

# RICHMOND VALLEY COUNCIL POLICY REGISTER

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<b>POLICY:</b>	<b>RURAL ROADS TREE MANAGEMENT</b>
<b>FUNCTION:</b>	<b>Rural Roads</b>
<b>OBJECTIVE:</b>	<b>To establish guidelines to define the limits of Council's capacity to manage trees on rural roads and provide assistance after storm events</b>
<b>DIRECTORATE:</b>	<b>WORKS</b>

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## POLICY:

## MANAGEMENT

Council has responsibilities for managing trees on road reserves in rural areas, the same as in urban precincts. Many councils, have not completed vegetation surveys/studies of remnant vegetation on rural roads to assist in determining vegetation conservation value. Council also needs to consider threatened/endangered species issue with fauna residing in rural trees.

Some relevant legislation for rural road management is as follows:

- **Roads Act 1993**

Section 7 Council is the roads authority for all public roads within the Shire other than Crown roads.

Section 88 Council may lop or remove a tree or other vegetation to carry out work or remove a traffic hazard.

- **Dividing Fences Act 1991**

Section 25 The Council is not liable for fencing in respect of public roads

- **Local Government Act 1993**

Section 124 Council may order the removal of an encroachment or obstruction on a road.

Part 10 Council may charge fees for services and may reduce or waive a fee.

The major difference between urban and rural road tree management is council's financial capacity to manage trees and degree of exposure to public risk. Council can be held liable for damage where there is evidence the council was aware, or should have been aware through the proper implementation of any systems in place, of a particular risk. Hence it is important that council adopts a policy and work procedures that reflect the resources Council has available for the task.

Trees on roadsides of rural roads are not formally routinely inspected and the only documentation kept, referring to such trees, arises from inspections that are carried out in response to a specific work request (notification of a potentially hazardous tree by the general public and or council staff).

Where a storm event results in the New South Wales Government declaring a state of emergency, Council will identify an appropriate area for the disposal of green waste.

## **INSPECTION**

Inspections of roads and public reserves in rural areas will be undertaken in response to requests from members of the public or staff, which have been recorded in Council's Works Request System (RAMS). Details of the findings of the inspection, and any subsequent work on the tree(s) in question, must be recorded.

Records must include details of the date and time of the inspection, persons present, location(s) of the tree(s), type of investigations undertaken, results of the investigations. If only visual investigations are undertaken the applicant/complainant should be informed of the limited scope of the inspection and invited to obtain an expert report from an Arborist and to forward this information to council for consideration. All communication with the applicant/complainant must be confirmed in writing. All officers employed to carry out inspections and determine courses of action must be trained and kept informed of changes in the law.

Any checklist should be used as a guide only; additional information may be required to make a reasonable assessment. It may be necessary for an above ground inspection to be performed. Accessing the tree must comply with the New South Wales Work Cover Code of Practice for the Amenity Tree Industry.

## **HAZARD ASSESSMENT**

Tree hazard assessment is a systematic process for determining the potential for a tree or one of its parts, to fail and in so doing, injure people or damage property. Since trees are living, dynamic (ie constantly growing) organisms they do have the potential to cause damage or injury if a mechanical failure occurs.

The degree of hazard will vary with the size of the tree, type and location of defect, tree species, and the nature of the target.

Tree hazard assessment involves three components:

- a tree with the potential to fail,
- an environment that may contribute to that failure, and
- a person or object that would be injured or damaged (ie. the target).

Each of these components and their interactions must be considered.

Hazards assessments must be carried out by appropriately trained and experienced persons. It must be understood that assessing whether or not a tree is dangerous is largely dependent on context. Details of hazard assessment are set out in Matheny & Clark (1994).

To maintain consistency, the Tree Hazard Assessment Form contained within the Policy “Urban Tree Removal” should be used as the base document should a detailed analysis be required. For a routine inspection a Tree Inspection Schedule is attached as Appendix A to ensure a paper trail exists for Risk Management purposes.

## **HAZARD ABATEMENT**

Once a visual assessment, and if required, a hazard assessment has been performed, the appropriate risk management strategy should be determined. The following table lists risk management options for existing trees.

