



**CITY OF VINCENT**

**STREET TREES**  
**POLICY NO. 2.1.2**

**(Adopted at the Ordinary Meeting of Council held on 21 August 2018)**

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**STREET TREES**

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## **STREET TREES**

Trees in urban environments provide many social, environmental and economic benefits. Key among these is their contribution to the amenity and walkability of local neighbourhoods through the provision of shade and the mitigation of urban heat island effect. This contributes to enhanced community well-being and property values. Trees filter out air-borne pollutants and absorb atmospheric carbon. Trees support urban biodiversity, reduce damaging wind speeds and slow the rate of storm water run-off. They increase local infiltration and ground water recharge, while improving environmental water quality. The social, environmental and economic benefits of trees overlap in innumerable and complex ways, making them invaluable to our urban area.

### **OBJECTIVES**

To provide guidance for the care, control and management of trees in road reserves and public places.

### **POLICY STATEMENT**

#### **1. Planning for Street Trees**

The City:

- (i) Recognises the significance of street trees within the urban setting in terms of creating functional and aesthetic streetscapes and has the responsibility for the planning, establishment, care, control and maintenance of all street trees in the City; and
- (ii) Will plan for the retention of suitable trees within proposed road reservations and for urban enhancement by the planting of selected suitable street trees.

#### **2. Street Tree Planting**

The City is responsible for the planting of all street trees.

#### **3. Street Tree Pruning under Powerlines**

The City is responsible for the pruning of all street trees.

#### **4. Street Tree Pruning where Unaffected by Powerlines**

The City:

- (i) Will investigate requests for pruning street trees not under power lines and respond in accordance with this policy; and
- (ii) Is committed to a pruning strategy to include crown thinning, under pruning, property line pruning (upon request) and remedial pruning.

## **5. Unauthorised Street Tree Planting**

Street trees planted without the City's approval may be retained at the discretion of the Director Engineering and subject to any conditions being complied with.

## **6. Street Tree Removal**

- (i) The City recognises the significant contribution made by street trees to both the aesthetic and environment aspects of existing streetscapes within the City. It also recognises that in some cases, tree retention may not be feasible, owing to the condition, and possible location or species of the tree.
- (ii) All requests for street tree removal will be assessed by City staff and determined by the Director Engineering in accordance with this policy.
- (iii) The City wishes to avoid the unnecessary removal of street trees. Circumstances where retention may be considered undesirable or unreasonable, include the following:
  - (a) the tree is diseased and beyond remedial treatment, or dead;
  - (b) the tree has been assessed by the City as structurally weak and/or dangerous, placing the public at risk or jeopardising safety;
  - (c) the tree has been irreparably damaged (e.g. by a storm, vehicle accident);
  - (d) the tree is hazardous to motorists/pedestrians owing to interference with sightlines presented by the trees alignment or spacing;
  - (e) the tree is affected by road widening, service modification/relocation or other infrastructure works and all other options to retain the tree have been deemed by the City to be inappropriate;
  - (f) the tree is dangerously in contact with overhead power lines or distributor wires to properties and where, for reasons of growth habit pertaining to the variety, selective pruning is not practical with the only option being severe lopping;
  - (g) approved development on an adjoining property results in a crossover that in the City's opinion would unavoidably, materially, permanently and adversely impact on the street tree such that there is no realistic alternative to removal; or
  - (h) the tree is not an approved variety and is unacceptable to the City.

- (iv) Owing to the hazardous nature of the task, residents will not be permitted to remove street trees themselves. Where removal is approved by the City, a replacement of an approved species and size will be planted by the City (in a location determined by the City) at the applicant's full expense.

## **7. Unauthorised Interference, Removal, Pruning or Damage to Street Trees**

The City will pursue legal action (issue of an Infringement Notice/Modified Penalty or prosecution), against any person who wilfully interferes with, removes, prunes or damages a street tree, without the prior approval of the City, unless otherwise permitted in accordance with clause 9 of this policy.

## **8. Street Tree Watering**

The City is responsible for the post-planting care and maintenance of all street trees, however, wherever possible residents/occupants will be encouraged to assist with street tree watering.

## **9. Street Tree Attachments**

An owner or occupier of land which abuts a verge may on a street tree located on the verge directly in front of their property, install a permissible street tree attachment in accordance with this clause 9 and the guidelines attached to this policy.

