

This template is based on that used across existing Local Government Policies as at 2020

Environment - Model Policy

Model **Local Government Framework Policy**

Environment Subject Matter Specific

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Council Authorised Policy	Policy No.: 005
Executor: Chief Executive Officer	Date of Currency: <i>Date to date</i>
<i>For Acknowledgement, Accountability and Inconsistency see Policy 001- Corporate System</i>	
<i>References;</i> Australian Standard AS 4373 - Pruning of Amenity Trees Australian Standard AS 4970 - Protection of Trees on Development Sites AustRoads Design Guidelines	

Purpose of this Policy

The purpose of this Environment, subject-matter specific, Framework Policy is to:

- provide guidance and direction for the integration between urban (constructed), naturally vegetated and cultivated vegetated environmental activities;
- exemplify Community Environment expectations impacting Local Government Public Relations and Community Engagements;
- provide guidance on best practice environmental management.

Policy Object

This policy sets the tone of language for Local Government to align the activities, functions and affairs of the Local Government with the environmental enhancement intention prescribed in Sect 1.3.(3) of the Local Government Act. 1995.

Policy Scope

As a Framework or Principal Policy, this Policy has universal application across the Local Government's, acts, actions, interactions, and decisions.

Policy 001 – Corporate System Framework Policy applies to this policy.

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Policy Statements

Except where specifically otherwise prescribed in law, this Principal Policy specifies that the Local Government will:

1. demonstrate its acknowledgement that plant biodiversity is widely recognised for delivering economic, social and mental health benefits by committing to benefiting the Community through appropriately protecting, maintaining and increasing its tree and other vegetation coverage and species (including native) diversity;
2. acknowledge that urbanisation has occurred over most of the District's natural environment and it is now critical that the Local Government seeks to integrate protection of remnant natural vegetation with improvement to the planning and use of urban vegetation for introducing health and wellbeing benefits to the Community;
3. demonstrate its acknowledgement that all trees and other vegetation located under its jurisdiction are assets that contribute to the well-being of the community and to a biodiverse environment;
4. include waste management, sustainability, fauna, fire and climate change, in a holistic management of human and non-human environment considerations;
5. publishes on its website, for Community guidance, the substance of any standards, processes or procedures, expected to be followed in managing environmental matters.

Environment Planning, Education and Engagement Committee

The Local Government will:

6. engage with the Local Community Advocacy Organisation, to establish and appoint Community representation to an Environment, Planning, Education and Engagement Committee;
 - a. the committee is to include local Indigenous representation;
 - b. the role of the Committee is to report to Council in regard to:
 - i. **Risk** -
engaging with the Community to develop/review a District-wide 8-year strategic environmental-risks management plan, including climate change risks within operations to identify best practice principles to ensure sustainability;
 - ii. **Integration** -
engaging with the Community to develop/review a District-wide 8-year strategic environmental integration plan, integrating environmental management across all of the Local Government's asset management functions, including natural areas, parks, recreation, infrastructure, and any corporate impacts on the environment;

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- iii. **Implementation -**
engaging with the Community to develop a District-wide plan to implement the strategic environmental integration and strategic environmental risks management plans across all of the Local Government's assets including, natural areas, parks, recreation, infrastructure, and any of its corporate management activities impacting the environment;
- iv. **Reviewing -**
each Local Government, strategic, natural area, parks, recreation, infrastructure, assets and any other of its corporate management plans at least each 4-year period to ensure consistency in management application of environmental values across each and all plans;
- v. **Identify, Measure, Analyse -**
Identifying best practice systems and methods to measure, analyse, audit, report, rectify and improve implementation of the strategic environmental integration and strategic environmental risks management plans for review by the Council, including:
 - 1. extent of environmental improvement;
 - 2. extent of risk mitigation;
 - 3. deviations and non-conformance;
 - 4. delivery and recording of environmental training, research, and knowledge development;
 - 5. education and communication improvement achieved.
- vi. **Publishing -**
engaging with the Community to develop and publish for the Community, on the Local Government website;
 - 1. the above noted strategic and implementation plans with their timelines;
 - 2. environmental activity by priority showing extent of improvement completed;
 - 3. examples demonstrating the value of the significance of trees and other vegetation within the urban setting for their many economic, social, health and environmental benefits;
- vii. **Encouragement**
encouragement of the community to plant native vegetation including trees in their own gardens as well as on road verges, consistent with safety and utility access requirements.

