

4.2.3 Tree Management and Protection in Public Places Plan

Type:	Operations – Public Infrastructure
Legislation:	Public Places and Local Government Property Local Law 2016 Penalty Units Local Law 2016
Other Related Document:	AS 4373 'Pruning of Amenity Trees' 2007 Council Policy 3.2.4 – Verge Treatment Policy Council Policy 4.2.1 – Maintenance & Removal of Public and Verge Trees Town of East Fremantle Climate Emergency Strategy 2022-32. Urban Streetscape and Public Realm Style Guide

Definitions

For the purposes of this policy:

“Naturally occurring tree” means a remnant of a natural area (for example bushland and river escarpment) that was originally intact but subsequently cleared for development as recreational parkland, residential lot, road reserve and the like.

“Public places” means any land under the care, maintenance and/ or control of the Town of East Fremantle.

Objective

This tree management and protection plan policy has been developed to:

- Ensure community amenity and environmental sustainability of (new) trees by protecting and preserving trees in public places throughout the Town of East Fremantle (the Town), with specific reference to the Preston Point Road North Recreation Precinct.
- Determine circumstances under which existing trees may be considered for removal and/or pruning.
- Mitigate against risk of vandalism and tree deaths in the Town.
- Provide specifications for the replacement of trees that die from natural environmental conditions.
- Provide specifications for the management and maintenance of trees.
- Provide strategies to protect sensitive view corridors.

Policy Scope

Trees form an important element of the public domain and a valued feature of the Town and need to be protected, retained and conserved. This policy applies to all trees and planting within the road verges and all public places under the management and control of the Town.

This Policy also specifically references tree management on the Preston Point Road North Recreation Precinct Area A between Preston Point Road and Jerrat Drive (including the verge/ top of escarpment to the north of Jerrat Drive) and the playground and Petra Street. Protection of view corridors will only be considered in Area A of the identified plan.

The management of the trees for the purposes of protecting view corridors will only be to those view corridors considered by Council to be sensitive, specifically:

- Blackwall Reach
- Bicton Baths
- Associated mooring areas located between Bicton Baths and Blackwall Reach
- Perth City skyline

Council may also consider other reasonable requests.

Swan Canning River Development Control Area and Riverpark

Part of the Town is located within the [Swan Canning River Development Control Area \(DCA\) and associated Swan Canning Riverpark](#). All development in the DCA is subject to approval and control under the Swan and Canning Rivers Management Act 2006 (SCRM Act) and is subject to the Swan and Canning Rivers Management Regulations 2007 (SCRM Regulations). The Department of Biodiversity, Conservation and Attractions (DBCA) has overall planning, protection and management responsibility for the Swan Canning River system.

All land adjoining the Swan River, including the Preston Point Road North Recreation Precinct is located within the DCA. If/Where this policy is inconsistent with the SCRM Regulations and/or DBCA policy and requirements, the latter will prevail.

Policy

Background

The Town has the responsibility of planning, establishing and maintaining all trees in public places however, there are some areas within the Town where the DBCA also has a role in tree planting approval.

The Town recognises that trees are a socially, environmentally and economically valuable asset, and this policy has been developed to retain and protect the urban tree canopy throughout all public areas under the management and control of the Town as a priority.

Trees, naturally occurring and planted, provide a number of significant benefits within the urban setting, including:

- Physical health benefits such as reduces pollution, provide shade and sun protection as well as providing a more comfortable environment to encourage walking, cycling and other exercise.
- Mental Health benefits by providing a pleasant environment for social activity (meeting people). In addition, exposure to nature can be restorative and calming.
- Provide habitat for local wildlife and biodiversity.
- Act as a carbon sink, provide oxygen and reduce level of urban heat.
- Contribute to the aesthetic presentation of the streetscape, parkland and public buildings.

The Town has committed to increasing its total vegetation canopy cover to 30% by 2030; to support greening initiatives on both public and private land; and to collaborate with multi-disciplinary organisations to increase and protect green spaces ('Strategic Objective 2 Green Spaces' of the Town's Climate Change Emergency Strategy 2022-32).

The Town's tree capacity was recently boosted as a result of the 2021/22 Western Australian Local Government Association (WALGA) Local Government Urban Canopy Grant program. The Town's successful application has enabled the planting of an additional 476 trees, with approximately 40% of these being planted in the Preston Point Road North Recreation Precinct vicinity.

Site Specific – Preston Point Road North Recreation Precinct

Notwithstanding [DBCA Development Control Area and associated Riverpark](#) requirements to the contrary, the following applies for land within the Preston Point Road North Recreation Precinct as depicted in Figure 1:



Figure 1 – Preston Point Road North Recreation Precinct – Area A Tree Management Zone

Area A:

The management, planting, and maintenance of trees in Area A will occur as required, and:

- Will take into consideration an assessment of view corridors from residential properties considered by Council to be sensitive, specifically: Blackwall Reach; Bicton Baths; Associated mooring areas located between Bicton Baths and Blackwall Reach; Perth City skyline; and other requests deemed to be reasonable by the Council.
- The Town may crown, thin, under prune, property line prune and remedial prune selected trees that impede view corridors, however it will not prune any tree for a period of 5 years after planting unless required to do so to ensure best practice in tree care.
- The height of the trees located to the south of the tennis courts adjoining Preston Point Road will be kept in line with the height of the top of the boundary fence of the tennis club along

Preston Point Road, to maintain view corridors. The height of the fence is a minimum of 1400mm from natural ground level at the verge adjoining the footpath on Preston Point Road.

- Where a tree exceeds a growth height of 4-6 metres for a 'small tree' and 6-8 metres for a 'medium tree' as advised during tree planting consultation for Preston Point Road North Recreation Precinct, the Town may consider the additional tree height as a reason to prune or crown the tree.