- (i) Permissible street tree attachments are as follows:
  - (a) Swings
  - (b) Rope ladders
  - (c) Platforms/Structures (e.g. tree houses)
  - (d) Decorations and lighting
  - (e) Any other item (not listed above) may be considered at the discretion of the Director Engineering in accordance with the Policy.
- (ii) Street tree attachments cannot be permanently fixed to street trees and must not incorporate sharp objects, protrusions or other elements which, in the City's opinion would present a hazard to people or property.
- (iii) Street tree attachments must not, in the City's opinion, obstruct or interfere with a clear line of sight for pedestrians, cyclists or motorists.
- (iv) Street tree attachments must not, in the City's opinion, adversely affect the health or structural integrity of the street tree to which they are attached.
- (v) If in the opinion of the Director Engineering, a street tree attachment is considered to not meet the requirements of this clause 9 or the attached applicable guidelines, then the adjacent owner/occupier will be required to remove and/or modify all or part of the street tree attachment to become acceptable to the City and compliant with the policy.

<b>Date Adopted:</b>	<b>22 May 2007 (replaces previous Trees Policy adopted on 26 May and 9 June 1997 and Policy 2.1.3 – Existing Street Verge Trees adjacent to Property Developments adopted on 26 May 1999)</b>
<b>Date Amended:</b>	<b>18 January, 6 December 1999</b>
<b>Date Reviewed:</b>	<b>22 May 2007, 29 May 2018</b>
<b>Date of Next Review:</b>	<b>May 2012, 2023</b>

**GUIDELINES AND POLICY PROCEDURES  
RELATING TO STREET TREES  
POLICY NO. 2.1.2**

**1. Planning for Street Trees**

- (i) The City shall give consideration to the use or retention of street trees as part of any streetscape in its planning process.
- (ii) Naturally occurring trees, where appropriate, shall be retained within the streetscape.
- (iii) Selection of new tree species will be undertaken using the City's street tree selection tool and to suit the character of the particular locality.

**2. Street Tree Planting**

- (i) The City shall undertake tree planting on streets, as part of its annual street tree replacement program and in accordance with the objectives and actions outlined in the Greening Plan. Requests from residents/occupants will also be considered.
- (ii) The following serve only as guidelines for all street tree plantings. Variations under exceptional circumstances shall be at the discretion of the Director, Engineering:

Street trees shall be planted:

- (a) at least three (3) metres away from any public utility junction box, manhole, pole or aerial feeder line;
- (b) at a distance of 2.8 to 3 metres from the private property line or at such alignment as approved under the Utility Provider's Code of Practice;
- (c) at no less than 6 metre centres (spacings to be dependent upon species type and specific locations);
- (d) so as not to interfere with or obscure sight lines for the safe passage of pedestrians, cyclists and motorists; and
- (e) to ensure consistency of street tree species in the applicable street, subject to community consultation where an entire street is to be replanted.

**3. Street Tree Pruning under Powerlines**

- (i) The City (or its contractor) shall undertake the pruning of all street trees affected by powerlines on a programmed basis.
- (ii) Programmed street tree pruning shall include trees on the side of the street affected by overhead powerlines as well as trees affected by electrical feeder lines to individual properties on the opposite side of the street.

- (iii) Programmed pruning shall not normally include trees on the opposite side of the street to powerlines.
- (iv) Programmed pruning is to be planned each year, on a needs basis in consultation with the Director of Energy Safety (referred to in section 5 of the Energy Co-ordination Act 1994), and in accordance with pre-determined arboreal/geographical sectors of the City.
- (v) Programmed street tree pruning shall address at least one of the following requirements to:
  - (a) clear the canopy from interference with overhead powerlines and other essential services;
  - (b) remove overhanging branches considered hazardous to traffic, buildings or structures;
  - (c) underprune low growing branches considered hazardous to traffic or pedestrians;
  - (d) form the shape of developing trees;
  - (e) re-define the frame work of mature trees;
  - (f) rejuvenate vigour into unthrifty growth;
  - (g) reduce crown density or to redistribute growth to lateral branches; or
  - (h) remove dead, dying, diseased or pest infested limbs and branches.
- (vi) Residents/occupants may seek to have a street tree under powerlines pruned in advance or out of the programmed schedule and requests for the City's approval must be submitted in writing to the Director Engineering or nominee.

