

**Bela-Bela**

**Local Municipality**



Tree Management Policy

**TREE MANAGEMENT POLICY FOR BELA-BELA LOCAL MUNICIPALITY**

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**TREE MANAGEMENT POLICY FOR BELA-BELA LOCAL MUNICIPALITY**

DEFINITIONS

For the purpose of this policy:

**“aftercare”** means the tree maintenance actions which are implemented once the tree has been planted;

**“arboriculture**” means the science and practice of cultivation, management, and study of trees, shrubs, vines, and other perennial woody plants which specifically studies how plants grow and respond to cultural practices and to their environment, including the practice of cultural techniques such as selection, planting, training, fertilization, pest and pathogen control, pruning, shaping, and removal;

**“blanking”** means the replacement planting of trees in gaps where trees have been lost or died, and infill planting has the same meaning;

**“champion trees”** is a project that aims to list and protect trees in South African that are of national conservation value;

**“Municipality”** means Bela Bela Local Municipality

**“Council”** means the Council of Bela Bela Local Municipality;

**“Senior Manager”** means Senior Manager of Social & Community Services under which Parks & Cemeteries Division falls;

**“indigenous species”** means any tree that is indigenous to South Africa including Limpopo;

**“landscape plan”** means a site-specific plan of the layout of plants to be planted;

**“planting**” means the placing of sapling trees or seeds in the ground or container in order for them to grow;

**“pruning”** means the horticultural and silvicultural practice involving the selective removal of parts of a plant, such as branches, buds, or roots;

**“Public Open Space”** and **“Public Space”** includes –

(a) a public road, parking area, square, park, recreation ground, sports ground, sanitary lane, open space, shopping centre on municipal land, unused or vacant municipal land or cemetery which has –

(i) been provided, reserved or set apart for use by the public; or been

(ii) dedicated to the public;

(b)public transportation operated by service providers for the Municipality but does not include public land that has been leased by the Municipality;

**“road reserves”** means the municipal land set aside and zoned for the development of roadways and related engineering services;

**“root barrier”** means patented chemical and/or mechanical guides that redirects tree roots down and away from hardscapes, preventing costly root damage;

**“tree health”** means all factors (biotic and abiotic) that affect the vigour and productivity of a tree;

**“Tree Management”** means the protection and maintenance of the existing tree asset base in

Bela Bela, as well as the planning, planting and maintenance of future trees;

**“way leave”** means an approved right of way given for working over or under another ground or property.

**PREAMBLE**

The provision and management of trees within the urban environment is an on-going challenge in that the protection and survival of trees are often at risk due to increasing demand for land development, changing societal needs and demands resulting in trees being considered a nuisance rather than a benefit.

**1. BACKGROUND**

The tree management policy supports the Council’s vision of “the prime Agricultural Hub and Eco-Tourism Destination of Choice ”. Providing trees in urban areas and planning for parks and green spaces are important to create a sense of place and to enhance the social and public environment. Trees transform neighbourhoods into desirable areas to live, work, and play. Trees can be used to transform open spaces into leafy areas where citizens can relax, reduce the carbon footprint, change roadways into scenic drives, demarcate community gateways and become symbols and frames for landscapes. In the built environment, trees shield undesirable sights by making buildings more “human” in scale and serve to buffer noise, temperature, sun, and wind, while producing oxygen. In the absence of built structures, trees are tangible features in the historic and cultural landscape.

The strategic frameworks and policies of Bela Bela Local Municipality emphasise sustainable development, environmental protection and the creation of quality living and work environments. Trees play a critical role in achieving these objectives and therefore trees as valuable environmental assets need to be procured and managed in a manner that will optimise the outcomes of key strategies.

The provision and management of trees within the urban environment is an on-going challenge ,because the protection and survival of trees is threatened due to:

1. An increasing demand on land for development.
2. Competing social needs resulting in trees being considered a nuisance rather than a benefit in some instances.
3. Changing environmental laws that redefine how trees are procured and managed.
4. Polyphagous Shot-hole Borer infestations which decimate mature trees and target certain species.

