

Trees



1. Purpose

The purpose of this policy is to protect Council's trees and to grow a flourishing urban forest across the City of Holdfast Bay.

2. Scope

This policy applies to everyone interacting with trees located on land owned by Council or land under Council's care, control, and management, including street trees, park trees, and trees in reserves and open spaces. It also invites property owners to consider the importance of trees in the public realm and on private land.

3. Roles and Responsibilities

| Council Members | As members of the governing body, to take steps ensure trees are protected in the Council area, in accordance with legal requirements and Council's strategic directions to increase tree canopy coverage across the City. |
|--------------------------------|--|
| Urban Forest staff | Provide specialist/technical advice on tree health and tree management. |
| Field Services Open Space Team | Planning, planting, watering, pruning and removal of public trees. |

4. Policy Statement

- 4.1. Council recognises trees as critical living assets that constitute our urban forest. They provide essential ecosystem services and community benefits, including enhancing neighbourhood character and amenity, supporting human health and wellbeing, improving air and water quality, providing vital habitat and biodiversity corridors, delivering shade and cooling effects crucial for climate change adaptation, supporting tourism and economic vitality, and contributing to beautiful, liveable streetscapes and public spaces.
- 4.2. Council prioritises the retention of healthy and structurally sound public trees wherever feasible. Removal is considered a last resort and will only be undertaken after careful, professional assessment. Council is committed to actively enforcing the protection of public trees from damage or unauthorised removal, including due to any activities associated with development or alterations to public roads/verges.
- 4.3. While Council is the custodian of public trees, the community plays a vital role in valuing, respecting, and helping care for the urban forest. Council encourages all residents to provide supplementary watering to

street and park trees adjacent to their properties, especially during extended dry periods, to support the health of the urban forest.

Tree species selection

- 4.4. Tree species selection and planting locations are carefully considered by appropriately qualified officers to maximise benefits and minimise future conflicts with infrastructure and the surrounding environment. Council aims to ensure the right tree is planted for the place available, taking into account all legislative obligations, including the requirements of section 232 of the *Local Government Act 1999*.
- 4.5. Species selection criteria include, but are not limited to:
 - Suitability for the local climate and soil conditions, including drought and heat tolerance
 - b. Mature size and form appropriate for the location (considering overhead/underground services, road/path clearances, building setbacks)
 - c. Contribution to biodiversity (for example, habitat/food source for native fauna, local provenance where appropriate)
 - d. Desired aesthetic and contribution to neighbourhood character (for example, complementing existing avenues)
 - e. Resilience to pests and diseases
 - f. Availability of quality nursery stock in commercial quantities
 - g. Potential impacts (for example, known allergenicity, fruit/nut drop characteristics, potential for infrastructure conflict balanced against benefits)
 - h. Water requirements, including the feasibility of applying water sensitive urban design principles
 - i. Contribution to canopy cover and urban cooling targets, and
 - j. Species diversity to enhance the resilience of the urban forest.
- 4.6. Subject to the requirements of the *Local Government Act 1999*, once a species has been selected for a specific location or planting program, the selection will not be altered solely based on:
 - a. Potential or actual obstruction of scenic views
 - b. Individual dislike of the species
 - c. Nuisance factors like leaf litter, berry/nut/bark drop (unless exceptionally problematic and unforeseen)
 - d. Shading of private property (including gardens, pools, solar panels)
 - e. Perceived (but unsubstantiated) potential for future infrastructure damage
 - f. Attraction of wildlife

Tree planting

- 4.7. Council is responsible for tree planting on Council land (including on streets, parks and reserves) and will plan its planting program based on factors such as:
 - canopy gap analysis
 - urban heat mapping
 - infrastructure program alignment, and
 - availability of stock, and
 - whether the vegetation suits the location.
- 4.8. Planting will generally be undertaken in cooler, wetter periods to optimise establishment success. Block planting (that is planting multiple trees in a street/area) is preferred where possible, to achieve consistent streetscapes and maximise efficiencies in maintenance and watering.
- 4.9. New plantings must maintain required sight line clearances for traffic-related matters, as instructed by relevant officers.

