



## POLICY DOCUMENT

14.63.15

<b>Policy Name</b>	Streetscaping and Tree Management
<b>Policy No.</b>	14.63.15
<b>Strategic Reference:</b>	
<b>Responsible Department:</b>	Environment & Infrastructure
<b>Policy Adopted:</b>	21 August 2023
<b>Last revised date:</b>	New Policy
<b>Minute reference:</b>	CO 23/186
<b>Next review date:</b>	Council will endeavour to review this policy 4 years after adopted date or following significant change to legislation or aspects included within this policy.
<b>Applicable Legislation:</b>	S 221 of Local Government Act 1999 Planning, Development & Infrastructure Act 2016 Development Act 1993 Development Regulations 2008 Electricity Act 1996 Water Resources Act 1997 Environment Protection & Biodiversity Conservation Act 1999 Environment Protection Act 1993 South Australian Water Corporation Act 1994 Road Traffic Act 1961 Native Vegetation Act 1991 Work, Health & Safety Act 2012
<b>Related Policies:</b>	Environmental Sustainability Policy 5.63.11 Encroachments Over Council Land Policy 14.63.14
<b>Related Documents:</b>	

### 1. **PURPOSE**

The purpose of this policy is to ensure that the streets in the City of Port Lincoln contribute to placemaking and are environmentally sustainable, attractive, visually consistent, safe, manageable and to formalise Councils position regarding the management of trees under Councils care and control. This policy aims to regulate all road verge alterations by residents within the City of Port Lincoln.

### 2. **SCOPE**

This policy is to provide a strategic framework for the planting and management of trees and streetscapes within public open space (including streets) managed by Council.

---

### 3. **POLICY STATEMENT**

#### 3.1. **Vision**

This policy sets out guidelines for employees and the general community on managing trees within the Port Lincoln Council area. It acknowledges that the area's vegetation is a significant feature and plays a crucial role in preserving habitat and biodiversity. The policy aims to provide a clear direction for tree and verge management to ensure the conservation of habitat and biodiversity.

#### 3.2. **Goal**

The goal of this policy is to safeguard, preserve, support, and appreciate the existing trees and vegetation found in public open spaces and streetscapes in the Port Lincoln Council area. The policy seeks to both maintain and enhance these areas in a sustainable and practical way, ensuring the presence of appealing and well-maintained trees and streetscapes for both current and future generations.

#### 3.3. **Objectives**

##### 3.3.1. *Primary*

This policy emphasises the importance of establishing and executing efficient management, maintenance, replacement, and improvement programs for trees, landscaping and other vegetation in all streetscapes and public open spaces throughout the Port Lincoln Council area. The focus of these programs is to enhance the overall aesthetic appeal (amenity), promote biodiversity, preserve habitat, and ensure sustainability. The policy highlights the need for proactive measures to be taken to effectively manage and care for the trees and vegetation in these areas.

##### 3.3.2. *Secondary*

1. Develop a comprehensive framework for the effective management of trees and other vegetation in streetscapes and public open spaces managed by the Council.
2. Establish and maintain biodiversity and habitat plantings in suitable areas to promote ecological diversity and support local wildlife.
3. Preserve and safeguard sites of cultural and historical significance that contain trees or vegetation, ensuring their protection and maintenance.
4. Incorporate water-sensitive design principles into new streetscapes and plantings wherever feasible, promoting efficient water management and conservation.
5. Advocate for the adoption of relevant policies, procedures, and legislation by appropriate bodies and levels of government through active lobbying efforts.
6. Ensure the preservation and proper maintenance of large and historic trees within the Port Lincoln Council area, keeping them in a healthy condition.
7. Encourage and support community engagement in tree planting initiatives and promote the healthy growth of trees throughout the Port Lincoln Council area.

8. Mitigate conflicts between trees and infrastructure (such as roads, footpaths, and utilities) to ensure the well-being of all trees, both privately and publicly owned, during public works and maximise the lifespan of adjacent infrastructure.