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Sustainability

The Local Government will:

7. develop through engagement with the Community, and publish on the Local Government website, parameters and criteria used to define, measure and analyse outcomes considered by the Community to be sustainable;
8. undertake, at least every four years, undertake a cost benefit review of each function of its day-to-day, service delivery and their management activities for the purpose of sustaining or improving, efficiency and efficacy;
9. where practical and including retrofitting; install vegetated detention depressions, swales or infiltration basins for stormwater runoff soak-away to replace high maintenance cost, culverts or reticulated piped systems.

Environment Sensitivity

The Local Government will:

10. when planning for, or undertaking, construction, development, or civil works activity, identify and use appropriate materials with respect to lowest practical carbon-footprint materials;
11. publish to the Community; a table comparing relative environmental impact properties for materials used by the Local Government. The table should identify comparable impact values associated with, initial use, maintenance over life, and recycling / disposal at end of life;
12. incorporate manual handling, volunteer and Indigenous elders' engagement into the management activities in natural or other vegetated;
13. minimise vegetation damage during any management activities in natural or other vegetated areas;
14. use its proactive best endeavours to minimise graffiti and vandalism by engaging with the Community for determination of designs, planning and materials which encourage care and respect from the Community.

Livestock, Pets, Feral Animals and Pathogens

The Local Government will:

15. produce, in consultation with field experts, Indigenous elders, the Community, and relevant Government Agencies, and publish on the Local Government website; systems, practices, processes and procedures for managing livestock, pets, weeds, pests and feral animals within the Local Government District.

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16. produce, in consultation with field experts, Indigenous elders, the District Community, and relevant Government Agencies, and publish on the Local Government website; systems, practices, processes and procedures for measuring, recording, and treating human and non-human pathogens (examples include human viruses, dieback, Myrtle Rust) identified to exist within the Local Government District.
17. deliver education to the District Community in regard to the keeping of livestock or pets, and the identification recording and management of pests, feral animals, weeds and pathogens, identified to exist in the Local Government District.

Fire and Weather Emergency Management

The Local Government will:

18. develop in consultation with field experts, the District Community, and relevant Government Agencies, and publish on the Local Government website, fire detection and management systems, including for prescribed burning;
19. produce, in consultation with field experts, the District Community, and relevant Government Agencies, and publish on the Local Government website; systems, activities, practices, processes and procedures for:
 - a. identifying, measuring and recording the effect and impact of fire and weather emergencies;
 - b. amelioration for fire and weather emergencies outcomes.

Waste Management

The Local Government will:

20. engage with the Local Community Advocacy Organisation, to establish and appoint Community representation to a Waste Reduction and Management, Oversight, Education and Advisory Committee. The role of the Committee is to report to Council in regard to:
 - a. cost – benefit analysis and recommendation of Local Government programs and processes available or employed in waste management;
 - b. Community education in waste reduction strategies;
 - c. innovation and opportunity in waste reduction management;
 - d. measurement, analysis and reporting, reduction and management of litter contaminating parks reserves and waterways;
 - e. measurement, analysis and reporting, hydrocarbon, heavy metal and other chemical contaminants in the District;

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- f. assessment and recommendation in respect to investment in innovation in reclamation or reprocessing of waste;
21. develop and implement a plan to purchase and use goods and equipment incorporating the maximum amount of recycled rather than virgin material.
22. measure, analyse and report on internal Local Government waste identification and reduction strategies and processes in procurement and management practices;

Verge Management

The Local Government will:

23. engage with the Local Community to develop and publish on the Local Government website, Community expectations in respect to standards for Community caring in landscaping, vegetation or maintenance, of verges, walkways or easements;
24. encourage the Community to vegetate and maintain verges, walkways or easements contiguous with private residences;
25. advertise from time to time for Community groups to take ownership of vegetation projects in public places;
26. encourage the Community to utilise the Vegetation Selection Guide when selecting vegetation for Community caring landscaping, vegetation or maintenance activity;
27. require that except in approved special cases, permanently fixed structures or walls, will not be permitted to be installed on verges, walkways or easements;
28. require that any inspection chambers, pits, poles, footpaths, pedestrian accessways, mailboxes and subsurface services are to be protected from interference, obstruction or damage during Community; hard-surface landscaping; vegetation landscaping or other caring maintenance activity;
29. periodically advertise to the Community that service crews may, with prior notice, or under emergency situations, without notice, access any verge, walkway or easement to repair maintain or otherwise work on any; inspection chamber; pit; pole; footpath; pedestrian accessway; or subsurface service. Although all care and respect will be observed, service crews will not be responsible to reinstate to the original condition or repair any damage done to Community caring landscaping, vegetation or maintenance project;

Vegetation Selection and Suitability Guide

The Local Government will:

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30. produce, in consultation with field experts, and the Community, and publish on the Local Government website; a tabulated guide for selecting the suitability of trees and other vegetation for use at an intimate locality. The list shall identify in order of priority:
 - a. local Indigenous species;
 - b. State Indigenous species;
 - c. Australian Indigenous species;
 - d. non-Australian species.

31. include in the tabulation, against each plant listed, to address suitability for the location:
 - a. compatibility and consistency with nearest Natural Area vegetation types;
 - b. capacity to be habitat, or support migration of local Indigenous wildlife;
 - c. aesthetical appeal and greenhouse benefits rating;
 - d. nuisance/safety impact such as the dropping of nuts, berries, leaves or branches;
 - e. mature size, form, canopy, and safety under powerlines;
 - f. root systems and potential risk of falling, during storm conditions;
 - g. risk of damage to adjoining structures such as footpaths, roads & crossovers, reticulated services, or buildings, and potential subsequent repair costs risk;
 - h. ongoing maintenance effort / relative cost of the tree/plant itself and lifespan;
 - i. compatibility with the location soil type;
 - j. habitat preference, such as dry land, wetland or margin;
 - k. nutrient, contaminant and carbon stripping value;
 - l. drought tolerance.

32. reference that tabulation as a preferred list, when engaging with contractors, suppliers, the Community or member of the Community in respect to any matter regarding vegetation;

Tree Planting, Maintenance or Removal

The Local Government will:

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33. engage with and encourage local residents or other local impacted parties to undertake planting, watering, pruning, or other management of trees and other vegetation;
34. recommend, offer, or identify any training, or verification of competency (VOC) necessary to Community members in any skill associated with planting and management of trees and other vegetation (including spraying);
35. advise, encourage, enable and assist the Community, to utilise, measurable and auditable, good horticultural practice including planting and post planting care;
36. where utilizing or purchasing commercial services, ensure those services are;
 - a. appropriately knowledgeable, qualified and licensed to undertake the service utilised or purchased.
 - b. photographed and details of services rendered, recorded
37. where a tree(s) or other plant(s) had been inappropriately planted, or grew from self-germination of seed, and irrespective of date of planting;
 - a. assess the plant(s) for their likelihood to cause harm;
 - b. engage with the local community to determine what rectification effort should occur;
 - c. where appropriate, engage and negotiate with a member(s) of the Community or organisation associated with that inappropriate planting, (or self-germinated plant(s)) to establish cooperative rectification;
 - d. where rectification is beyond the ability of the local community organisation or community member, purchase commercial services to undertake rectification.
38. publish on its website educative material encouraging the Community to preserve, maintain and protect trees or vegetation on verges, parks or reserves;
39. engage in a timely manner with any party requesting tree maintenance or removal, and assess that request in respect to the matters listed in the following table;
40. authorise the requested activity where assessment of the activity provides an identifiable measured Community benefit exceeding any potential Community harm;

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41.