- 4.10. Council supports greening by property owners (see Council's Verge Policy), but planting on Council land, including trees, requires a permit or authorisation by Council. There is no charge for this type of permit.
- 4.11. Where unauthorised planting is identified, an appropriately qualified officer will assess the suitability of the tree/plant based on this policy and the requirements of the *Local Government Act 1999*. If the planting is deemed unsuitable or non-compliant, Council will notify the responsible party (if identifiable) and require its removal. At the discretion of the investigating officer, the party responsible may be given a reasonable timeframe to relocate the tree/plant onto their private property. If the tree/plant is not relocated as required, or if the responsible party cannot be identified, Council may remove the unauthorised planting.
- 4.12. Council may seek to recover the costs of removal from the party responsible, if they can be identified.
- 4.13. Property owners may request that Council plant a street tree on the verge adjacent to their property by applying through the 'Adopt-a-Tree' program.
 - a. Applications must be submitted via the relevant form on Council's website. Applications are assessed in order of receipt and the tree species selection is at the discretion of Council's qualified officer(s). There may be limits on how many trees are approved for 'adoption' in a given year.
 - b. As a condition of approval, applicants must agree in writing to provide supplementary watering for the tree, particularly during the warmer months (nominally November to April), for the first three (3) years after planting (for example, a minimum 10-15 litres per week, or as advised).
 - c. Council retains full ownership and responsibility for all other maintenance of adopted trees, including pruning, staking, pest/disease management, and risk assessment.
 - d. If an adopted tree dies, is stolen, or vandalised within the establishment period, replacement by Council is not guaranteed. Replacement will be considered on a case-by-case basis by Council's officers, subject to program capacity and site reassessment, and may require another application to be made. Council may decline replacement if the failure is attributed to lack of agreed watering.
 - e. Existing, young trees may also be 'adopted' by residents, by committing to supplementary watering via the same application process.

Tree pruning

- 4.14. Property owners or occupants are not permitted without specific written approval of Council to prune trees on Council property, including on verges outside their property.
- 4.15. Pruning, removing, interfering with or planting trees on Council-managed land (including verges) without prior approval from the Council is prohibited. Council is solely responsible for the maintenance pruning of all public trees (with the exception of any statutory authorisations for example, utility companies, who may undertake pruning but must notify Council prior to works being undertaken).
- 4.16. Pruning is undertaken to maintain or improve tree health and structural integrity, provide statutory clearances, mitigate unacceptable risks to safety or property, and shape young trees for future structure, in line with relevant Australian Standards (for example, AS 4373 Pruning of Amenity Trees). Lopping and topping are not acceptable pruning practices.
- 4.17. Pruning will not generally be undertaken or permitted for the following reasons:
 - a. To reduce tree height or spread simply because it is perceived as 'too large'.
 - b. For purely aesthetic reasons or personal preferences.
 - c. Due to natural processes like leaf, fruit, bark, or twig drop, or sap exudation.
 - d. To reduce shading of private property (gardens, lawns, houses, pools, solar panels, etc.).
 - e. To improve or create scenic views or enhance visibility of advertising signage.
 - f. Due to the presence of wildlife (birds, possums, insects) or associated droppings.

- g. For unsubstantiated or unverified claims of infrastructure damage.
- h. Due to unsubstantiated health concerns or allergies (significant allergenic issues may be considered with medical evidence, potentially influencing future species selection).
- i. To provide clearance for oversized vehicles or equipment beyond standard requirements (see Appendix 1).
- j. To accommodate the installation of non-essential private infrastructure.
- k. Based on perceived, but unassessed or low-level, risk.
- 4.18. Where Council street trees are overhanging private property, property owners should contact Council to request a pruning assessment. Where practicable, Council will attempt to maintain a 0.5 metre clearance minimum between canopy and private buildings, subject to tree health and species characteristics.
- 4.19. Where new developments (for example, building extensions, sheds, pools) are approved or constructed close to or beneath the canopy of an existing street or public tree, the tree will generally not be pruned to accommodate the development if doing so would be detrimental to its health, stability, or structure. The development design must accommodate the existing tree.
- 4.20. Where trees on private property encroach into statutory clearance zones over public roads or footpaths (Appendix 1) or otherwise pose a public safety hazard, Council will notify the property owner in writing, requesting remedial action within a specified timeframe. If the owner fails to comply, Council may undertake the necessary pruning works and seek to recover the costs from the property owner.