Due to increasing urbanisation demands, tree management must be carefully considered to ensure acceptable tree survival rates, whilst reducing potential risks which trees can pose to people, property, infrastructure and the environment in the event of poor selection of planting sites, tree placements or inappropriate choices of species.

The Tree Policy is a living document that will change as the need arises and circumstances require a change in approach to resolve situation.

This Tree Policy will be applied and utilised for the management of all trees growing on Municipal owned land and can be utilised by all Municipal departments that deal with the provision or management of trees.

**2. THE PURPOSE**

**2.1 POLICY OBJECTIVE**

This policy aims to provide a uniform approach to the management of trees on municipal land within Bela Bela Municipal area.

2.1.1 The implementation of a uniform policy for the three key components:

1. Tree planting
2. Tree removal
3. Maintenance of trees

**2.1.2 A MUNICIPAL –WIDE APPROACH TO TREE MANAGEMENT**

1. Reduce risks related to ad hoc approaches to tree maintenance by various internal and external role-players.
2. Manage trees in a professional manner under the guidance of skilled arboriculture professionals.
3. Regulate the protection, planting and removal of trees by ensuring an integrated city-wide approach based on sound arboriculture practices.
4. Integrated spatial development frameworks and service level agreements between Municipal departments in order to prevent unnecessary damage to trees during construction works or related activities.
5. Parks and Cemeteries will research national and international examples of best-management practices.

**2.1.3 EMPHASISE THE IMPORTANCE AND VALUE OF TREES**

2.1.3.1 Improve understanding and awareness of the importance of lifecycles of trees within the habitats and environments found in Bela Bela, including their contribution to reducing the Municipality’s carbon footprint, together with oxygen production.

2.1.3.2 Develop partnerships with suppliers, property developers, ratepayers’ organizations, environmental groups (and others) to promote tree planting and the importance of trees within the urban context and promote the protection of arboreal landscapes, tree lanes and tree avenues of heritage significance.

2.1.3.3 Special attention should be drawn to the calming effect of trees together with the ecosystem services they provide for zoological diversity.

**3. STRATEGIC INTENT**

The strategic intent of the policy is to give effect and align with the Municipality’s approach to management and more importantly to give impetus to the Integrated Development Plan, and the Bela Bela Spatial Development Framework.

3.1 INTEGRATED DEVELOPMENT PLAN

The diverse value of trees makes it a contributor to all the strategic pillars of the Integrated Development Plan but in particular to;

Develop a focused strategy on greening the municipality.

A greener Bela Bela - trees contribute to creating quality living and work environments which in turn attracts businesses and skills to the region. Trees as part of urban landscapes and streetscapes contribute significantly to the aesthetic beauty of our city and play a role in the socioeconomics of the urban environment, which is important for the tourism industry.

The management of trees in the urban environment is pivotal to creating improved quality of life for people within the urban context.

Addressing the lack of trees in certain areas of Bela Bela will reduce the stark contrast between the areas that have, and those that do not have the benefit of trees and contribute towards an environment where people feel included and have a sense of belonging.

3.2 BELA BELA SPATIAL DEVELOPMENT FRAMEWORK

The Bela Bela Local Municipality Spatial Development Framework seeks to develop a focused strategy on greening the city (Strategic goal 2; Safe, Clean and Green). This Strategy has implications for the Tree Management Policy, particularly with reference to enhancing the value of heritage resources and scenic routes and promoting city-wide destination places.

4. POLICY PARAMETERS

The core focus of this policy is the management of trees that grow on Municipal-owned land and includes Municipal-owned land that is leased to individuals or groups. This policy excludes the management of trees that grow on private land unless it impacts on public places and public open spaces.

This policy will consider the management requirement related to the full life-cycle of a tree, the conditions for tree removals, trees growing within the urban environment and the appropriateness of the selection of species, planting locations and local contexts.

This policy deals with trees, forest and arboriculture elements, but it does not deal with other horticultural elements such as shrubs, groundcovers and other flowering plants.

**5. ROLE-PLAYERS AND STAKEHOLDERS**

5.1 INTERNAL STAKEHOLDERS

Parks and Cemeteries is the lead section responsible for tree management including streetscapes and avenue planting, cluster planting, historic trees and all other occurrences of trees within the city. However, trees occur in various places and therefore the respective landowners, departments in the Municipality must manage the trees within their areas of responsibility in accordance with this policy.