### 3.4. Tree and Streetscape Management

Council-owned trees and streetscapes will be managed, maintained, and improved following the guidelines outlined in the Port Lincoln Council's Streetscaping and Tree Management Policy. Additionally, a suitable risk management framework will be implemented to minimize the potential risk and liability associated with trees for the Council. This approach ensures that the management of trees aligns with established standards and protocols, while also addressing any potential risks or liabilities that may arise.

#### 3.4.1. *Trees on Private/Non-Council Property*

The responsibility for trees located on private property will continue to lie with the property owner. However, the City of Port Lincoln will actively promote and encourage property owners to retain, protect, plant, and maintain trees on their private property.

### 3.5. Tree Removal

Any requests for tree removal on Council property must be submitted in writing. The application should clearly explain the reasons for the proposed tree removal and provide any necessary supporting documentation. This requirement ensures that there is a formal process in place for considering tree removal requests, allowing for careful evaluation and decision-making based on the provided justifications and relevant information.

The application for tree removal will undergo an assessment conducted by staff members with the necessary qualifications and expertise. This assessment will consider various factors such as the health, condition, structural integrity, level of risk, and available management options for the tree. Specific criteria will be used as a basis for evaluation. In cases where the tree is determined to be in good health and condition, alternative measures will be thoroughly explored, and any legal requirements will be met before considering removal. The Council will only proceed with tree removal if the applicant can demonstrate a valid reason that justifies its removal, as evaluated and determined by the Council.

A valid reason will **NOT** include:

- Growth of the tree obscuring scenic views;
- Dislike of the species planted or growth habitat;
- Leaf, fruit or bark shedding being a nuisance;
- Allergies or health problems being experienced (without a medical report);
- The tree being in the way of a second, non-essential driveway crossover;
- Shading of private garden or solar hot water / power installation; and/or
- The "fouling" of resident's rainwater collection system.

Under special circumstances an owner/occupier's request may be considered by Council.

3.5.1. *Removal at Residents Expense*

If a resident requests the removal of a tree, and the Council agrees that the removal is solely for the benefit of the resident, the cost of the removal will be the responsibility of the resident. The resident will be required to make the payment for the removal cost before the work begins if Council staff are assigned to carry out the removal. Alternatively, the resident may choose to engage a qualified and equipped contractor directly after receiving authorisation from the Council and subject to the work being carried out to Council's satisfaction. This policy ensures that if a tree is being removed primarily to satisfy the residents personal preferences or needs, the resident will bear the financial responsibility for the removal.

3.5.2. *Unauthorised removal of Trees/Tree Damaging Activity/Deliberate Poisoning of Trees.*

Any instances of unauthorized tree removal, acts of vandalism, deliberate poisoning, or other intentional or unintentional activities that result in tree damage will be subject to a comprehensive investigation. If deemed appropriate, prosecution will be pursued in accordance with the relevant legislation. In cases where clear evidence is obtained, an assessment will be conducted, and the person responsible for the activity will be presented with an evaluation of the impact on the tree's amenity value and associated costs. This approach ensures that any actions causing harm to trees are taken seriously, and appropriate measures are taken to hold responsible individuals accountable for their actions.

3.5.3. *Removal of Unsafe Trees*

Trees assessed as being an immediate risk to either public safety or property, including those damaged in storms or emergency situations, are to be removed from roads, streets and public reserves as soon as practicable following identification and replaced at the seasonally appropriate planting time in accordance with Council's Street and Open Space Tree Design Guidelines. In emergency situations Council may clear vegetation that has fallen from private property onto Council property.

3.5.4. *Tree Removals for the purpose of Development or Redevelopment*

If a tree is identified for potential removal to facilitate property development or redevelopment, such as the installation of a driveway, services, or property access, the initial focus should be on exploring design and construction methods that aim to preserve the tree. All possible options for retaining the tree should be thoroughly considered. However, if it is determined that the development cannot proceed while retaining the tree, removal may be considered. In such cases, please refer to section 3.5.1. This policy encourages a proactive approach to tree preservation during development, while also providing a mechanism for tree removals in exceptional circumstances, with appropriate compensation to support tree conservation efforts.