Maintenance and Management of Trees (General)

Ownership and maintenance of trees in public places is the responsibility of the Town. Residents and/or other persons not authorised by the Town are not permitted to prune, remove, or modify any tree in a public place. Where Council considers it to be appropriate, all naturally occurring trees in a public place are to be retained.

The Town will generally not support the removal of any public or street tree unless it is dead, dying or stunted.

Post planting

Unless otherwise required/ directed by the Town, the Town is responsible for the post planting care and maintenance of all of the trees in public areas, specifically:

- The Town will adopt appropriate practices of post planting care to ensure the survival of all trees planted.
- The Town will undertake the watering and maintenance of all new trees, as and when required, until the trees are established or for a period of not less than two (2) years.
- Tree watering will include all of the Town's programmed plantings.

Tree pruning

Selective pruning of tree canopies can help improve structural form and site safety. Correct tree pruning practices can reduce the likelihood of branch failures, limit pest and disease infestations, improve site safety and tree amenity, encourage sound structural development and extend tree longevity. Pruning may be also required in some circumstances for crown lifting for construction, vehicular or machinery access. Incorrect pruning is often irreversible, may negatively impact tree health and structure and create unnecessary hazards within and surrounding the tree.

Trees planted in the Town may be considered for pruning by an authorised person for the following reasons:

- A tree and or its limbs are deemed a safety risk to property and/or the community.
- Allow unobstructed pedestrian and vehicle movement on public thoroughfares.
- Ensure clear traffic sightlines.
- Improve tree form, structure and health.
- Remove dead or dying limbs
- Remove diseased or pest infested limbs.
- A tree is considered unsuitable by the Town.
- Retention of view corridors strictly relating to those trees in Area A only. Any tree that is replaced because of malicious damage, poisoning and willful actions does not fall with the

requirements of this criteria and therefore is not required to be considered under the provisions of managing sensitive view corridors. Replacement trees are as per the requirements of this Policy.

Trees will not be considered for pruning to:

- Reduce leaf or fruit litter, bark drop, bird droppings or similar.
- Reduce height without a justifiable arboriculture cause (unless to protect views in Area A and complies with the requirements of the area specific criteria and/ or is not a replacement tree).
- Reduce shade.
- Facilitate the construction of a new crossover.

Tree pruning specifications

Where a tree has been assessed by the Town and found to need pruning, the specified required works are to comply with the Australian Standards 4373 'Pruning of Amenity Trees' 2007 and are to be undertaken by a suitably trained and qualified arborist with a (minimum) Australian Qualification Framework (AFQ) Level 5 Arborist (Certificate 3 in Arboriculture/ Diploma in Arboriculture).

Procedure for request for pruning

Residents/ owners may request the Town to consider pruning a tree by writing to the Town specifying the reason for the pruning and provide any other information to support the request based on this policy.

Upon receipt of such a request for consideration, the Town will:

- Assess the request on the basis of those reasons previously stated in this policy for which pruning may be considered.
- Cause the tree to be physically inspected by an officer(s) of the Town or an officer appointed by the Town and an inspection report be completed, containing relevant statistical details (for example height, visual health etc). Where further technical information is required, the Town may seek the advice of a qualified arborist, the cost of the arborist and any technical information is to be borne by the applicant.
- In the case of Area A, an Officer of the Town will assess any claimed impact on view corridors and a report will be completed.
- The results and recommendations from these inspections and reports will be presented to the Town's Chief Executive Officer for a decision on action to be taken.
- A report may be presented to Council for consideration and determination where a specific issue relating to pruning of significant trees has not been agreed to the satisfaction of both the Town and the applicant, or in the instance where the request has been refused.

Tree replacement

Loss of tree/removal of dead tree due to natural environmental conditions

- Where any tree dies or is required to be removed because of natural environmental conditions or by disease, the tree will be replaced with a like-for-like species and at a ratio of 1 to 1.

- Removal of whole or part of a tree by an authorised person due to the death of a tree will result in the tree being replaced with a tree variety and size selected by the Town and where relevant, as per the requirements of the DBCA.

Loss of tree due to intentional damage, poisoning, or wilful actions

- Any tree within the Town that is willfully damaged, removed, poisoned, ring barked or otherwise damaged/killed, will be replaced by a species as recommended by DBCA (where relevant) and chosen by the Town at a ratio of 3 trees planted for any 1 tree removed.
- Where it is considered that further damage may occur to replacement or other nearby trees, the Town may erect signage or structures to identify a tree(s) was willfully damaged, prior to planting the 3 replacement trees. The time such signage or structures remains in situ is at the discretion of the Town.
- No height provision/restrictions will be considered for the replacement tree/s maliciously damaged/killed/removed, including replacement trees provided in Area A (Figure 1). Trees replaced because of intentional actions will not be pruned by the Town for the purposes of maintaining view corridors.
- The Town will not seek comment on the replacement trees maliciously damaged/killed/removed.
- The pruning of any tree without the Town’s authorisation affecting tree growth and associated survival will be treated in the same manner with regard to replacement.

(Note: In addition to the action above, the Town’s local laws allow for a penalty per unauthorised tree removal where it can be identified who removed the tree).

Other relevant requirements:

Town of East Fremantle - Delegations

- DA59 Wilful Damage of Trees and Other Council Property
- DA64 Authorisation to Remove Dead or Dying Street Trees
- DA65 Authorisation to Approve the Remove of Trees of Public Land

If/Where this policy is inconsistent with any other Council Policy or Delegation requirements, this Policy will prevail.

Responsible Directorate:	Operations
Reviewing Officer:	Executive Manager of Technical Services
Decision making Authority:	Council
Policy Adopted:	
Policy Amended/Reviewed:	