Parks and Cemeteries may conclude service level agreements with all relevant departments should they need assistance with the management of trees on their properties. The following internal departments are responsible for tree management: -

Parks & Cemeteries - Planting and maintenance of trees in nature reserves and other nature conservation areas. Inputs into landscape plans submitted by developers and other stakeholders for Municipal approval. Protection and conservation of trees with heritage, cultural and environmental value.

Electrotechnical Services - Maintenance of trees under overhead electrical cables or streetlights.

Civil Engineering Services - Service level agreements with Parks and Recreation with respect to trees planted in road reserves, and the management of trees in rivers and other storm water catchment areas.

Management of trees within water catchment areas. Regulation of the use of water for the management and maintenance of trees.

Sports Development - Maintenance of trees on formal sports fields, and at other recreation facilities.

Human Settlements - Planning to plant trees and create landscapes in human settlements (inclusive of road reserves), and planting and management of trees on municipal housing estates, management of alien vegetation.

Planning and Economic Development- Town Planning applications, and building permits.

Law Enforcement - Enforcement of by-laws and other legal regulations relating to the environment.

Waste management- To protect the health, well-being of the environment by providing reasonable measures for reducing, re-using, recycling and recovering of waste as per the National Environment Management Waste Act of 2008.

5.2 EXTERNAL STAKEHOLDERS

There are many external stakeholders and role-players, most of who are interested in the provision, availability and benefits of trees and not necessarily in the management and maintenance thereof. The following lists some of the stakeholders and role-players that the municipality will engage with regarding tree management: -

Department of Forestry and Fisheries and Environment

South African National Biodiversity Institute

Forestry and Agricultural Biotechnology Institute

Researchers

General Public

Developers and private companies

Environmental Groups

NGOs and community groupings

Schools and institutions of higher learning

Nursery Traders

Landscaping Industry

6. LEGISLATION:

Constitution of the Republic of South Africa, 1996

Water Services Act, 1997 (Act 108 of 1997)

National Environmental Management Act, 1998 (Act 107 of 1998)

National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004)

Conservation of Agricultural Resource Act, 1983 (Act 43 of 1983)

Local Government: Municipal Finance Management Act, 2003, (Act 56 of 2003)

Forest Act, 1998 (Act 84 of 1998)

National Heritage Resources Act, 1999 (Act 25 of 1999) Input into the management and control of trees on Municipal land as required by the Conservation and Agricultural Resources Act 43 of 1983;

**7. POLICY DIRECTIVES**

The following are the key elements of this policy and must be considered as a single tree management system, namely:

**7.1 TREE PLANTING**

7.1.1 PLANTING NEW TREES

7.1.1.1 Appropriate planting pallets that prioritise the planting of locally indigenous vegetation adapted to local climatic conditions and drought resistant trees in Public Open Spaces, road reserves and within new developments.

7.1.1.2 Integrated greening and tree planting programmes in new housing developments.

7.1.1.3 Engagement with all stakeholders and role-players responsible for planting trees on Municipal land to ensure alignment and integration of tree planting initiatives.

7.1.1.4 Facilitate and encourage the planting of trees by residents and other stakeholders wherever and whenever possible.

7.1.1.5 The Municipality shall plan for the planting of new trees.

7.1.1.6 When choosing tree species consideration should be given to available planting space and the size of the mature tree.

7.1.1.7 The Parks and Cemeteries division will facilitate the planting of new trees by any other department and/or residents of Bela Bela in public spaces.

7.1.1.8 Areas prioritised for planting will be based on urban planning proposals, new areas for human settlement, existing residential and business areas, and areas where the tree canopy is very limited or non-existent.

7.1.1.9 New tree planting can also take place when developers, residents or other parties request to plant trees within their municipal area on municipal land. These requests will be processed via the Parks and Cemeteries division using Indemnity forms for the planting of new trees.

7.1.1.10 The planting of new trees does not exclude the use of appropriate exotic species if they are non-invasive and are suited to local conditions and as per the National Environmental Management: Biodiversity Act 10 of 2004(NEMBA) regulations.