Damage to private property from public trees

- 4.21. Council's responsibility for damage to private property caused by public trees is set out in section 245 of the *Local Government Act 1999*. Under this section, Council is generally not liable unless:
 - a. the property owner or occupant had previously notified Council in writing about a specific risk of damage from the tree, and
 - b. Council failed to take reasonable action to address that risk within a reasonable timeframe.
- 4.22. "Reasonable action" will be considered on a case-by-case basis but may typically include the following steps:
 - Inspecting the tree
 - Assessing the risk using qualified personnel and recognised arboricultural methods
 - Documenting the assessment, and
 - Taking appropriate mitigation actions, if needed (such as pruning, root management, or ongoing monitoring, but not necessarily tree removal).
- 4.23. Property owners who believe a public tree has caused damage to their property and that Council has been negligent under Section 245 should lodge a claim with Council. Claims must be in writing, state the nature of the damage, outline the reasons Council is alleged to be negligent, and be supported by evidence (for example, photographs, chronology of communication with Council, expert reports from engineers, plumbers or arborists, as required, etc).
- 4.24. Council will not remove healthy, structurally sound public trees solely because they are associated with infrastructure damage, where reasonable and practical alternatives exist. These alternatives will be assessed by a qualified Council officer and may, at Council's discretion, include:
 - a. Root pruning: where roots are confirmed as the cause of damage, pruning may be considered. The extent of pruning, including proximity to the trunk and the size of roots, will be determined by a qualified officer to minimise risk to the tree's health and stability. If the roots of concern are located

- on private property, they must be carefully exposed by the property owner, at their own cost, prior to assessment by Council.
- b. Root Barriers: Root barriers may be installed by Council within the verge, where they may be effective and not harmful to the tree. Alternatively, Council may provide root barrier material for installation on private property, with installation to be arranged and funded by the property owner.
- c. Where feasible, Council may consider repairs or minor modifications to infrastructure, such as using modern pipe-lining techniques or adjusting pathways, to avoid the need for tree removal.
- d. Any other tools or techniques that minimize further infrastructure damage, while preserving tree health, at either Council's expense or the owners, to be determined on a case-by-case basis.
- 4.25. For high-value public trees (for example, amenity, regulated, or significant trees), Council may proactively undertake works in the public realm (for example, root barriers, selective pruning, permeable paving) to minimise potential impacts on adjacent private properties.

Trees and development

- 4.26. Council will actively enforce legislation designed to protect public trees from damage or unauthorised removal associated with development activities and alterations to public roads/verges.
- 4.27. To the extent permitted by law, Council encourages and will look favourably upon development proposals that incorporate tree-sensitive design features, such as permeable paving, cantilevered structures, pier footings, or other measures that minimise impact on trees.
- 4.28. Property owners planning works on their land such as excavation, construction, driveway installation and similar works that could potentially impact the roots or canopy of an adjacent public tree are strongly advised to seek advice from a qualified arborist prior to commencing. Unauthorised damage to public tree roots or canopy may constitute a Tree Damaging Activity under legislation. If a public tree is regulated or significant, development approval under the *Planning, Development and Infrastructure Act 2016* may also be required for works within its vicinity, even if those works are on private land.
- 4.29. Any person planting, interfering with, or removing vegetation on the verge or road reserve must first obtain written permission from Council via a Section 221 Application (refer to Council's Driveways Policy, Footpaths Policy, and Verges Policy).
- 4.30. All Development Applications and Section 221 Applications must demonstrate consideration of existing public trees. Council considers designs should generally prioritise the retention and protection of healthy public trees. Trees are not automatically approved for removal to accommodate a development or alteration. A Tree Assessment Fee (refer to Council's Schedule of Fees and Charges) may be applied for assessing trees in relation to development proposals, even if removal is not ultimately approved or requested.
- 4.31. Generally, no public tree will be approved for relocation more than 12 months after its initial planting date.
- 4.32. Minimum clearance distances between proposed works (for example, driveway crossovers, excavation, structures) and existing public trees must generally be maintained. Refer to Appendix 1 for guidance. Specific distances that may be required will be determined by a qualified council officer based on the tree's size, species, age, condition, and the nature of the proposed works, adhering to AS 4970 when the Application is assessed.
- 4.33. Where works are approved near a public tree to be retained, Tree Protection Zones (TPZs) compliant with AS 4970 will generally be required to be established before any site works commence (including demolition and excavation) and maintained throughout the construction period. Details of TPZ requirements will be specified as conditions of approval. Failure to comply may result in stop-work orders and penalties.

