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## TREE MANAGEMENT

Strategic Outcome:	Sustainable natural and built landscapes	
Policy type	Administrative	
Date of Adoption:	21 June 2023	Minute Number:
Date for Review:	21 June 2027	
Responsible Officer:	Enterprise Risk Manager	
Document Control:	Replaces Tree Management Policy adopted 19/07/2017	
Delivery Program Link:	2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance	

### 1. POLICY STATEMENT

Berrigan Shire Council is committed to maintaining and improving its surrounding flora by effectively managing trees and vegetation within urban areas, road reserves and other lands over which Council has control.

This policy provides a practical and balanced approach to tree management. While the health, safety and welfare of Council staff and the community, and the protection of public and private property is paramount, Council is also committed to preserving trees, improving the aesthetic urban landscape, and effectively managing the environment. These objectives may appear conflicting however, responsible risk management shall take precedence in any determination regarding existing or future plantings.

### 2. PURPOSE

The purpose of this policy is to formalise the Council's tree management including:

- tree selection
- risk assessment
- maintenance and tree removal
- preservation



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### 3. SCOPE

This policy applies to all trees and shrubs that are growing on any property under Council's control including operational land, community land, nature strips, road reserves and public reserves.

### 4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective:

*2.1.3 Council operations and financial management support ethical, transparent and accountable corporate governance.*

### 5. DEFINITIONS

<b>Environmental value</b>	refers to the total environmental contribution of a tree when taking into consideration the amount of native vegetation in the vicinity of the tree, and the amount of fauna in the vicinity or using the tree.
<b>Preferred Species</b>	trees that Council would select for planting after considering various factors including environmental, proximity to infrastructure, and ongoing maintenance.
<b>Probability of failure</b>	the likelihood of a tree limb or an entire tree failing
<b>Risk of harm</b>	refers to the risk category assessed when taking into consideration the probability of failure, the size range of the limb or tree assessed to fail, and what the subsequent damage caused could be.
<b>Target range</b>	refers to the areas or location where a tree or limb might land following failure.
<b>Trees of significance</b>	refers to trees that have a place of prominence in the community, due either to their age, location, or relevance to an individual or group involved in the planting, and/or have aboriginal significance.

### 6. POLICY IMPLEMENTATION

#### 6.1 New tree selection and placement

##### 6.1.1 Tree planting - residents

Council will provide suitable trees to plant on nature strips, but will also authorise residents to plant trees, provided that:

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- a written request is made for such planting containing an undertaking from the applicant that the trees, once planted will be watered and otherwise maintained by the applicant.
- the trees will be of a type listed in Council's Preferred Species List.
- the total number of trees on any section of nature strip (including existing trees) does not exceed two for each property frontage, except where the Chief Executive Officer (CEO) or delegate may determine that additional trees are warranted, such as where the property frontage is significantly wider than normal.

Residents or landowners may provide and plant additional trees on nature strips at their own cost provided such trees are of a type listed on Council's Preferred Species List and provided such plantings are located to minimise future problems regarding Council infrastructure, other services and the safety of pedestrians and traffic.

A resident or landowner may be required to remove or relocate any nature strip tree planted without prior approval if, in the 3opinion of Council, the location or type of tree may cause problems in the future.

### 6.1.2 Tree planting and maintenance in new sub-division developments

Where a developer is required to plant trees as part of the planning permit process for new developments, Council will oversee the planting and establishment, in accordance with the Infrastructure Design Manual.

Approved landscape plans must conform to site assessments and Council's Preferred Species List.

### 6.1.3 Tree planting – Council

To ensure the long-term success of tree planting, a detailed analysis of site conditions and design constraint is required. The objective is to minimise risk associated with trees by selecting trees that will have minimal impact on, and have minimal impact by, their new environment.

## 6.2 **Existing trees**

A map of tree types within Council's urban areas will be progressively developed. This will provide a general overview of trees that currently exist on Council's nature strips, within parks and reserves and surrounding Council controlled areas.

Council will also progressively build a register of trees under Council control within urban areas.

### 6.2.1 Tree risk assessments

All trees under Council control located in urban areas will gradually, and as resources permit, undergo a risk assessment and will be included on the Tree Register with follow up inspections scheduled in

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accordance with the results of the risk assessment. Priority for risk assessment will be given to those trees where:

- complaints have been received;
- there are obvious declines in tree health;
- the tree has been damaged;
- the tree or its roots are affecting Council services or infrastructure; and / or
- planned Council works are in the vicinity.

When assessing trees, factors used in the analysis include:

- the environmental value of the tree
- the probability of failure of the tree
- the target range
- the risk of harm calculation
- if it is a tree of significance

After the assessment, where the environmental value of the tree rates higher than the risk of harm calculation, tree works will not be performed unless further biodiversity assessments are conducted and recommendations from that assessment are favourable for tree mitigation works. Where the risk of harm calculation is higher than the environmental value, tree works will be performed in accordance with recommendations.

Wherever there is doubt regarding the assessment performed by Council staff, Council will enlist the services of a qualified arborist.

Where a tree assessment identifies a tree as a tree of significance, and tree works involving pruning or removal are identified, no works are permitted to proceed until Council approval has been obtained. In addition, works involving several trees in one location (e.g., along a nature strip) or requests made to remove trees by third parties (e.g., developers, energy companies, etc.), Council approval must also be obtained.

### 6.2.2 Pest and disease management

When pest and disease outbreaks compromise the health or increase the risks associated with trees, Council will only intervene where the trees in question have been planted by Council.

In these circumstances, the efficacy and cost effectiveness of available treatment will be assessed, and if justified, the appropriate integrated pest management techniques will be undertaken.

Where affected trees are privately owned, and Council has been made aware, Council will advise the owner so the owner may take the appropriate action.

### 6.2.3 Termite activity

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The presence of pests in trees is not always apparent, and this is the case with termite activity. Council will treat Council planted trees where it has knowledge or has been advised of termite activity within those trees.

Due to the nomadic nature of termites, the place of origin of termites cannot be attributed to any tree and therefore Council will not be held responsible for any third-party property damage.

### 6.2.4 Road reserve trees and vegetation

Council, as the Road Authority under the *Roads Act 1993*, has a duty of care to the travelling public to, as far as reasonably practicable, ensure trees and vegetation in the road reserves does not present a risk to life or property. To fulfil its duty of care, it will be necessary for staff involved in road construction, maintenance, and road inspections to be aware of trees and other vegetation that may present a risk to road users. This will be especially important following high winds or storm events.

Council has established guidelines under the Roadside Vegetation Management Plan to:

- maintain, and where necessary, enhance roadside conservation value;
- increase public awareness of the importance of roadside vegetation;
- encourage community involvement in roadside conservation projects; and
- provide management guidelines for roadside vegetation.

## 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

### 7.1 Legislation

- *Local Government Act 1993*
- *Civil Liability Act 2002*
- *Roads Act 1993*
- *Biodiversity Conservation Act 2016*
- *Environmental Planning and Assessment Act 1979*
- AS ISO 31000:2018 Risk management - Guidelines

### 7.2 Council policies and guidelines

- Preferred Species List
- Risk management policy and framework
- Roadside Vegetation Management Plan
- Infrastructure Design Manual, Version 5, 2022

## 8. RECORDS MANAGEMENT

Recording of all information relating to this policy must be maintained including risk assessments, complaints and arborist reports.



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All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

### 9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

### 10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

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### 11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0		New Policy document	Michelle Koopman
1.1		Minor review (new template)	Michelle Koopman

### APPENDICES