

# TREE MANAGEMENT ON COUNCIL LAND

Policy | Infrastructure Services

This policy will provide direction and a consistent approach to the management of trees and tree roots on Council land.

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<b>Responsible Officer:</b>	Manager Infrastructure Services		
<b>Responsible Director:</b>	Director Infrastructure and Planning Services Group		
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# 1 Background

## 1.1 Title of the Policy and Commencement Date

The Tree Management Policy commences upon adoption.

## 1.2 Purpose of the Policy

Singleton Council acknowledges the beneficial role that trees and native vegetation provide throughout the Singleton Local Government Area (LGA).

Council will strive to preserve trees that provide a benefit to the community and the environment while taking reasonable steps to manage existing tree assets in a manner that minimises the risk of injury to any person and damage to public or private property.

This policy provides direction and a consistent approach to the management of trees and tree roots on Council land and outlines Council's role and responsibilities in managing these trees.

# 2 Objective

## 2.1 Objectives and Coverage of the Policy

The objectives of this policy are:

- To provide guidance on planting new trees on Council land
- To outline the management of existing trees and tree roots, including removal and maintenance
- To promote the importance of trees within the LGA
- To provide guidance on initiatives and proactive approaches for tree planting

The removal of trees, which requires a permit from Council under the Singleton Development Control Plan, is excluded from this Policy.

# 3 Application

## 3.1 Application of this Policy

This policy applies to all trees and tree roots within Council land in the Singleton LGA.

# 4 Definitions

For the purposes of this policy:

Term	Meaning
Assets	Resources owned by the Council which have a future economic value that can be measured and expressed in dollars eg land and buildings



Council	Singleton Council
Council Land	Land that is owned or managed by Singleton Council
Community Land	Land that is classified as community land under Division 1 of Part 2 of Chapter 6 of the Local Government Act 1993.
Infrastructure	Assets essential to the functioning of a community and economy such as roads and footpaths.
Essential Infrastructure	Those assets, which if destroyed, degraded or rendered unavailable for an extended period would significantly impact the social or economic wellbeing of the community eg water, sewer and electrical infrastructure
Solar Appliance	An attached, fixed appliance that is intended to capture the sun's energy for heating water or generating electricity
Tree	A perennial woody plant with secondary branches supported by a primary stem and usually having a distinct crown. A tree may be alive or dead.
Tree Planting Permit	An approval provided by Council for the planting of trees

## 5 Principles/Body

### 5.1 New Trees

- Council does not authorise the planting of trees on Council land without a Tree Planting Permit.
- All requests for new trees to be planted on Council land must ensure that:
  - No existing Council assets and infrastructure, including roads, footpaths, Water and Sewer will be negatively impacted by the planting or growth of the tree.
  - No essential infrastructure (including Electricity, Telecommunications, Gas and other utilities) will be affected by the planting or growth of the tree.
  - Suitable and effective root barriers will be installed where required.
  - The planting adheres to Singleton Council's Development Control Plan
  - Planting or growth will not impede existing solar access for solar appliances, habitable buildings, and important garden areas (such as vegetable gardens) on neighbouring properties for significant periods of time.
- Council will:
  - Implement a variety of vegetation rehabilitation projects each year, primarily on Council Land classified as community land and categorised as natural area (bushland)



- Support active volunteer Landcare programs however approval from Council must be obtained prior to any undertakings on Council managed land.

## 5.2 Tree Planting Permits

- To apply for a Tree Planting Permit, the customer must identify the location of all underground services, overhead services, and survey marks accurately by undertaking a Dial Before You Dig application and completing a service location by a certified contractor.
- No tree shall be planted within 3m of a water or sewer service and within 1.5m of any other services without installing a suitable and effective root barrier.
- No tree shall be planted underneath overhead services unless the potential mature height is less than 6m.
- No tree shall be located closer than:
  - 1m from back of kerb and gutter
  - 500mm from concrete paths and cycleway
  - 4m from power poles and light poles
  - 4m from driveways or access
  - 10m from intersections
- Generally, one tree only shall be planted per lot frontage. Where enough space is available, that is the frontage is greater than 20 metres, a maximum of two trees may be planted depending on their potential maximum size.
- Assessments of requests for planting new trees will be conducted within 28 days of receipt of the request.

