

Street Tree Pruning, Removal and Replacement

Policy Statement

The Town of Mosman Park acknowledges the environmental, social, cultural, economic and heritage value of trees on public land. The Town's role is to protect and manage these trees in a way that enhance streetscapes and the amenity of the Town.

Policy Details

Objective:

The objectives of this policy are to outline the Town's position on:

1. The importance of retaining all existing street trees.
2. The acceptable criteria for street tree removals.
3. To outline the street tree maintenance approvals process.
4. To outline the street tree maintenance request process.
5. Unauthorised street tree pruning or removal.
6. To provide a species selection for planting of new street trees.
7. The future of Queensland Box (*Lophostemon confertus*) trees within the Town's streetscapes.
8. To align the Town with the Street Tree Masterplan.

Policy Guidance

Retaining existing street trees

The Town has a strong desire to retain all existing street trees where practicable. Mature trees, regardless of species, provide positive functions to the streetscape and the local environment. The Town prefers the replacement of trees through natural attrition as opposed to proactive removal and replacement. This position is based on the high cost of removal and replacement of trees as well as the interim canopy loss while the replacement tree reaches maturity.

Street tree removals

It is against the objectives of this Policy, the Street Tree Masterplan and the Strategic Community Plan to remove trees from the Town's urban forest.

The removal of street trees shall not be permitted for any of the following reasons:

- The tree obscures or has the potential to obscure views other than traffic/pedestrians line of sight.
- The tree species is disliked.
- The tree species causes nuisance by way of leaf, fruit, and/or bark shedding or the like.

- The tree is in the way of a non-essential crossover or verge paving option.
- The tree shades a private garden, solar hot water systems, or the like.

The removal of street trees shall be considered if one or more of the following criteria are satisfied:

- The tree has been assessed by a qualified and competent person (consulting Arborist or suitably qualified/experienced Council Officer) as:
 - Being dead, having less than 10% photosynthetic material or live tissue present in the canopy mass.
 - Being diseased and unlikely to respond to treatment within the scope of approved arboricultural management practices.
 - Being structurally unsound to the extent it presents a danger to the community. In this case a written report and photographic evidence is to be provided in support of the assessment.
 - Having sustained storm damage whereby remedial pruning is likely to encourage future tree related structural issues to occur that have the potential to result in failure and/or litigation.
- The tree is affected by road widening, servicing modification/relocation or other infrastructure works and all other options to retain the tree have been deemed by the Town to be inappropriate or uneconomical.
- The tree is dangerously in contact with overhead power or service lines and where, for reasons of growth habits pertaining to the species, selective pruning is not practical with the only other option available to address the issue is severe lopping.
- The tree for removal is part of a documented schedule for removal tree management strategy in place for the future management of the Town's tree population.
- The tree is deemed hazardous to motorists and/or pedestrians due to interference with appropriate sightlines as a result of the trees alignment and/or spacing.
- The tree species is declared a noxious weed or the species has become a weed problem for native vegetation, including invasion of remnant vegetation on private land.

Allergies to street trees

Residents has submit an application for pruning/removal if a case of extreme allergy occurs. The application must be supported with documentation from an allergy specialist and specialist advice the street tree is the one and only cause of the allergic reaction. Once assessed, the Town may approve the removal (or pruning) and replacement of the street tree at the applicant's cost. The replacement cost will be based on the full amenity value of the tree(s) as per assessment by a qualified consulting arborist. This is to be considered and determined on a case by case basis and will be presented to Council for final determination. Where the resident is given approval to remove a tree(s) due to allergies, the applicant will be responsible for the cost to replace the tree with a suitable sized specimen at the Town's discretion and any costs associated with the establishment of the tree(s). The resident may be required to provide an additional tree(s) for the Town to plant at its discretion in compensation of interim net canopy loss.

Request for Tree Removal that does not meet the criteria.

If a request for removal does not meet the criteria, officers are not authorised to approve removal. At this point the resident/developer can refer the matter to Council for consideration on a case-by-case basis.

Unauthorised Pruning, Removal or Poisoning of Street Trees

In the event of a person illegally removing, damaging, pruning or poisoning a street tree, Council may prosecute the offender under the *Local Government Act 1995* Schedule 9.1 clause 2 Disturbing local government land or anything on it and the Uniform Local Provisions Regulations 1996, Regulation 5 Clause 1 Interfering with, or taking from, local government land or other relevant provisions under the Act.