7.1.1.11 It is important to promote effective water resource management and conservation. It is therefore important to promote the planning of indigenous and other drought-tolerant plants to ensure the optimum use of our limited water resources.

7.1.1.12 Trees to be planted as per the annexure for the guidelines which is provided by the Parks & cemeteries division

7.1.2 REPLACEMENT PLANTING

7.1.2.1 Blanking or planting of replacement trees may be done in a planned or an ad hoc manner.

7.1.2.2 Where trees die or are damaged due to vandalism, lightning or the impact of human activity the individual tree can be removed and recorded in a database and replaced with a new suitably appropriate tree, when the tree planting programme takes place.

7.1.2.3 Replacement planting can also take place where existing streetscapes or avenues of trees are ageing, and new trees are inter-planted to ensure that as a tree comes to the end of its natural life-cycle the aesthetic view of the streetscape or avenue is not negatively impacted on.

7.1.2.4 Replacement planting will take place when problematic trees must be removed due to the damage caused to the public and private property, in line with the policy.

7.1.3 TREES REQUESTED BY RESIDENTS

7.1.3.1 Depending on funds and the availability of suitable material, the Parks and Cemeteries Division shall annually plant trees along sidewalks during suitable planting seasons in residential areas on condition that the requestors accept responsibility for their watering. Pruning of trees will be done by the Parks and Cemeteries if, and when required.

7.1.3.2 Residents may apply for trees to be planted in their neighbourhood. Applications must be made on a prescribed form that can be obtained at the Parks & Cemeteries division.

7.1.3.3 To ensure adequate aftercare of trees, only signed applications received on the prescribed form from individual property owners will be considered. The prescribed form must include instructions about after care and a maintenance agreement. The contents of this form must be communicated verbally in the event of the applicant not being able to read.

7.1.3.4 Tree planting is generally undertaken during the rainy season which is from October to March.

7.1.3.6 On pavements not wide enough to accommodate trees, a tree donation for adjacent private property may be provided at the discretion of the Senior Manager Social & Community Services or his/her delegated authority. Trees may be donated on request from schools and community greening projects, according to the Municipal policy regarding donations and in accordance with the Local Government: Municipal Finance Management Act, 2003.

**7.1.4 TREES PLANTED BY MEMBERS OF THE PUBLIC**

7.1.4.1 Owners of properties will be permitted to plant trees on sidewalk or street boundaries after the necessary approval in writing has been obtained from the Senior Manager Social & Community Services or his/her delegated authority.

7.1.4.2 The property owner must be informed that such trees, once planted on municipal land, become the property of the Municipality but their maintenance (including root management, tree pruning) remains the responsibility of the property owner.

7.1.4.3 In the event of trees being planted on public land without authority, the Parks & Cemeteries Division will have the tree removed if, in its opinion, it will cause danger to persons or property in the future, or violates the conditions mentioned under “Tree Pruning and Removal”.

7.1.4.4 Trees on Municipal-owned land that has been leased out, are the responsibility of the lessee or internal municipal departments, but approval for any work on such trees must first be obtained from the Senior Manager Social & Community Services or his/her delegated authority in writing, in accordance with this policy.

**7.2 TREE REMOVAL**

**7.2.1 CIRCUMSTANCES FOR PRUNING AND REMOVAL**

7.2.1.1 The premise that underpins the management of trees in Bela Bela is that all trees are valuable and therefore any request or decisions for removal of trees need to be carefully considered on a case by case basis by the Parks and Cemeteries division.

7.2.1.2 No person may prune or remove a tree planted on Municipal land without prior authority from the Parks and Cemeteries Division. In the event of a person or persons being guilty of such an act, the municipality may impose the necessary fines as a result of contravention.

7.2.1.3 The Municipality may undertake planned tree removals for purposes of legislative compliance and/or public safety and where it is in the interest of the environment.

7.2.1.4 Trees declared as a protected species in terms of the Forest Act, 1998 (Act 84 of 1998) ,may not be pruned or removed without the permission from the Minister of Forestry Fisheries and the Environment.

7.2.1.5 In order to prevent unnecessary damage to trees during construction work, all developers and utility companies/contractors should obtain a way leave from Parks and Cemeteries prior to commencing construction work.