### 3.5.5. *Roadside Vegetation Clearance*

When native roadside vegetation or other vegetation encroaches onto roads and requires trimming or pruning, consultation with the Operational Supervisor is necessary. The Operational Supervisor will assess the extent of trimming needed and determine the appropriate pruning techniques. It is important to balance the preservation of vegetation while ensuring road safety is not compromised. Steps will be taken to maintain the vegetation's overall health and vitality while ensuring clear visibility and safe conditions for road users. This approach aims to strike a balance between preserving vegetation and ensuring the safety of motorists and pedestrians.

### 3.6. **Landscaping and Tree Planting**

The City of Port Lincoln encourages residents to plant trees and look after plants that Council plant. However, any requests for landscaping or planting on Council property must be submitted in writing, followed by the completion of a Section 221 application. The application should clearly explain the reasons for the proposed alteration and provide any necessary supporting documentation. This requirement ensures that there is a formal process in place for considering altering Council Verges, allowing for careful evaluation and decision-making based on the provided justifications and relevant information.

Council has the right to suggest a more appropriate alternative or refuse the request under Section 221 Division 6 of the Local Government Act. Council Reserves the right to remove non-conforming or poorly maintained verge developments and/or construct a footpath within the area at its discretion. The council will not compensate for the removal or alteration of the verge as a result.

### 3.7. **Inappropriate Species**

The following species can be approved for removal by the Supervisor Open Space or the Manager Open Space.

- *Pinus halepensis* (Aleppo Pine)
- *Rhamnus alaternus* (Italian or Mediterranean Buckthorn)
- *Acacia Cyclops* (Western Coastal Wattle)
- *Olea Europaea* (Olive)
- *African Boxthorn* (*Lycium ferocissimum*)
- *Gazania* (*Gazania sp.*)
- *Gorse* (*Ulex europaeus*)
- *Silverleaf nightshade* (*solanum elaeagnifolium*)
- *Khaki weed* (*Alternanthera pungens*)
- *Carrion flower* (*Orbea variegata*)
- *Opuntoid cacti, Prickly Pear* (*Opuntia sp.*)
- *Fountain Grass* (*Pennisetum setaceum*)
- *Boneseed* (*Chrysanthemoides monilifera*)
- *Bridal Veil* (*Asparagus declinatus*)

- African Lovegrass (*Eragrostis curvula*)
- White weeping broom (*Retama raetam*)
- Buffel grass (*Cenchrus ciliaris*)

### 3.8. South Australian Power Networks (SAPN) Vegetation Clearance

Power supply line clearance is of utmost importance for ensuring a continuous and safe supply of electricity to the residents and businesses in the Port Lincoln Council area.

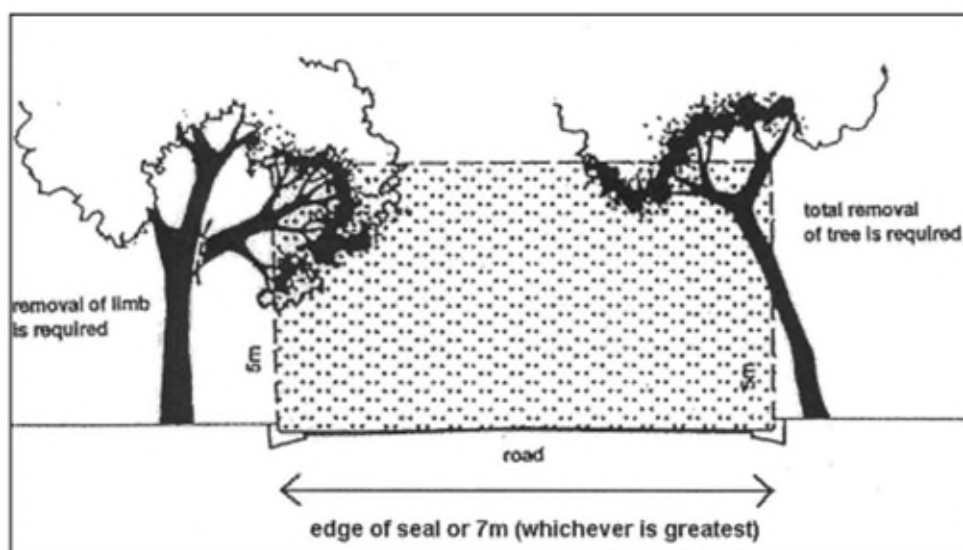
Council takes into consideration the guidelines set out by SAPN when accessing tree planting requests and/or new/redeveloped streetscapes. Maintaining adequate clearance between trees and power lines helps prevent potential hazards such as tree contact, branches falling on lines, and vegetation-related disruptions to the power supply. SAPN is responsible for pruning and trimming trees when in proximity of overhead power lines. By prioritising power line clearance, the Council ensures the reliability and safety of the electrical infrastructure, contributing to the uninterrupted provision of electricity services to the local community.

