

Title: **Trees on Verges - Conservation**
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Responsibility: General Manager City Operations
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1	20/2501	23/02/10	Adopted
2			
3			
4			

1 Policy Summary

The policy intention is to preserve as many trees as possible on verges (nature strips) in Darwin whilst establishing clear and consistent rules governing tree removal.

2 Policy Objectives

Council has a strongly conservative policy toward the removal of live trees and the intention is to preserve as many trees as possible.

3 Background

The greening of Darwin commenced in earnest in 1975. The Darwin Reconstruction Commission, in conjunction with the NT Government, City of Darwin and various community groups planted many thousands of trees on nature strips in Darwin, especially in the northern suburbs. Much of the planting was ad hoc, and many tree species planted on nature strips were to become too large for that purpose.

Council is now dealing with the problems associated with the planting of trees in the 1970's and 1980's, including:

- Damage by tree root systems to man-made structures, including footpaths, driveways, fences, water mains and other services.
- Tree instability due to shallow soils and inadequate planting techniques.

- Limb failure causing damage to cars, etc. by species of trees such as *Eucalyptus camaldulensis* (River Red Gum).
- Vegetation size in excess of available space, presenting conflict with aerial service providers.
- Health problems such as pollen triggered asthma attacks, injury caused by tripping on root protrusions within footpaths, vegetation intruding into pedestrian corridors, poisoning by contact with poisonous plant species.

4 Policy Statement

Removal of Trees

Council has a strongly conservative policy toward the removal of live trees and its intention is to preserve as many trees as possible on nature strips in Darwin.

Trees should only be removed, when:

- Unsafe and causing a danger to the public or posing a serious health risk.
- The replacement vegetation is deemed to be superior in performance and life expectancy to the existing individual.
- The tree was initially planted as temporary in the landscape design and has completed its natural life or is now considered expendable
- When damaging infrastructure and the cost of ongoing remedial works becomes too exorbitant, ie the cost of ongoing repairs outweighs the value of the tree.
- The tree is dead or in irreversible decline
- Remedial works required to protect infrastructure, eg root protrusion on footpath, would cause the tree to become structurally unsafe or aesthetically compromised.
- The tree is in conflict with the design concept of the landscape
- When constant pruning to prevent interference with powerlines results in an horticulturally unacceptable specimen.
- When they are found to be free of nesting birds and other fauna depending on the tree species.
- On repair and installation of underground services, all other avenues of compromise have been exhausted.
- When selected for removal from dense plantings requiring thinning to protect the health of the remaining individual within that group.
- Or an extensive consultation has preceded the decision for removal in cases where none of the above circumstances apply and adjacent residents or other stake holders insist on removal against the Parks Managers recommendation due to reasons such as;
 - Dislike of tree or trees concerned through lack of botanical knowledge
 - A perceived danger that the tree may fail in inclement weather.
 - A perception that the species concerned fouls areas by the shedding of foliage, twigs or fruit.
 - A wish to re-landscape, with alternative species ie. palms, shrubs and other trees
 - House alterations requiring a change of location for the driveway.

- Swimming pool installation and failure to take action against the perceived or real problems associated with roots and falling leaves, fruit or branches.
- Shading of lawns, pools, etc by nature strip trees, causing poor performance of other components within a landscape.

Where the removal of a live tree is likely to be controversial, the decision is taken by the General Manager City Operations.

As the removal of live trees often provokes strong emotions it must be carefully considered and should not be guided by petty reasons.

Circumstances that do not constitute reason for removal of trees are:

- Residents wish for an alternative or no landscape treatment on this site.
- A different perception of tolerable specimen ie. Complaints about litter and fouled gardens.
- Safety based complaints where the nature of complaints is not identified and recognised.
- Replacement proposals with species of lesser value or performance than the dominant theme species within the street.

Nature Strip Development Agreement

If agreement for removal of a tree is reached it will be necessary to inform neighbouring residents. This is followed by the entering of a nature strip development agreement with City of Darwin in which the resident, upon removal of the tree, commences the agreed development of the road reserve to a specified horticultural standard at no cost to Council. This should entail a sketched landscape proposal, indicating species type, number of plants, size of proposed specimen plants, location of proposed planting, location of subterranean and aerial services, location of pedestrian access, driveways and property in relation to neighbouring infrastructure, planting pit specifications and proposed irrigation system layout. This should also include the establishment of a time frame within which the road reserve must be re-landscaped as well as a commitment to the ongoing maintenance until such time as the landscape is deemed established by General Manager City Operations.

The form is accompanied by a security bond of a minimum of \$200 per application, released on completion of the proposed works. This may be altered depending on the extent of removal of trees and size of proposed landscaping.

Cost Recovery

If the removal of a plant from public land is desired by an adjacent owner for other than health and safety reason and the removal is against the parks managers recommendation, Council will seek full cost recovery for removal, replacement and transplanting of specimen.

This may entail re establishment of a plant of similar size as well as on-going care of the relocated plant in an alternative location.

Nature Strip Pruning Programs

Vegetation on road reserves within the municipality is regarded City of Darwin property. To ensure professional maintenance standards of this plants all pruning, tree surgery or removal of nature strip vegetation is a Council responsibility. No vegetation removal or pruning should be tolerated without authorisation. The pruning of vegetation protruding into pedestrian corridors will be addressed in a 2 year pruning program. Council will notify householders routinely prior to carrying out such pruning.

This will be via a series of advertisements in the local news media and will target pruning on a precinct basis. Circumstances requiring removal of life trees will include consultation with adjacent house holders prior to removal. The pruning back of vegetation over hanging from private property will be targeted during the street side pruning program. In situations where such pruning appears excessive, a routine contact should be made with the householder, urging future action on this matter by the householder on a regular basis. Council staff are authorised to prune up to but not beyond the property boundaries, any vegetation overhanging City of Darwin land and obstructing pedestrian access.

Tree Preservation Orders

Council supports the principle and application of "Tree Preservation Orders", to be applied to public land. This postulates the preservation of all trees as a matter of course and places the burden of evidence for removal onto the proposing party.

5 Legislation, terminology and references

The NT Local Government Act provides the basis for City of Darwin to occupy a broad role in promoting the social, economic, environmental, and cultural wellbeing of its local community and for community participation in such activities.

6 Implementation and delegation

The General Manager City Operations is responsible for managing implementation of this policy

7 Evaluation and review

This policy should be reviewed once in the term of each Council or more often as required.