## 5.3 Existing Trees

- Council does not authorise any person to undertake tree removal or pruning to trees on Council land unless engaged by Council to do so.
- *The Local Government Act 1993* stipulates that it is an offence where “a person who, without lawful excuse, wilfully or negligently injures, damages or unnecessarily disturbs any plant, animal, rock or soil in a public place”.
- Where a request for tree pruning or removal relates to increasing solar access to a property an assessment will be undertaken by Council.
- Any pruning or removal of an existing tree on Council land for solar access is to be undertaken by Council at the cost of the applicant
- Council will ensure that:
  - An assessment is conducted by an appropriately qualified Council Officer, within designated timeframes to inspect trees and tree roots on Council land, upon request or during our routine inspections of other assets.
  - An assessment will consider;
    - i) The location of the tree and the impact that pruning would have on the tree
    - ii) Whether the tree has any historical, cultural, social or scientific value
    - iii) The trees value as habitat and its contribution to the local ecosystem and biodiversity



- iv) The trees contribution to privacy, landscaping and garden design
- v) The impact of the tree on soil stability and the water table
- Assessments are recorded in Council's tree management system.
- Appropriate action is taken depending on the risk rating determined by the assessment undertaken by Council.
- Reported instances of unauthorised tree removal, damage or pruning of trees on Council land is investigated in a consistent manner to determine an appropriate response.
- Community education and awareness on the importance of trees on Council owned or managed land is undertaken
- Reporting of unauthorised tree removal, damage or pruning of trees on Council land is encouraged.
- Replanting, rehabilitation, and other required works will be undertaken, subject to resource availability, to mitigate the impact of unauthorised tree removal, damage or pruning of trees

#### **5.4 Existing Trees – Damage to private assets**

- The repair and/or maintenance of assets on private land, impacted by an existing tree on Council land, including pipes, plumbing, driveways and retaining walls will be considered by Council on a case-by-case basis.
- Property owners must notify Council prior to undertaking repairs, if repairs required necessitate pruning the roots of trees located on Council land.

#### **5.5 Dead Wood / Firewood Collection**

- Council does not authorise any persons to undertake the removal of dead wood, trees and logs on Council land unless engaged by Council to do so.
- The removal of dead wood, trees and logs is a 'Key Threatening Process' under the *Threatened Species Conservation Act, 1995*.
- Council will leave dead wood in situ or on site as much as possible in rural areas to provide habitat for native fauna, facilitate ecological processes and assist in the control of soil erosion.

#### **5.6 Termites/Bees/Pests**

- Council will investigate the eradication of termites/bees/pests in tree(s) or tree stumps or any timber on Council land and removal will be dependent on the Council assessment.
- It is the responsibility of the property owner to protect all buildings from termite attack by installation and maintenance of recommended methods of control in accordance with relevant Australian Standards.
- Trees on Council land affected by termites can be assessed for structural integrity where they pose a threat to public safety or property.



## 6 Relevant Legislation

- *Local Government Act 1993, NSW*
- *Environment Planning and Assessment Act 1979, NSW*
- *Environment Planning and Assessment Regulation 2021*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Biodiversity Conservation Act 2016*
- *Singleton Local Environmental Plan, 2013*
- *Singleton Development Control Plan 2014*
- *Threatened Species and Conservation Act 1995*

## 7 Document Information

### 7.1 Related Documents

Related documents, listed in Table 7-1 below, are internal documents directly related to or referenced from this document.

Number	Title
19/52297	Singleton Development Control Plan
22/7340	Tree Management Procedure

Table 7-1 – Related documents

## 8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager of Infrastructure Services.

## 9 Responsibilities

Parties or Persons	Responsibilities
ELT	<ul style="list-style-type: none"> <li>• Consider and approve this policy</li> </ul>
Manager Infrastructure Service	<ul style="list-style-type: none"> <li>• Ensure compliance with this policy and all relevant procedures and supporting documents</li> <li>• Ensure this policy is updated and reviewed as scheduled</li> <li>• Ensure adequate resources are provided for tree maintenance</li> </ul>
Coordinator Recreation and Facilities	<ul style="list-style-type: none"> <li>• Issue tree permits for Parks and Reserves and Urban Road reserves.</li> </ul>
Coordinator Civil Operations	<ul style="list-style-type: none"> <li>• Issue tree permits for Rural Road reserves</li> </ul>

Coordinator Environmental Services	<ul style="list-style-type: none"> <li>• Community education and awareness on the importance of trees</li> </ul>
Parks Management Officer	<ul style="list-style-type: none"> <li>• Provide guidance to customers on this policy</li> <li>• Assess tree planting permits</li> </ul>
Inspection Officer	<ul style="list-style-type: none"> <li>• Conduct Tree Assessments</li> <li>• Record tree assessments in Council's Tree Management System</li> <li>• Provide guidance to customers on this policy</li> <li>• Investigate unauthorised damage to trees</li> </ul>
Ranger, Regulatory Services	<ul style="list-style-type: none"> <li>• Investigation of tree offences under the Local Government Act 1993.</li> </ul>

## 10 Approval

As per cover sheet.

## 11 Monitoring

This policy will be monitored by the Manager Infrastructure Services to ensure compliance.

## 12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every four (4) years to ensure that it meets legislative requirements.

## 13 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

## 14 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.