#### **4. Street Tree Pruning where Unaffected by Powerlines**

- (i) Under its programmed pruning schedule, the City shall crown thin, under prune, property line prune (upon request) and remedial prune selected street trees unaffected by power lines, this pruning will be undertaken in the interests of:
  - (a) public safety;
  - (b) reducing structural risk to the tree; or
  - (c) removing growth abnormality or disease, from the tree.
- (ii) Requests from residents for the pruning of street trees not located under powerlines (for example, for the purpose of reducing leaf/fruit drop or improving light penetration), shall be made in writing. Such



requests will be considered on their merits by the City's Parks and Urban Green. Where, in the opinion of the Director Engineering or their nominee, the pruning is considered significant or beyond what is "*normal tree maintenance*" a recommendation will be made to the Council, based on the following criteria:

- (a) species of tree;
  - (b) location;
  - (c) reasons highlighted by Resident;
  - (d) health and condition of tree;
  - (e) value of tree in overall streetscape; and
  - (f) potential for significant nuisance or damage to property.
- (iii) Where residents/occupants contact the City with a request to prune a tree unaffected by power lines, the following procedures is implemented:
- (a) the tree is physically inspected by a Parks and Urban Green Technical Officer / Arborist;
  - (b) the resident/occupier will be advised of the City's decision concerning their request; and
  - (c) in the event of a specific issue relating to pruning of significant trees, unaffected by power lines not being adequately covered by this policy/procedure, the matter is referred to Council for consideration and determination.
- (iv) Street trees shall not be pruned to reduce shading of private property, improve visibility for advertising signs or in order to provide or restore views from private property.
- (v) Chipping and recycling of tree prunings is the preferred method of disposal.

## **5. Unauthorised or Inappropriate Street Tree Planting**

- (i) Unauthorised street tree planting means any one of the following:
  - (a) a tree planted that is not in accordance with the City's Street Tree Selection Tool;
  - (b) a tree planted under powerlines; or
  - (c) a tree planted out of alignment in relation to the City's street tree planting guidelines.

- (ii) Where an unauthorised street tree planting is identified, the City shall determine whether the planting can be retained and whether it conforms to the City's planting guidelines and species choice.
- (iii) Where the planting is of a recent origin and the tree is of a conforming variety but on the wrong alignment or spacing, the City shall appropriately relocate the tree after the resident has been notified as long as the species lends itself to transplanting.
- (iv) Where the planting is of a recent origin and the tree is non-conforming in species and planting guidelines, the resident shall be given the option of relocating the tree on private property prior to the City considering its removal and replacement.
- (v) Where the planting is more established, and the variety considered not appropriate to transplanting, the provisions of this policy relating to Street Tree Pruning and/or Street Tree Removal shall apply.

## 6. Street Tree Removal

### (i) Offence

A person shall not remove/prune any street verge tree. Any person who removes/prunes/damages a street verge tree commits an offence.

### (ii) Requests

Requests for street tree removal are subject to the following provisions:

- (a) unless extraordinary and unavoidable circumstances apply in the City's opinion, street tree removals shall be on a "*remove and replace*" basis;
- (b) adjoining residents will be advised prior to removal, outlining reasons for such removal(s);
- (c) requests from residents for the removal of street trees shall be in writing and will be considered on their merits by Parks and Urban Green based on the following criteria:
  - safety, health and condition of the trees;
  - value of tree in streetscape/landscape;
  - potential for significant nuisance or injury/damage to persons or property; and
  - history of requests and associated actions in the street;
- (d) the Director Engineering or their nominee shall determine requests for street tree removal based on the above criteria and other relevant provisions of this policy;

- (e) where an entire street tree replacement program is implemented, staged removal of existing trees shall be the preferred option.
- (f) street tree removal requests will be publicly listed in a monthly register presented to Council for information.

(iv) Circumstances where trees may be removed

Removal of street trees will be assessed and undertaken in accordance with clause 6 of this policy:

(iii) Circumstances where street trees will not normally be removed

The following are not acceptable reasons for the removal of street trees:

- (a) the tree obscures or potentially obscures views (other than traffic/pedestrian sight lines);
- (b) the tree variety is disliked;
- (c) the tree variety causes nuisance by way of leaf, fruit and/or bark shedding or the like;
- (d) the tree causes allergy and/or health problems;
- (e) the tree is in the way of a non-essential crossover or verge paving option;
- (f) the tree shades private gardens.