7.2.1.6 Pruning or removal of all trees on municipal property shall be done by Parks and Cemeteries or its appointed service providers.

7.2.1.7 Requests for pruning/removals should be directed to the Senior Manager Social & Community Services or his/her delegated for the particular area where the tree is located.

7.2.1.8 Pruning or removal of trees on private property or state-owned land where these trees interfere with overhead or underground services is not the responsibility of Park and Cemeteries, but will give guidance where required.

7.2.1.9 Champion Trees will have special protected status in terms of the National Forests Act of 1998. No such trees may be cut, disturbed or damaged without a license. A strict approach will be taken to protection, and licenses will be issued only under exceptional circumstances, such as a tree posing a danger to life or property. Licences for the removal or pruning of champion trees are only obtainable from the Department of Forestry, Fisheries and Environment and not from the Municipality.

7.2.1.10 Park and Cemeteries shall consider the following factors before pruning:

1. Safety (public, staff, contractors and property);
2. Legal factors- upon written request for the removal of any offending branches or roots encroaching upon the complainant’s property;
3. South Africa Road Safety Manual guidelines.
4. No tree located on Public Open Space or road reserves is to be removed unless it presents a threat to human life or property, or if the tree has died.

Exceptions are:-

Trees classified as “declared weeds” (Category 1) in terms of the Conservation of Agriculture Resources Act, 1983 and the National Environmental Management: Biodiversity Act,2004;

Trees that are diseased beyond effective arboriculture remedial work.

Trees causing a traffic, electrical or health hazard.

Trees that interfere with essential services where no other suitable alternatives can be found.

Road widening projects where no alternate routes are available.

Where trees need to be removed for reasons mentioned above, suitable replacements shall be considered by Parks and Recreation where applicable.

7.2.2 TREES PRUNED ONLY FOR SOUND ARBORICULTURAL REASONS.

Pruning or removal will be considered where:

1. trees cause damage to structures.
2. trees obstruct pedestrian and/or vehicular movement or impedes traffic sight lines.
3. trees obstructing solar powered electricity and heating devices.

Parks and recreation may refuse to prune or remove trees where complaints received relate to:

1. Interference with radio, TV and internet reception.
2. Shedding of leaves, fruits, seeds or any other plant material.
3. Allergic reactions.
4. Causing excessive shade.
5. View obstruction (other than reducing visibility of traffic sight lines) including pedestrian movement.
6. Obscuring private advertising boards and signs (other than public signage).
7. Causing a nuisance in respect of swimming pools.
8. Hampering the growth of other plants; or
9. Attracting insects, birds or bats and other creatures because of its flowers and/or fruit.

7.2.3 REMOVAL OF TREES ON MUNICIPAL OPEN SPACE AND ROAD RESERVES

7.2.3.1 The level to which a tree will be cut may be a subject for dispute. Traditionally trees are cut leaving a stump projecting from the ground where this could be done without hazard to the public or where the stump did not interfere with proposed road works.

7.2.3.2 Should the entire stump be removed, this must be disposed of at a Municipal disposal site. It is incumbent upon the Municipality to remove a tree which constitutes a hazard to the public or an obstruction, to a level where such hazard or obstruction is eliminated.

7.2.3.3 Where it is not on a public open space, the Parks and Cemeteries division can facilitate the removals of such tree hazards on behalf of other Municipal departments.

7.2.3.4 Trees will be considered for removal on request of adjacent property owners for vehicle access, subject to pre-approval by Parks and Cemeteries after building plans are submitted. The applicant will be held liable for the cost of removal as well as for the aesthetic loss to the environment.

7.2.4 REMOVAL OF FALLEN TREES

7.2.4.1 In the event of a tree falling on Municipal land, emergency department teams will ensure the removal of such a tree/s, within a reasonable time frame.

7.2.4.2 The Parks and Cemeteries Division will respond in the event of fallen trees on public land posing a threat or endangering persons or property. Such tree/s will be removed, if necessary, by the Parks and Cemeteries Division.