Council will consider each offence on its own merits and will take into consideration the following:

- The full amenity value of the tree(s) as per assessment by a qualified consulting arborist.
- All costs associated with disposing of resultant material.
- Cost to grind out stump in the case of tree removal.
- Cost to replace any soil as well as any required soil amendments.
- Any damage caused to private or public property by the actions of the responsible party.
- Replacement costs in accordance with the Council adopted Fees and Charges for the procurement, transport, planting, watering and maintenance of the tree(s) until established.
- Additional tree plantings nearby to compensate for the loss of canopy as per the Town's Street Tree Masterplan.
- Any costs associated with engaging a consulting arborist or other specialists as required.

Street Tree Repair and Replacement

The Town will only approve the replacement of a damaged or removed tree in lieu of payment of the amenity value of the tree where the Town is satisfied that it can be replaced with a tree that is of similar size, species and condition. Where the Town approves the repair or replacement of a tree, the landowner/applicant shall be responsible for all associated costs, including:

- (i) inspections, consultations and reports carried out by a suitably qualified arborist approved by the Town.
- (ii) any repair work carried out on the tree by a suitably qualified arborist approved by the Town, including future repairs for a period of up to five years.
- (iii) clean up and removal of tree debris and pruning as a result of the replacement work carried out by a suitably qualified arborist approved by the Town.
- (iv) Site works associated with new planting, including stump grinding and root removal.

- (v) Replacement costs in accordance with the Council adopted fees and charges for the procurement, transport, planting, watering and maintenance of the tree until established.

Amenity Tree Evaluation

Where the Town does not support the replacement of a damaged or removed tree, or where required by a condition of subdivision or development approval, the landowner/applicant will be required to pay to the Town the amenity value of the tree. The Town will use the Burnley Method (Moore, 4991) as the basis for determining the monetary value of trees.

Street tree pruning, care and maintenance undertaken by the Town

The Town is responsible for the purchasing, planting and establishment of all street trees. Town staff and/or contractors will undertake pruning to achieve road, footpath, power line, infrastructure and line-of-sight clearances, remove deadwood (40mm diameter or greater), remove diseased material, or may undertake strategic pruning for the health improvement of the tree where resources allow. The Town does not undertake private property line clearances.

Where the Town accepts that a Town tree causes a nuisance, either by overhanging branches or root invasion, the Town will consider pruning back branches or roots upon request of the resident but only if these actions are deemed to have minimal adverse effects on the health and structure of the tree.

Residents/developers are not permitted to prune the street tree canopy or tree roots. They can however make a request to the Town for activities which may include amenity pruning, tree shaping, strategic pruning or other. The Town will assess the application and will consider works to be undertaken. If approved all works will be done by the Town's approved contractors or staff and carried out in accordance to Australian Standard (AS 4373-2007) Pruning of Amenity trees. As specified in the *Dividing Fences Act* residents are permitted to prune overhanging vegetation to the property line without first contacting the Town, however, it is the Town's preference that contact is made prior to any works to ensure the desired outcome is achieved.

Tree species selection

Street tree species selection is integral to supporting and building a successful urban forest and the Street Tree Master Plan sets out a Tree Selection Criteria to build upon existing, as well as create new, avenues of street trees.

The Street Tree Master Plan (Appendix 2) includes the 49 tree species to be used for future street tree planting programs.

Should new information or considerations emerge, the Town may consider Street Tree Master Plan (Appendix 1) for alternative tree species.

Queensland Box trees

Queensland Box trees (*Lophostemon confertus*) were prolifically planted as street trees in past decades. As a result of Perth's drying climate, and mounting public aversion, a number of Council's (including previously the Town of Mosman Park) opted to support removal and replacement programs of this species. The Town currently has approximately 803 Queensland Box trees which make up just over 15% of the Town's streetscapes.

The majority of the Queensland Box trees within the Town are in good health, and successfully provide the benefits and services mentioned earlier in the policy. If the Town was to consider approving removals and replacement of this species, increased risk to the Town's canopy cover percentage and streetscapes as a whole would be present. As such, it is the Town's position to consider Queensland Box trees with all other tree species in relation to removals and management.

Definitions

Amenity: The overall pleasantness or attractiveness of a street, location or place.

Nuisance: A substantial, unreasonable and repeated/ongoing interference which affects the way of life for the applicant or impedes the intended use of their property on a persistent basis.

Streetscape: An avenue of street trees that contribute to the overall amenity of the street.

Street Tree: A tree that is located on the verge, median or round-a-bout which is managed by the Town.

Urban Forest: A collection of trees, that grow within the town.

Street Tree Masterplan: The Town of Mosman Park's guiding document relating to species selection and planning actions in order to protect and enhance the street trees, streetscapes and the Towns urban forest.

Governance References

Statutory Compliance	Nil.
Organisational Compliance	Australian Standard 4373-2007 Pruning of Amenity Trees; Australian Standard 4970-2009 Protection of Trees on Development sites.

Policy Administration

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Planning & Operations		Manager Parks and Environment
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