Tree Removal Guideline Table

Pruning or Removal shall be authorised when the tree or other vegetation:	Pruning or Removal may not be authorised when the tree or other vegetation:
<ul style="list-style-type: none"> • interferes with road safety vision or other road safety concerns; • is dead or in poor health causing imminent risk of toppling or falling branches; • is damaged and beyond remediation; • is causing or has demonstrable potential to harm nearby structures such as footpaths, roads & crossovers, reticulated services or buildings; • drops nuts, berries or other bulky or slippery items which produce a serious risk of slipping tripping or falling by pedestrians, cyclists or other vehicles; • is a habitat or feeding place for vermin or other destructive pests; • is confirmed by a medical practitioner or is otherwise publicly confirmed as contributing to adverse health effects; • is demonstrated to be inappropriate for the site; • is a non-Indigenous species likely to be invasive through seed dispersal or suckering of roots; • is referred to, directly or indirectly, in any of the Local Government’s environment plans as a weed species. • may be unavoidably damaged during development activity and retention is not a viable option; • the location is contiguous with a natural area and fails to continue the standard set by the natural area; • is not in keeping with the overall streetscape aesthetics as determined by engagement with the local Community; • on absolute majority of Council; 	<ul style="list-style-type: none"> • is disliked; • interferes with scenic views; • produces litter; • perceived to aggravate health concerns; • attracts unwelcome fauna; • supports, habitat or acts as a migration assistant to local Indigenous wildlife; • causes damage to a fence or other boundary structure; • is in the site of a proposed crossover where an alternative suitable location exists; • overshadows private gardens or infrastructure; • is inconvenient for building or development activity; • there are other alternatives to address the issue of concern. • is not deemed an imminent risk by a qualified arborist <p>Each item on its own may not be cause enough for authorisation to remove or prune. The assessing Local Government officer is to decide if a combination provides enough cause to determine removal or pruning delivers measurable Community benefit.</p>

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Tree Pruning

42. In addition to the above table, the Local Government may otherwise authorise, facilitate or engage in trimming or pruning to:
- a. ensure unrestricted safe access to pedestrian or other traffic on footpaths, crossovers, roads or other access ways;
 - b. ensure that safety ‘lines of sight’ are kept clear of vegetation, as recommended in AustRoads Design Guidelines;
 - c. manage the amenity, safety, form or health of the tree;
 - d. mitigate potential for unsafe contact between trees and built infrastructure;
 - e. reduce potential of harm to persons or property.

Compensation for Removal of Trees or Vegetation

43. The Local Government will, where a tree or other vegetation is removed, require that tree(s) or vegetation to be compensated by the planting of an appropriate tree(s) or other equivalent vegetation in a location as close as is reasonable to the original location;
44. The party receiving benefit from the approved removal of a tree(s) or other vegetation shall carry the cost of that removal.

Vegetation Vandalism

See also Policy 004 – Model Governance and Enforcement Policy. – for Vandalism and Graffiti

The Local Government:

45. Does not recognise as vandalism; damage to, or removal of, any tree or other vegetation where that species is referenced or is identified, directly or indirectly in any of the Local Government’s environmental plans, as a “weed” in the locality of its occurrence;
46. Will proactively minimise the drivers for vandalism by engaging openly and respectfully with the community when investigating incidents of vandalism or tree removal, including seeking local views or proposals for rectification of damage and means to minimise future damage.

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Protection of Trees and Vegetation at Risk from Building or Development activity

The Local Government will:

47. publish on its website, any evaluation method, guidelines process or procedure used by the Local Government in valuing or protecting trees and vegetation;
48. apply, as a minimum, the guidelines given in Australian Standard AS 4970 - Protection of Trees on Development Sites, to trees and other vegetation at, on, or impacted by development activity.
49. require that development approvals include a refundable bond or enforceable undertaking from the developer, for the purpose of protection of any “at risk” tree or vegetation asset, to at least the value of those ‘at risk’ trees or vegetation, to be paid by the applicant prior to development commencing. The bond/undertaking or that portion of the bond/undertaking not required for the covering of expenses arising from damage caused to any tree or vegetation is releasable following extinguishment of the risk;
50. require a builder or developer to bear the cost or expense of any tree or vegetation, maintenance, pruning, substitution, removal or replacement associated with the building or development activity. Including repair of any incidental or consequential damage to assets or infrastructure;