	<b><i>SITUATION</i></b>	<b><i>RESPONSE</i></b>
<b>1</b>	<b><i>Tree growing on road reserve</i></b>	
1.1	Tree/Branch falls on roadway	Council will remove fallen debris from road carriageway and pedestrian surfaces.
1.2	Tree/Branch falls on road reserve (not on carriageway)	Council will assess whether debris creates a hazard to road traffic and any pedestrian use, or impediment to any drainage flow path and remove if required.
1.3	Tree/Branch falls on private property (no tree assessment previously sought/carried out)	Council will remove fallen debris from fence lines and private property if requested by owner.
1.4	Tree/Branch falls on private property (tree inspected and assessed as requiring attention, incident occurs before attention implemented).	Council will provide assistance to landowners if requested to remove timber from fence lines, or clear private access roads, or cut the timber into manageable lengths, or remove fallen timber completely. Council will not undertake repair to any damaged property.
1.5	Tree infested with white ants.	Council will take no action unless hazard exists. Property owner advised that white ants natural occurrence. Property owner given option to have tree treated by licensed pest controller in accordance with councils contractor conditions
1.6	Site Vision obstructed.	Tree species identified to ensure not endangered or threatened. Tree trimming/removal placed on program subject to funds.
1.7	Noxious Weed/Tree	Tree removed by Council or FNCCC as funds permit.

<b>2</b>	<b><i>Tree growing on private property</i></b>	
2.1	Tree/Branch falls on roadway	Council will remove fallen debris from road carriageway and pedestrian surfaces and charge the cost of such work to the property owner, subject to normal fees and charges.
2.2	Tree/Branch falls on road reserve (not on carriageway)	Council will assess whether debris creates a hazard to road traffic and any pedestrian use, or impediment to any drainage flow path and remove if required and charge the cost of such work to the property owner, subject to normal fees and charges.
2.3	Tree/Branch falls on private property (no property damage)	Council will take no action.
2.4	Tree/Branch falls on private property (property damaged)	Council will take no action, unless the property owner or their insurer has provided a written clearance. The only assistance to be provided is to remove tree debris, with the cost of such work charged to the property owner, subject to normal fees and charges.
2.5	Site Vision Obstructed	Owner advised in writing that trees/shrubs to be trimmed/removed at property owners expense.

**RICHMOND VALLEY COUNCIL TREE INSPECTION SCHEDULE**

INSPECTION / REPORT BY: _____		DATE: _____
LOCATION: _____		
CONTACT PERSON: _____		
INFORMATION / COMPLAINT AS RECEIVED: _____		
_____		
_____		
DATE: _____		
TREE SPECIES: _____		
AGE CLASS: _____		
HEIGHT: _____	CANOPY WIDTH: _____	DHB: _____
GENERAL CONDITION: _____	_____	
_____	_____	
RELEVANT SITE DETAILS / HAZARDS / COMMENTS: _____		
_____		
_____		
_____		
_____		
_____		
ACTION REQUIRED /COMMENTS: _____		
_____		
_____		
EQUIPMENT / TIME REQUIREMENTS: _____		
_____		
SIGNATURE: _____		DATE: _____
RECOMMENDATION AUTHORISED: _____		DATE: _____
WORKS COMPLETED: _____		
(SIGNATURE/DATE)		
<b>CODES:</b> DBH = DIAM. AT BREAST HEIGHT AGE CLASS: Y = YOUNG S = SEMI MATURE M = MATURE O = OVER MATURE GENERAL CONDITION: G = GOOD A = AVERAGE P = POOR D = DEAD/DYING/DANGEROUS ACTION CODE: 1 = NONE 2 = FELL 3 = REMOVE MAJOR DEAD WOOD 4 = REMOVE SUCKER GROWTH 5 = LIFT CROWN 6 = THIN CROWN 7 = CROWN RESHAPE/RENEW 8 = INVESTIGATE CAVITY 9 = ADJUST STAKE & TIE 10 = INSECT CONTROL 11 = FERTILIZE 12 = OTHER		