### 3.9. Clearance Envelope

#### 3.9.1. Kerbed Roads

Council will manage trees and vegetation on kerbed roads in accordance with the particular environment and circumstances of each road. For kerbed roads that have lower speed limits and experience low levels of traffic (that is mostly local to the area), trees and vegetation may be managed to a smaller clearance envelope. As a minimum clearance shall be sufficient to allow the street sweeping vehicle access along the gutter line.

For kerbed roads that experience heavier traffic flows and higher speed limits, Council will consider maintaining a clearance envelope at the lip and joints of kerb and gutter. This clearance envelope should be 5.0 metres high, extending the width of the road (usually taken as the edge of the traffic lane) or 7.0 metres, whichever is the greater, as shown in Figure 1.

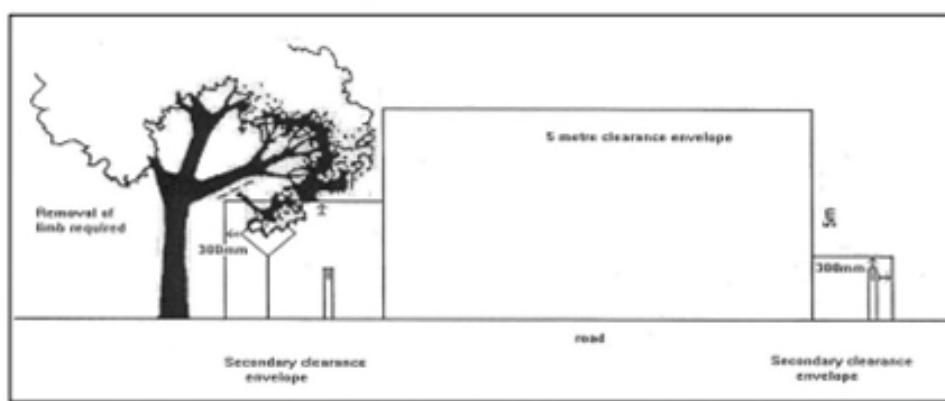


**Figure 1: Kerbed Roads - Clearance Envelope**

### 3.9.2. *Roads with no Kerbing*

On roads without kerbing Council will provide the following clearance envelope:

- to the outer edge of the shoulders or extending to a distance 1.0 metres outside the line of the guideposts, whichever is the greater;
- along verges where it is necessary to ensure sight distances are maintained; and
- along verges where it is necessary to ensure stormwater can flow unrestricted from the roadway and along table drains and will be restricted to the area between the shoulder and the side of any roadside furthest from the road.



**Figure 2: Unkerbed Roads Clearance Envelope**

## 4. **SUPPORT FOR COMMUNITY GROUPS AND PROJECTS**

The Council is committed to supporting and encouraging community-based groups engaged in the planting of trees and other vegetation on public land within the Port Lincoln Council area. This support can take various forms, including providing resources, guidance, and expertise to these groups.

By fostering collaboration with community greening initiatives, the Council aims to enhance the overall greening efforts, promote environmental stewardship, and create a sense of ownership and pride among community members.

The partnership between the Council and these groups contributes to the collective goal of enhancing the natural environment and creating more sustainable and vibrant public spaces.

## 5. **RELEVANT DELEGATED POWERS AND DUTIES**

Any actions or decisions made regarding this policy, will be enacted upon as per Council's current Delegations Register