The Local Government may:

51. as an alternative to a protection bond or undertaking, make other enforceable agreement in substituted protection of identified trees or vegetation on a development site, with relocating those trees or vegetation or provision of equivalent value of trees or vegetations at another protected location within the Local Government District. Any such agreement is to include a longevity of survival clause;
52. in conformance with the above Tree Removal Table, authorise removal of trees or vegetation impacted by development activity;

Enforcement

Enforcement matters are addressed in Model Policy 004 – Governance and Enforcement

Naming of Parks, and Reserves

Naming of Parks, Reserves and other assets are addressed in Model Policy 003-Public Relations

Volunteering

Volunteer matters are addressed in Model Policy 002 – Community Engagement for:

Conflict Avoidance

Conflict resolution is addressed in Model Policy 002 Community Engagement

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Appendices to this Policy Guidance and Explanatory Notes.

Introducing Environmental Management

Areas of natural biodiversity have been widely recognised for delivering social and mental health benefits to members of communities. Urbanisation of the Local Government has seen man-made infrastructure replace most of the district's natural environment.

An important function of the City is to both conserve and enhance the remaining existing areas of natural biodiversity while, as consistently as practicable, develop, encourage and provide an integration of beneficial environmental values across man-made urbanised areas. Continuous further efforts by the Local Government in addressing efficiencies of operations and practices will return a measurable net benefit in both reducing long term cost and reducing negative impacts on our environment.

Recognition that rapid changes in climate trends has impacted on stability of long-standing environment event, risk-management strategies and practices, now requires the Local Government re-evaluate its resource efficiency and materials use, for enablement of sustainable community benefit.

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Definitions

Definitions given in Policy 001 Corporate System - apply to this Policy

For the purpose of this policy the following additional terms are applied to mean;

Environment

means: the surroundings or conditions in which a person, animal, or plant lives or operates.

Cultivated Environment – means: verges, gardens, street trees and landscaping.

Graffiti

means: the marking of an object(s) whether natural or man-made, and which marking is aesthetically displeasing to the Community.

Natural Area

means: an area under the Local Government’s care and protection which dominantly reflects pre-colonisation content and appearance or is being rehabilitated as closely as practicable to pre-colonisation content and appearance.

Vandalism

means: any wilful act which caused distress to the Community and was known by the perpetrator to cause destruction, damage, or defacing of property that the rectification of would impact the local government’s setting of rates applied to ratepayers. Vandalism could equally be the result of “sanctioned” activity as it could be of non-sanctioned activity.

Audit, Review and Updating

The Audit, Review and Updating of all Policies is addressed in Policy 001 – Corporate System Framework Policy

Additional References Applicable to this Policy

Chalmers L., & Gray S., (2004). *Stormwater Management Manual for Western Australia*. Department of Water and Environmental Regulation. Perth, West Australia
<https://www.water.wa.gov.au/urban-water/urban-development/stormwater/stormwater-management-manual>

ISO 14001:(2015) Environmental Management System – Standards Australia

Example Local Government,

- Corporate Environmental Strategic Plan?
- Environmental Management framework and Safety?
- Health and Environment risk and Legal register?

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Superseded Policy

The following listed policy are, on endorsement of this Policy by the Example Council, deleted and replaced by the content of this Policy.

Number	005 Environment Policies	Adopted by Council
029	Street Tree	17/03/2020
030	Environmental	19/06/2018
036	Waste Minimisation	17/03/2020
057	Sustainability Policy	11/12/2018
086	Verge Treatment Policy	17/03/2020
102	Urban Forest and Green Space Policy	17/03/2020
103	Proposed Improving Public Spaces Policy	19/07/2019
110	Crossover Policy	17/03/2020
020	Open Space Water Usage Policy - Rationalisation	