Tree removal

- 4.34. Council is committed to retaining public trees wherever possible, and healthy, structurally sound trees will not generally be removed.
- 4.35. Removal of public trees by any unauthorised party is prohibited and constitutes an offence under the Local Government Act 1999 and/or Council's by-laws. Council will generally pursue enforcement action, including cost recovery (refer to Council's current Schedule of Fees and Charges for information about costs which may be incurred).
- 4.36. All requests for public tree removal must be submitted to Council in writing, detailing the tree location and the reasons for the request based on the criteria in this policy. Requests will be assessed by qualified officers. The decision and reasoning will be documented. Retention is generally the primary objective during assessment. Significant or complex removal decisions may require approval from the relevant Manager or General Manager.
- 4.37. The following reasons are not considered valid grounds for removing a healthy, structurally sound public tree:
 - a. Obscuring or potentially obscuring scenic views (except essential traffic/pedestrian sight lines).
 - b. Dislike of the tree's species or characteristics.
 - c. Nuisance from natural shedding of leaves, fruit, bark, etc.
 - d. Providing habitat for wildlife causing perceived nuisance.
 - e. Obstructing installation of, or conflicting with, a proposed *non-essential* vehicle crossover or the widening of an existing crossover (alternative locations/designs must be explored first).
 - f. Shading private gardens, lawns, pools, solar panels, etc.
 - g. Causing damage to public infrastructure (e.g., footpaths, kerbs) where engineering solutions or tree management practices (e.g., root pruning, root barriers, ramping) can reasonably address the issue.
- 4.38. Public trees may generally only be considered for removal by Council if they meet one or more of the following criteria, following a formal assessment:
 - a. The tree is dead.
 - b. The tree is diseased or in irreversible decline, with a short life expectancy, and treatment is not viable.
 - c. The tree is assessed by a qualified Council officer using a recognised methodology (for example, a Quantified Tree Risk Assessment) as posing an unacceptable risk to public safety or property that cannot be practicably mitigated through pruning or other measures.
 - d. The tree is structurally unsound (for example, major decay, splits, poor form) presenting a high risk of failure that cannot be reasonably managed.
 - e. The tree is confirmed by an qualified officer to be an unauthorised planting that cannot be retained.
 - f. The tree is a declared species under the Landscape SA Act 2019 and requires removal.
 - g. The tree prevents necessary sight distances for traffic/pedestrian safety, as determined by Council's traffic engineer or similar qualified person, and pruning cannot resolve the issue.
 - h. Removal is essential to allow for Council capital works or essential infrastructure projects, and all alternative designs or construction methods to retain the tree have been exhausted and documented as unfeasible.
- 4.39. Removal of a public tree will generally only be considered in relation to a Development Application or Section 221 Application if
 - a. the tree meets criteria for removal under this policy, or
 - b. all feasible alternative designs or construction methods that would retain the tree have been thoroughly investigated by the applicant and are documented as genuinely impractical or unviable, noting that additional cost is generally not sufficient justification for removal.

- 4.40. If the tree is a regulated or significant tree under the PDI Act, its removal requires development approval. Council 'owner's consent' will generally be considered by a relevant delegate based on assessment against legislative criteria and this policy, rather than requiring a report to Elected Members for consent.
- 4.41. If the removal of a public tree is approved as part of a Development Application or Section 221 Application, the applicant must pay the following charges to Council prior to the tree's removal or commencement of approved works.
 - a. Tree Removal and Replacement Costs refer to Council's Schedule of Fees and Charges, to cover the physical removal works and the cost of planting the required replacement trees (minimum 1:1, or 3:1+ for regulated/significant trees), and
 - b. Lost Amenity Value calculated by a qualified officer using a recognised industry-standard methodology (refer to Council's current Schedule of Fees and Charges).
- 4.42. It is Council policy that all funds received from charges related to tree removal for development/Section 221 applications (amenity value, removal/replacement costs) will generally be quarantined in a specific account dedicated to funding the planting and management of the city's urban forest.
- 4.43. Replacement trees required will be planted at suitable locations determined by qualified officer, in accordance with legislative requirements and are in addition to Council's standard planting program.

