



Tree Protection and Management Policy

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1. PURPOSE

- 1.1 The purpose of this policy is to provide the framework for the management of trees and measures to protect trees within the scope of this policy.



2. SCOPE

- 2.1 This policy applies to but is not limited to:
- Any tree where the trunk originates from Council land.
 - Any trees owned by VicRoads but managed by the Shire as specified under section 15 of the Road Management Act 2004.
 - Any tree where the trunk originates from privately owned property that is protected under the Golden Plains Planning Scheme and/or Significant Tree Inventory.
- 2.2 At a minimum, practices and procedures outlined in this policy will be implemented in line with relevant Australian Standards and contemporary Arboricultural practices that are accepted by the industry.
- 2.3 This policy must be adhered to by any party undertaking an activity that could impact a tree on Council land or tree deemed as needing protection as defined within this policy.

3. POLICY STATEMENT

- 3.1 Council is currently developing a tree inventory and geographic information system (GIS) tree management system.
- 3.2 Trees are important, invaluable assets that have profuse benefits for both the community and the environment. Some of these benefits are:
- Carbon sequestration
 - Oxygen
 - Shade and urban cooling
 - Habitat provision
 - Noise and pollution absorption
 - Reduced rainfall run-off
 - Improved mental health and wellbeing
 - Increased streetscape and landscape amenity

3.3 Council seeks to govern tree management to maintain and advance its public tree population in line with contemporary industry standards.

3.4 Tree Protection Requirements

- Trees within the scope of this policy will require adequate protections from all potential impacts caused by development as per the Australian Standard AS4970 – Protection of Trees on Development Sites.
- All developments must consider and attempt to reasonably mitigate any impacts proposed by development. An Arboriculturist Impact Assessment (AIA) may be requested by Council prior to permit approval.
- Where trees require protection from any development impact, a Tree Protection and Management Plan (TPMP) must be submitted for approval by Council.
- All costs associated with tree protection and management throughout the development are to be funded by the requesting developer.
- Any pruning required must be approved in writing by Council.
- Where public trees have been approved for removal to facilitate development, Council reserves the right to seek compensation for loss of asset(s) as defined in section 3.5 of this policy, unless removal is permitted in accordance with section 52.17 of the Golden Plains Planning Scheme (Native Vegetation), or the tree would otherwise be removed due to Arboricultural reasons.

3.5 Tree Valuation Bonds and Payments

- Tree value will be calculated using the following method:
 - A – Removal Costs: amounting to the fees incurred by Council for physically removing the tree and stump.
 - B – Amenity Value: calculated in accordance with the City of Melbourne Amenity Tree Valuation Formula – Section B Amenity Value (Base Values are subject to CPI increases).
 - C – Replacement and Reinstatement Cost: amounting to the fees incurred by Council for soil reinstatement, mulch, guarding, tree planting – supply, install and 24 months maintenance.
- For every 10cm of Diameter and Breast Height (DBH) of the removed tree an offset of one tree of 45ft will be required for the loss of amenity.
- Council may review valuations on a case-by-case basis frequency.
- Council will consider tree protection bonds where any works have the potential to impact public trees.
- The bond will be held for the duration of the works and 24 months post completion of works. Reimbursements are subject to a Project Arborist Completion Report.

3.6 Tree Planting

- Council will review opportunities to increase canopy within the Shire and work towards reaching targets set out in the Golden Plains Shire Environment Strategy 2019-2027.
- Planting suitability will be at the discretion of Council. Planting suitability will not alter to address matters including, but not limited to:
 - loss of solar access, including to gardens or solar panels

- facilitate views or personal aesthetic preferences
- leaf, flower, fruit, or debris
- animal waste or noise
- minor allergenic or irritation response
- Tree species selection will be guided by Council's Approved Street Tree Guide.
- Tree stock selection and planting will be in accordance with the Golden Plains Shire Council Tree Management Technical Guidelines, and in accordance with the Australian Standard AS2303:2018 Tree Stock for Landscape Use.
- Residents, landowners and community groups must first seek and obtain permission from Council before planting trees and shrubs on Council land, as per section 39 of Council's Local Law No. 1.
- Where practical, Council will replace trees after they have died or been removed.
- When tree removal is permitted as part of development, Council will re-plant if the site is deemed suitable. If the site is deemed unsuitable, tree planting will occur in the local area.
- All new developments must be designed to accommodate trees and in such a way as to allow for improved asset management and long-term tree growth success.
- Residents and landowners will be notified of significant tree plantings as per section 3.14 of this policy Community Communication, Consultation and Complaints.

3.7 Tree Inspections

- Council will establish a Tree Inspection procedure that prioritises public risk exposure.
- Council will assess and maintain public trees in a proactive manner to reduce public risk and promote correct tree management.
- Council responds to community concerns regarding public trees or trees protected under the Golden Plains Planning Scheme. Actioning of general maintenance works will be at the discretion of Council and will be prioritised through the assessed risk and subject to budget constraints.

