



Tree Inspection Policy

Purpose

The Tree Inspection Policy outlines the systematic, measurable and quantifiable approach for the management and maintenance of trees and from a public safety perspective outlines the basis for responding to customer enquiries.

The management and maintenance of trees on public land is often complex and requires careful consideration when managing tree related issues concerning public safety, as trees provide substantial ecological and landscape value throughout Baw Baw Shire.

Council must also manage trees within its limited financial resources in such a way as to limit Council's, (i.e. the community's) potential liability and provide equity between people seeking action to address concerns in respect of public safety relating to trees.

Definitions

Define key terms and acronyms.

Customer Request Management: Known as a CRM, these are requests made by members of the Community. Council may conduct reactive inspection(s) and/or works upon notification of a CRM. CRM's can be lodged by the following means; phone, email, in person at Civic Centres, via Council's website, by social media or the Snap Send Solve application on smart phones.

Declared Areas: The area in which Council undertake Electric Line Clearance works as required by Electricity Safety Regulations. Council undertakes these works within Warragul and Drouin only. Other townships are the responsibility of and are completed by other outside agencies.

Hazard: Any agent, (specific to this policy a tree) which may cause harm or damage to people, property or to the environment.

Inspection: The assessment of a tree to assess any potential hazards posed, depending on the assets surrounding the tree.

Proactive inspection: Scheduled inspections undertaken in a systematic fashion to a defined timeline.

Public Road Register: As defined in the *Road Management Act*. This document lists all roads that are required for general public use. The Public Road Register (PRR) is a Council document available on Council's website which is updated annually and identifies the maintenance zone as either Urban or Rural.

Reactive inspection: Inspection works undertaken in a reactive method in direct response to a CRM.

Rural Area: All roads which Council provide road maintenance activities through its Roads Maintenance Team and road maintenance contract. This team is responsible for routine road maintenance activities including vegetation management (including trees) on all roads identified as Rural in the PRR.

Urban Area: The area in which Council's Infrastructure Maintenance staff are responsible for providing maintenance on Council owned or managed properties. This includes roads that are identified as Urban on the PRR.

Scope

This Policy relates to anyone managing or maintaining trees on Council land or under Council's control.

The Tree Inspection Policy takes into consideration the affordability, available resources and management of risks and has determined the "levels of service" that meet the community's "reasonable" expectations of "day to day" maintenance and ongoing asset performance

It is essential to note that the Tree Inspection Policy is only applicable to land that Council directly controls and does not apply to other reserves or private property. In the case of roads controlled by VicRoads, Council has no responsibility for the control or management of the roadside vegetation (including trees) adjacent to these roads.

Section 83 of the Wrongs Act 1958 makes allowance for Council's ability to carry out its duty of care as being limited by the financial and other resources which are reasonably available to exercise its functions.

Legislative context

- *Local Government Act 2020;*
- *Road Management Act 2004;*
- *Wrongs Act 1958;*
- *Privacy and Data Protection Act 2014;* and
- *Electricity Safety (Electric Line Clearance) Regulations 2020;*

Related policies and documents

- Baw Baw Shire Significant Tree Register;
- Risk Management Framework;
- Risk Management Policy;
- Open Space Maintenance Standards;
- Open Space Areas Register;
- Tree Policy (currently under review);
- BBSC Public Road Register;
- Roadside Conservation Management Plan;
- Electric Line Clearance Management Plan;
- Municipal Fire Management Plan;
- Tree Inspection Guidelines;
- Street Tree Maintenance incorporating Electric Line Clearance Program Specification; and
- Managing Native Vegetation on Roadsides (Department of Sustainability and Environment 2009)

Policy principles

The Tree Inspection policy is underpinned by the following principles.

- Tree inspection and assessments will be undertaken in accordance with an integrated framework for the management and maintenance of tree(s) on Council land or land under Council's control;
- The manner in which Council manages hazards relating to tree(s) will be objective, consistent and transparent;
- Appropriate steps are taken to ensure a balance between managing the community's safety and infrastructure, whilst acknowledging the significant benefit trees provide within the landscape towards the social, environmental, economic and cultural wellbeing of our community;
- The integrated tree inspection and assessment framework factors in the health of trees and any risk to the local environment from the removal of the tree, as well as, to the risk impacts on life and property;
- Council's policies and requirements for tree inspection and assessment on Council land or under Council's control will be readily accessible and understandable to the public; and
- Issues relating to trees not on Council land or land under Council's control will be directed to the correct authorities, where appropriate.

Policy detail

Council will manage the hazards that may arise from tree failure on or over Council land or land under Council's control, in cooperation with other agencies, organisations and the community. These locations are defined and categorised within Council's Tree Inspection Guidelines (TIG) and provide landowner responsibilities and management responsibilities for Council within both the urban and rural environment. The TIG also provides guidance for inspections (both

proactive and reactive), tree hazard assessments and any required works that Council will undertake according to its agreed responsibilities.

Council will continue to periodically review and develop its TIG enacting its responsibilities accordingly.

Reactive Tree Inspections, as outlined within the TIG, encompass:

1. When Council receive a formal request(s) within its Customer Request Management (CRM) system, a workflow will direct the request to the relevant Council team or be forwarded to the responsible authority. This may or may not generate an inspection depending on the request's content as outlined within the TIG;
2. Council will then inspect specifically identified tree(s) arising from the CRM in accordance with the reactive inspection guidelines outlined within the TIG; and
3. Council will determine any further works as per the TIG reactive inspection process.

Proactive Tree Inspections, as outlined within the TIG, have three defined components encompassing:

1. Annual street tree maintenance works as nominated in the TIG. Any additional works associated with the initial inspection will then be carried out in accordance with the TIG;
2. Electrical Line Clearance within declared urban areas defined under *Section 81 of the Electricity Safety Act 1988*, are annual inspections mandated by Electricity Safety Regulations 2020 (Electric Line Clearance) undertaken by Council in which tree hazards are factored within the evaluation. Any additional works associated with the initial inspection will then be carried out in accordance with the TIG; and
3. Council owned Open Space Areas (OSA)'s and Buildings are inspected under a proactive cycle defined within the TIG. Any additional works associated with the initial inspection will then be carried out in accordance with the TIG.

Council's road maintenance contract requires the undertaking of cyclic inspections of its road network within rural areas. All roads listed as maintained on Council's public road register have cyclic inspections undertaken. As part of these inspections, carriageway clearance (i.e., 'five and one') is checked. These cyclic inspections do not include proactive tree risk evaluations.

Exclusions:

- Inspections, assessments and tree works are not undertaken on unused road reserves that are subject to a license agreement;
- Inspections, assessments and tree works are not undertaken on unused road reserves unless a structure (i.e., shed or house) is at risk; and
- Inspections, assessments and tree works are not undertaken on Crown land reserves managed by Committees of Management, where Council is not the Committee of Management.

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