7.2.4.3 In an emergency where a tree on private property has fallen, the Parks and Cemeteries Division, with authorisation from the Senior Manager Social &r Community Services, may remove the tree in order to ensure the safety of persons and property. This action will be taken in conjunction with the Bela Bela Disaster Risk Management Section in the Public Safety Division.

**7.3 TREE PROTECTION AND MAINTENANCE**

7.3.1 All trees planted within the Municipality shall have a maintenance plan with a particular focus on the first three years of the trees‟ life-cycle, to ensure the survival of the newly planted trees.

7.3.2 The Parks and Cemeteries Division will develop a Tree Work Procedures document for the Municipality of Bela Bela following the approval of the Tree Management Policy

**7.4 AWARENESS AND PROMOTION**

7.4.1 An education and awareness programme shall be developed to create greater awareness with regards to the Environmental and Heritage importance of trees within the urban context and will be implemented by Parks and Cemeteries Division.

7.4.2 As part of awareness-raising, the Municipality will participate in local and national programmes and competitions relating to trees.

7.4.3 Parks and Cemeteries Division to continue consultation with the Heritage authorities, prior to any work conducted on trees listed on any Heritage inventory, to ascertain if a heritage process is applicable.

7.4.4 Building Inspectors must consult with Parks & Cemeteries prior to authorising the removal of trees on Municipal-owned property.

**8. TREE ASSET MAPPING AND VALUATION**

For Bela Bela Local Municipality to understand the economic, heritage, environmental and social value of its tree asset base, where possible existing trees need to be mapped and a valuation method developed. Photos of all trees will be uploaded on the website where current scientific names can be sourced from international experts.

The South African Tree Appraisal Method provides a formula for the valuation of individual trees. The International Society of Arboriculture (ISA) guide for plant appraisal is also accepted. The Parks and Cemeteries division will make use of these approved methods when valuating trees.

9. CHAMPION TREES

9.1 Champion trees are trees of exceptional importance that deserve national protection because of their remarkable size, age, aesthetic, cultural, historic or tourism value. In line with the Department of Forestry, Fisheries and Environment ,Champion Trees Project, the Parks and Cemeteries Division will refer to database of Champion Trees within Bela Bela municipal boundaries.

9.2 The Parks and Cemeteries Division will on an annual basis update the list Champion trees.

9.3 Champion Trees will have special protected status in terms of the National Forests Act of 1998. No such trees may be cut, disturbed or damaged without a license.

9.4 A strict approach will be taken to protecting them, and licenses will be issued only under exceptional circumstances, such as a tree posing a danger to life or property. Licences for the removal or pruning of champion trees are only obtainable from the Department of Fisheries, Forestry and the Environment and not from Bela Bela Local Municipality.

9.5 Additional protective measures may be necessary for some Champion trees, such as the erection of fencing enclosures.

**10. IMPACT STREETSCAPES AND TREE AVENUES**

Parks and Cemeteries Division will continue to strive for the development and protection of special streetscapes and tree avenues which have historic significance and positive visual impact.

11. MANAGE EMERGING BIOLOGICAL THREATS

Emerging biological threats like Polyphagous Shot hole Borer will be managed by Parks and Cemeteries within prescribed guidelines as per Department of Forestry Fisheries & Environment.

**12. TREE COMMITTEE**

Parks and Cemeteries Division will identify relevant role players in the green sector together with knowledgeable citizens of Bela Bela and convene to form a tree committee to decide on tree issues within the area covered by the Bela Bela Local Municipality.

1. The composition of the committee should comprise:

1.1 4-5 community members

1.2 Minimum 1 council member (Portfolio Councillor of Social & Community Services)

1.3 Minimum 2 administration personnel

2. The composition is not fixed and may be changed as the need arises.

3. The committee will act as an advisory panel.

4. Any decisions taken are to be treated as recommendations of the committee and all decisions are pending the approval of the Senior Manager Social & Community Services or his/her delegated authority. The final decision in any matter shall always reside with Bela Bela Local Municipality and its duly appointed representatives.

**13.MONITORING AND REVIEW**

This policy will be subject to annual monitoring to assess progress and to pick up any emerging issues. A more thorough review of the policy will be undertaken every five years to adjust and incorporate any new changes in legislation, local policy, working practices or technical developments which may arise.