Management of Vegetation Near Power Lines
- Australian Arboriculture Standards:
 - AS 4970-2009
 - AS 4373-2007
- LGIS Tree Risk Mitigation Guide 2023

Amendment Record

		Date	Resolution Number
Council Adoption		18/12/2017	OCM179/12/17
Version	Date	Resolution Number	Amendment Details
2	17 March 2025	OCM068/03/25	New template and reordered for clarity. Renamed from Street Trees. Updated reference materials to coincide with current legislation.