Tree damaging activities and enforcement

- 4.44. Damaging or removing public trees is prohibited and constitutes an offence under the *Local Government Act 1999*. Council will generally pursue enforcement action, including seeking cost recovery.
- 4.45. Insofar as resources allow, Council will investigate all reported incidents of alleged damage to public trees. Where sufficient evidence exists, Council will generally pursue enforcement action, which may include:
 - a. issuing formal warnings or expiation notices,
 - b. seeking cost recovery for damages, including the tree's calculated amenity value, and costs for remedial works or replacement (refer to Council's current Schedule of Fees and Charges), and/or
 - c. prosecution under relevant legislation.
- 4.46. Damage may include, but is not limited to:
 - a. undertaking activities intended to weaken, or kill a tree
 - b. removing a tree or parts of a tree, including severing of branches, limbs, stems or trunk of a tree in the course of anything other than authorised pruning
 - c. ringbarking, topping or lopping of a tree
 - d. interfering with or severing the roots of a tree, or
 - e. any other substantial damage to the tree or its growing environment.
- 4.47. Members of the public are encouraged to report any suspected damage or vandalism to Council as soon as possible, with as much detail as possible.
- 4.48. Council officers may implement protective measures (for example, temporary fencing, signage, surveillance, etc) for public trees identified as being under particular threat of damage.

Consultation

4.49. Consultation is required under section 232 of the *Local Government Act 1999*, in circumstances where the planting of vegetation in a road or the authorisation of the planting vegetation in a road may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area. In addition to statutory requirements, Council will undertake consultation for:

- a. Proposed removal of healthy, structurally sound public amenity trees where removal is being considered for exceptional circumstances not covered by this policy, or
- b. Development of new streetscape planting plans or major park planting programs.
- 4.50. Consultation will comply with all applicable legislative requirements and Council Policy and may involve notifying adjacent property owners/occupants and potentially wider community engagement depending on the scale and impact of the proposal, and providing the opportunity for community members to express their support or otherwise for the proposal. Consultation must be completed and Council must have considered the outcomes of this consultation before making a decision, and before any work to remove a tree, which clause 4.49 of this policy applies to, is undertaken.
- 4.51. Consultation, beyond statutory requirements, will not be undertaken for:
 - a. the removal of dead, dying, or trees confirmed as posing significant hazard or requiring urgent action.
 - b. routine maintenance pruning compliant with this policy and AS 4373, and
 - c. planting of individual replacement trees or Adopt-a-Tree program trees (other than via direct liaison with tree adopters).

Definitions

| Key term or acronym | Definition | |
|-------------------------|--|--|
| | A public tree valued for its contribution to the landscape, environment, | |
| Amenity tree | or community enjoyment due to its size, species, location, or aesthetic | |
| | qualities. | |
| AS 4373 | Australian Standard AS 4373: Pruning of Amenity Trees. | |
| AS 4970 | Australian Standard AS 4970: Protection of Trees on Development Sites. | |
| Canopy cover | The percentage of land area covered by tree crowns when viewed from above. | |
| | Land owned by Council or under its care, control, and management, | |
| Council-managed land | including roads (including verges), parks, reserves, operational land, and | |
| | community land. | |
| Development | As defined in the <i>Planning, Development and Infrastructure Act 2016</i> . | |
| Development Application | As defined in the <i>Planning, Development and Infrastructure Act 2016</i> . | |
| | A private access point from a street or road to a property, designed for | |
| | vehicle use, which may crossover the footpath. | |
| | | |
| | Property Boundary | |
| | | |
| | Footpath Footpath | |
| Driveway crossover | roopan | |
| Briveway crossover | Crossover | |
| | | |
| | Verge / Verge | |
| | | |
| | Kerb Invert Kerb | |
| | Water table Water table | |
| | \ | |
| Public tree | Any tree located on Council owned or managed land. | |
| Regulated tree | As defined in the <i>Planning, Development and Infrastructure Act 2016</i> . | |
| Risk assessment | A systematic process undertaken by a qualified person to identify, | |

| | analyse, and evaluate risks associated with a tree | |
|-------------------------|--|--|
| | An application made to Council under Section 221 of the Local | |
| Section 221 Application | Government Act 1999 seeking permission to make an alteration to a | |
| | public road (including the verge). | |
| Significant tree | As defined in the <i>Planning, Development and Infrastructure Act 2016</i> . | |
| | The sum of all trees and associated vegetation within the Council area, | |
| Urban forest | on both public and private land. This policy focuses on the public | |
| | component. | |
| | The portion of the road reserve between the road carriageway (kerb) and | |
| Verge | the adjacent property boundary. | |
| | | |
| | | |

