

# Trees, Plantings and Garden Beds

<b>Council Policy Number</b>	<b>108</b>
Date adopted	16 June 2021
Scheduled for review	June 2025



## 1. Preamble

Campaspe Shire Council ('Council') recognises that trees, plantings and garden beds are the most significant form of vegetation used in the urban landscape and are valuable community assets that contribute to the amenity and wellbeing of the local community.

Trees, plantings and garden beds may also contribute to improved health, shade, tourism and a sense of place while providing environmental benefits such as urban cooling, removal of air pollution, wind reduction, carbon storage and healthier soils.

## 2. Purpose

To guide the provision of new or replacement trees, plantings and garden beds within the municipality; or their removal.

## 3. Definitions

Street Trees	trees that form part of the street scape within commercial and public park recreation zones and those that are planted in road reserves in residential zones within the municipality
Road reserve	all of the area of land that is within the boundaries of a road
Road Side	any land that is within the boundaries of a road (other than the shoulders of the road) that is not a roadway or a pathway, including the land on which any vehicle crossing or pathway (connecting a roadway or pathway on a road to other land) has been constructed
Road Side Trees	trees that are planted on the road side in residential zones within the municipality

## 4. Policy Statement

### 4.1 Request Process for Street Trees

- a. Applications requesting a new or replacement street tree:
  - i. can be made at any time of the year;
  - ii. will be dealt with in date order of receipt;
  - iii. should be made on Council's official Application Form, "New or Replacement Street Tree"
- b. A formal written response to a request must be provided to applicants following a decision, including when (if approved) planting can be expected.

### 4.2 Street Tree Plants

- a. When it has been established that a street tree request meets the relevant requirements, the following process will apply:
  - i. Depending on the date the application is received, the request should be managed within the current Street Tree Planting Program or, if stock is unavailable, be deferred to the following planting season.
  - ii. A suitably qualified Arboriculture Officer will assess the site's suitability and recommend the species and suitable numbers.

- b. Planning Approval will be obtained by the Arboriculture Officer (if required), e.g. Cultural, Environmental & Heritage area controls.
- c. Information regarding the species name and care of the tree(s) will be left in the applicant's letterbox on the day of planting.

#### 4.3 Plantings and Garden Beds

- a. Requests from residents to prepare and plant garden beds on the road side will be assessed and determined via a permit application under Council's Local Law No. 8, approval conditions may be imposed. There is no fee for permit applications under this policy.
- b. Persons undertaking work on footpaths or the road side, whether the applicant or a contractor/agent appointed by the applicant, will require Public Liability and/or Professional Indemnity insurance to be current during the period that works are undertaken.
- c. If the proposed works require the partial or total demolition of any Council asset, such as footpaths, this must be clearly identified in the application. By making such application, applicants acknowledge that the re-instatement of such assets will be at their expense and to Council's standards.
- d. Persons undertaking the works, whether the applicant or a contractor/agent appointed by the applicant, will be responsible for locating and preventing damage to any assets already existing in the road reserve, including but not limited to those assets owned by water, gas, electricity and telecommunications authorities, Council drains and other Council assets such as existing trees.
- e. The ongoing maintenance of garden beds and grass on the road side is the sole responsibility of the resident.
- f. If a property owner wishes to discontinue maintenance of an existing nature strip garden bed, which is currently their responsibility, an application must be made using the same process to establish a new garden. However, the new works would be re-instatement of grass or an alternative surface treatment (as approved by Council) installed and paid for by the property owner.

#### 4.4 Risk Management

Council recognises its duties and responsibilities to manage the risks associated with its street tree assets, which will be conducted in accordance with Council's risk management policies and strategies.

#### 4.5 Tree Removal

- a. All requests for tree removals must be made in writing, by the property owner, stating the reasons why they want the tree(s) removed.
- b. Requests for the removal of street or other trees, by residents, for reasons of:
  - i. Public safety;
  - ii. Intersection visibility;
  - iii. Infrastructure damage;
 will be accepted by phone or in person and logged onto Council's Customer Service Request system.
- c. Requests for the removal of trees on account of them aggravating the applicant or family member's medical condition, must be made in writing and be accompanied by a letter from the treating Medical Practitioner citing evidence that the named species of tree(s) do in fact aggravate the medical condition(s) exhibited by their patient.
- d. In order to protect and preserve significant tree assets, a qualified Arboriculture Officer will assess each tree before approval to remove is issued.
- e. If a tree is to remain following the assessment, formal written notification will be provided to the applicant/property owners advising that the tree did not meet the criteria for removal.

- f. If a tree has been assessed and found appropriate for removal, subject to planning approval being obtained by the Arboriculture Officer (if required) e.g. heritage area controls, formal written notification will be provided to the applicant/property owners.
- g. After a tree has been removed by Council, an appropriate replacement species will be planted in the same or nearby appropriate location, and the nature strip reinstated if required.

**5. Exclusions**

This policy does not apply to trees, plantings and garden beds on private property or public reserves.

**6. Human Rights**

This policy has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

**7. Related Legislation**

*Road Management Act 2004*

**8. Related Policies and Procedures**

Nil

**9. Attachments**

Nil

**10. Review Period**

Four years

**Responsible Officer**

Manager Assets

**11. Administrative Updates**

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter the policy, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

**12. Approval History**

Revised 07 January 2021

Minute Book Reference No 29 (Item 6.2)

Revised 16 June 2021

Minute Book Reference No 637 (Item 9.12)

Chief Executive Officer: ..... 

Date: ..... 19 June 2021