3.8 Tree Pruning

- Council is responsible for all pruning and maintenance of Council owned and managed trees.
- Residents, landowners or developers are not permitted to remove, destroy or lop any tree listed within the scope of this policy, without prior consultation and approval in writing from Council.
- Residents, landowners or developers are not permitted to remove, destroy or lop native vegetation that would require planning approval under clause 52.17 of the Golden Plains Planning Scheme.
- Pruning of roots and branches will be in accordance with best industry standards such as Arboriculture Australia MIS308 Tree Pruning, and Australian Standard AS4373 Pruning of Amenity Trees or any other more contemporary industry accepted standard.

- All pruning and maintenance of Shire owned, and managed trees should be undertaken by a Pruning Arborist.
- Trees will be pruned to facilitate healthy tree growth, manage risk, and maintain public safety, or if deemed as necessary by Council.
- Trees will not be pruned to accommodate individual preferences or opinions. This includes but is not limited to:
 - provide solar access, including to gardens or solar panels
 - facilitate views or personal aesthetic preferences
 - reduce leaf, flower, fruit or debris
 - reduce animal waste or noise
 - minimise minor allergenic or irritation response

3.9 **Tree Removal**

- Council will not remove or approve the removal of trees without exploring every viable and practical Arboricultural intervention actions to retain the tree first.
- The removal of any trees on Council owned or managed land must not occur without prior written consent from Council.
- Trees residing on Crown land will require the approval from responsible authority.
- Council will investigate unauthorised tree removal.
- Council will consider the removal of trees that:
 - have been planted without approval, or
 - are listed as a weed species, or
 - are deemed necessary to mitigate risk to infrastructure or public safety.
- Council will require offsets for the loss of its mature canopy through valuation methods outlined in section 3.5 Tree Valuation Bonds and Payments.
- If tree removal is permitted by Council, the following tree removal hierarchy will be followed:
 - Reduce tree and retain in landscape as a habitat and for amenity.
 - Remove from the landscape and re-use or re-purpose.
 - Remove from landscape for mulching.

3.10 **Risk Management**

- Council will maintain a risk-based approach to tree management.
- Tree Risk Assessments will be conducted in-line with industry standard methods in conjunction with the Golden Plains Shire Council Risk Management Framework.
- Council reserves the right to seek further independent advice relating to these issues.

3.11 **Tree Roots**

- Council will investigate tree root claims when there is discernible evidence of tree root damage in accordance with the most contemporary MAV Tree Root

Risk Assessment Tool.

- Council will deal with tree root claims on a case-by-case basis and may consider tree root abatement measures such as root pruning or barricading as a means for resolution.
- Tree roots from Council owned or managed trees are not to be pruned or removed without prior consultation and written consent from Council.
- Where practical, Council will minimise the impact to private infrastructure caused by roots from Council trees.
- Claims for infrastructure damage must be supported by geotechnical or structural engineering reports that implicates tree root damage and considers soil type and the age and type of footings of the structure.
- Council reserves the right to seek further independent advice relating to these issues.

3.12 **Significant Tree Inventory**

- Council will develop and maintain a Significant Tree Inventory for the municipality which will identify trees of significance on both public and private land.
- Trees identified as significant will require endorsement from Council. The significance criteria are based on the National Trust of Victoria Significant Tree Register.
- Trees can be nominated by the public. Each tree will be assessed for suitability by Council.
- Trees nominated on the Significant Tree Inventory residing on private land are the maintenance responsibility of the landowner.
- Significant Tree nominations will be reviewed periodically by Council.

3.13 **Electrical Line Clearance**

- Under Subdivision 1 of Division 2 of Part 8 of the Electricity Safety Act 1998, a Council responsible for the management of public land in an area of land declared under section 81 of the Electricity Safety Act 1998 is responsible for the keeping of the whole or any part of a tree situated on that land clear of an electric line that is not a private electric line.
- The entirety of Golden Plains Shire is listed as undeclared under section 81 of the Electricity Safety Act 1998; therefore Council has no responsibility to maintain clearance of any electric line.
- The distribution company is responsible for all electric line clearance within Golden Plains Shire.

3.14 **Community Communication, Consultation and Complaints**

- In accordance with its Community Engagement Policy, Council will seek to keep the community informed about the maintenance of its public tree population. Council will inform the community of scheduled tree works including, tree removals, tree planting or any other major tree related works.
- Methods of community notification include but are not limited to direct notice to the resident or landowner affected, letters to the adjoining neighbours depending on significance of works, notice in the local newspaper or other Golden Plains Shire Council media outlets, local community groups or onsite

signage.

- The method of notification will be determined on the location of the tree, its prominence to the area, the significance of the tree, or the number of trees.
- Explanation and reasoning for tree removal upon request when prior notification cannot be given.
- Any appeals or complaints in relation to tree management will be handled through the Golden Plains Shire Council Complaints Handling Policy.
- Enquiries and complaints regarding tree maintenance are to be directed to Golden Plains Shire Council's Customer Experience team on (03) 5272 7111 or via enquiries@gplains.vic.gov.au.