6. Administration Use Only

| Reference Number: | Document Set ID 5274527 | |
|--|--|---|
| Strategic Alignment: | Council's strategic sustainability objectives include increasing tree canopy, and ensuring community wellbeing by prioritizing active transport and improving walkability to support healthy ageing. Trees are critical to future sustainability of the city and for ensuring a healthy city for all. | |
| Strategic Risk: | SC02 Poor or ineffective planning systems and processes | |
| Responsible Officer(s): | Manager Field Services | |
| Approval Date and Council Resolution Number: | 9 September 2025 C090925/9151 | |
| Approval History (Council), including GM approval: | <u>Council</u> 9/09/25 | General Manager 28/08/25 |
| Review Cycle: | Three years | |
| Applicable Legislation: | Disability Discrimination Act 1992 Electricity Act 1996 Environment Protection Act 1993 Gas Act 1997 Landscape South Australia Act 2019 Local Government Act 1999 Native Vegetation Act 1991 Planning, Development and Infrastructure Act 2016 Road Traffic Act 1961 Telecommunications Act 1997 Water Industry Act 2012 | |
| Related Policies: | Verge Policy Footpaths Policy Driveways Policy Climate Change Policy | |
| Other Reference Documents: | Australian Standard 2303 | egy 007 - Pruning of Amenity Trees - 2018 - Tree Stock for Landscape Use 2009 - Protection of trees on development |

| sites |
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| Operational Instruction – Trees in Medians and Roadsides in the Urban |
| Environment (Department for Infrastructure and Transport) |
| SA Power Networks - Power Friendly Trees |
| SA Water Tree Planting Guide |
| Vegetation Removal Policy – Standard Operating Procedure under the |
| Native Vegetation Act 1991 (Department for Infrastructure and |
| Transport) |
| |

Appendix 1: Clearances for tree planting and pruning.

Planting

The following tables are a guideline and may be altered at the discretion of the relevant qualified Council officer. These clearances are not applied retrospectively:

| Infrastructure | Recommended clearances | |
|---------------------------------------|--|--|
| Bus Stop | 10m (subject to site conditions) | |
| Corners and Intersections | 10m, maintained to provide sight lines | |
| Driveway (non-traffic approach side) | 2m | |
| Driveway (traffic approach side) | 3m | |
| Stobie Poles | 3m | |
| Above ground and underground services | As per service utility guidelines | |
| Stormwater inlet | 2m from edge, not over stormwater infrastructure | |
| Stop, Give Way & Speed Signs | 5m (front) or 2m (behind), maintained to provide sight lines | |
| Other Signs | 2m, maintained to provide sight lines | |

| Verge width | Tree size | |
|--------------|--|--|
| Up to 600 mm | Trees cannot be planted. Refer to Verge Management Policy fo | |
| | landscaping alternatives. | |
| 600 mm - 2m | Small tree | |
| 2 - 3m | Medium tree | |
| 3m+ | Large tree | |

Pruning

Council will look to achieve the following vertical clearance envelopes. If clearances cannot be achieved by pruning without damaging the trees health and/or compromising the structural integrity, alternative measures will be investigated. In cases of juvenile tree stock, young growth may occasionally enter clearance envelopes. Tolerance is to be applied in such cases with any such biomass to be considered as a temporary encroachment.

| Footpath | Non-Arterial Road | Arterial Road |
|-----------------|-----------------------------|--|
| Footpath – 2.5m | Edge of carriage way - | Refer to DIT Standard Operating Procedure, |
| | minimum 3 metres or to suit | "Vegetation Removal Policy" under the Native |
| | waste collection vehicles. | Vegetation Act 1991. |
| | Centre of road – 5m | |