(iv) Existing street trees adjacent to a development

- (a) The retention of street trees will take precedent over any landowner intent or desire to remove a street tree to accommodate a new or revised crossover. To this end, the City will require all options and efforts to be exhausted to ensure new or revised crossovers protect and preserve street trees, rather than street trees being removed to accommodate such crossovers;
- (b) the City will only permit removal of a street tree to accommodate a new or revised crossover where the owner/developer of the adjacent subject lot pays (prior to removal) for the replacement of a new tree to the City's satisfaction of equal or similar size, maturity and canopy cover to the tree that was removed;
- (c) crossovers shall be located a minimum of 1.0 metre from a street tree. Reduction to 0.5 metre may be considered, depending on availability of alternatives, tree species and location, sight lines and traffic safety;

- (d) an existing street tree is damaged as a result of development works, the applicant/builder shall reimburse the City for all arboricultural, restorative and maintenance costs required to ensure its health and survival. The extent/cost of this work shall be determined by the Director Engineering or nominee; or
- (e) where an existing street verge tree is pruned/removed without authorisation, legal action will be pursued at the discretion of the Chief Executive Officer.

## **7. Street Tree Watering**

- (i) The City shall undertake the watering of all new street trees, as and when required, until the trees are established.
- (ii) Street tree watering shall include all of the City's programmed plantings as well as those planted on request from residents/occupants.
- (iii) Residents/occupants shall be encouraged to water the adjacent street tree during the establishment period. A written request to this effect shall be lodged with the resident soon after the tree is planted.
- (iv) The City shall adopt appropriate practices of post planting care to ensure the survival of all trees planted.

## **8. Unauthorised Interference, Removal, Pruning or Damage to Street Trees**

In cases where there is reasonable proof of unauthorised interference, removal, pruning or damage to a street tree, legal action (court action and/or issue of a modified penalty) may be taken at the discretion of the Chief Executive Officer.

## **9. Street Tree Attachments**

The City has developed the following guidelines to support its residents in maximising the use of the verge by permitting safe, useful, recreational attachments to street trees.

### **9.1 Standards:**

- (i) Street tree attachments must be setback from and provide clear access to any infrastructure/services located on the verge.
- (ii) All materials to be used as part of the installation are to be in good condition.
- (iii) All ropes or attachments around tree branches should be fitted as to prevent strangulation and eventual decline in the tree's health and vigour.
- (iv) Street tree attachments are to be fitted to tree branches of safe and suitable dimensions.

- (v) Platforms/Structures are not permitted in street trees located under power lines.
- (vi) Street tree attachments must be constructed of durable material, securely installed and so that annual pruning requirements can be undertaken where required.
- (vii) Street Tree Attachments must provide a minimum 0.5 metre setback from the face of the kerb.
- (viii) Only solar lighting is permitted to be attached to street trees.
- (ix) Street Tree Attachments shall not swing or protrude into and must not be able to swing or protrude into the space immediately above any road carriageway or path for pedestrians or cyclists.

### **9.2 Responsibilities of Owner/Occupiers:**

- (i) Ensure that the tree remains healthy and attachments are well maintained.
- (ii) Ensure any tools and materials are removed from the verge after the works are completed.

### **9.3 Considerations:**

- (i) It is recommended that residents discuss the proposal with neighbours to identify any potential issues that may arise as a result of installing the street tree attachments.
- (ii) The City will not accept responsibility for any loss, injury, damage or impact caused to persons or property as a result of a resident's private installation of a street tree attachment on any street.
- (iii) The City will not accept responsibility for any loss, damage or removal that occurs to street tree attachments as part of the City's ongoing street tree maintenance program.
- (iv) The City reserves the right to remove a street tree attachment at any time.
- (v) The owner/occupier may contact the City's Parks and Urban Green team on 9273 6000 or mail@vincent.com.au for advice.
- (vi) When installing Street Tree Attachments to trees in proximity to Western Power infrastructure, it is recommended to contact Western Power on 13 10 87 or enquiry@westernpower.com.au to determine appropriate clearances.
- (vii) The City may prepare further, more specific guidance for residents on street tree attachments related to the requirements of clause 9 of this Policy or the standards outlined in clause 9.1 above.