4. PROCEDURES

4.1 The following procedures are intended to be developed, and once developed, will support this policy:

- 4.1.1 Tree Inspection Procedure
- 4.1.2 Tree Pruning and Removal Procedure
- 4.1.3 Tree Planting Procedure
- 4.1.4 Tree Protection Procedure
- 4.1.5 Arboriculture Reports Procedure
- 4.1.6 Significant Trees Procedure

5. SUPPORTING INFORMATION

- 5.1 Victorian Heritage Register H2238, Heritage
- 5.2 Arboriculture Australia MIS308 Tree Pruning
- 5.3 Arboriculture Australia MIS312 Environmental Arboriculture
- 5.4 Arboriculture Australia MIS313 Tree Health & Maintenance
- 5.5 Arboriculture Australia MIS501 Tree Risk Assessment
- 5.6 Australian Standard 2303:2018 Tree Stock for Landscape use
- 5.7 Australian Standard 4373-2007 Pruning of Amenity Trees and the Street Tree Pruning Guidelines
- 5.8 Australian Standard 4970-2009 Protection of Trees on Development Sites
- 5.9 Municipal Association of Victoria – Tree Root Risk Assessment Tool/

1. RESPONSIBILITIES

Compliance, monitoring and review

- 1.1 The Director Infrastructure and Environment is responsible for ensuring the policy:
 - 1.1.1 aligns with relevant legislation, government policy and Council's requirements/strategies/values;

1.1.2 is implemented and monitored; and

1.1.3 is reviewed to evaluate its continuing effectiveness.

Reporting

1.2 The Director Infrastructure and Environment is responsible for reporting, where required by the policy.

Records Management

1.3 Council must maintain all records relevant to administering this policy in accordance with the Public Records Act 1973.

2. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

| Term | Definition |
|---------------------------------|--|
| Complaint | An expression of dissatisfaction with: <ul style="list-style-type: none"> the quality of a service provided, an action taken, or decision made by Council or its contractor a delay or failure in providing service, taking an action, or making a decision by Council or its contractor |
| Council | Golden Plains Shire Council |
| Council land | Council land means all land either vested in Council or in respect of which Council has the care and management, including roads, streets, reserves, watercourses and reservations |
| Diameter at Breast Height (DBH) | Diameter measured at 1.4m from ground level as per Australian Standard 4970-2009 Protection of Trees on Development Sites |
| Tree | A long-lived woody perennial plant, with one or relatively few main stems or trunks. |
| Private Tree | Tree where the trunk does not originate from Council land |
| Public Tree | Tree where the trunk does not originate from Council land |
| Habitat Tree | Live or dead trees managed to provide ecological niches (microhabitats) such as cavities, bark pockets, large dead branches, cracks, sap runs, or trunk rot |
| Protected Tree | A tree conditioned by permit or planning schemes or Significant Tree Inventory |
| TPMP | Tree Management and Protection Plan |
| AIA | Arboricultural Impact Assessment |
| Risk | Level of exposure to danger, harm, or loss |
| Pruning Arborist | Minimum Australian Qualification Framework Level 3, Certificate III of Horticulture [Arboriculture] and/or equivalent experience |
| Consulting Arborist / Project | Minimum Australian Qualification Framework Level 5, |

| | |
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| Arborist | Diploma of Horticulture [Arboriculture] and/or equivalent experience |
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3. RELATED LEGISLATION AND DOCUMENTS

3.1 Strategic Documents, Policies or Procedures

Golden Plains Shire Council - Approved Street Tree Guide
Golden Plains Shire Council - Community Engagement Policy
Golden Plains Shire Council - Complaint Handling Process
Golden Plains Shire Council - Council Plan 2021-2025
Golden Plains Shire Council - Climate Emergency Plan 2022-2032
Golden Plains Shire Council - Environment Strategy 2019-2027
Golden Plains Shire Council - Local Law No.1 – General Public Amenity
Golden Plains Shire Council - Road Management Plan
Golden Plains Shire Council - Roadside Environmental Code of Practice Handbook
Golden Plains Shire Council - Roadside Environmental Management Plan
Golden Plains Shire Council - Risk Register and Risk Rating Tools
Golden Plains Shire Council - Township Maintenance Policy

3.2 Legislation

Aboriginal Heritage Act 2006
Electricity Safety Act 1998
Electric Safety Amendment (Bushfire Mitigation) 2014
Road Management Act 2004
Public Records Act
Crown Land (Reserves) Act 1978
Golden Plains Planning Scheme

4. HUMAN RIGHTS STATEMENT OF COMPATABILITY

4.1 It is considered that this policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

5. POLICY OWNER

- 5.1 The Director Infrastructure and Environment is the policy owner.
- 5.2 The policy owner is the individual who is given the responsibility to review, edit and maintain this policy and associated procedure. The policy owner is also the point of contact for any questions regarding this policy.

6. FEEDBACK

6.1 You may provide feedback about this document by emailing enquiries@gplains.vic.gov.au

7. DOCUMENT INFORMATION

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|--------------------------|--|
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| NOTES: | <p>Policy documents are amended from time to time; therefore you should not rely on a printed copy being the current version. Please consult Council's Policy page on the Golden Plains Shire Council website to ensure that the version you are using is up to date.</p> <p>Available at: https://www.goldenplains.vic.gov.au/residents/my-council/about-council/council-policies </p> |