

ULUNDI MUNICIPALITY

Tree Management Policy

" The City of Heritage "



Prepared by:

**PARKS, GARDENS AND CEMETERIES DIVISION
DEPARTMENT OF COMMUNITY SERVICES
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DEFINITIONS

For the purpose of this policy:

“aftercare” means the tree maintenance regime which is 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;

“Biodiversity Agreement” means to clearly define the responsibility of the Parks & Gardens and Biodiversity Management Department’s line functions with regard to the Parks Biodiversity Agreement sites;

“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;

“Ulundi Parks” means the Parks Department within the Ulundi Municipality

“Ulundi” means the Ulundi local Municipality a municipality established by the of Establishment Notice Provincial Notice 479 of 2000 issued in terms of section 12 of the Municipal Structures Act, 1998, or any structure or employee of the Ulundi acting in terms of delegated authority;

“Council” means the Council of the Ulundi local Municipality

“indigenous species” means any tree that is indigenous to South Africa including the local municipality;

“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, beach, 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

(ii) been dedicated to the public;

(b) public transportation operated by service providers for the Ulundi

but does not include public land that has been leased by the Ulundi;

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

“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 the Ulundi, 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.

ABBREVIATIONS

CDS : Ulundi Development Strategy

CSI : Corporate Social Investment

SDF : Spatial Development Framework

DAFF : Department of Agriculture, Forestry and Fisheries

EGS : Economic Growth Strategy

ISA : International Society of Arboriculture

NMT : Non-motorised Transport

POS : Public Open Space

SDS : Social Development Strategy

ULM- Ulundi local Municipality

Introduction

Ulundi Local Municipality (LM) is one of the five LMs, other four LMs being eDumbe, Abaqulusi, Nongoma and uPhongolo, constituting the Zululand Local. It is located on the southern boundary of the Zululand Local Municipality in the north-eastern part of KwaZulu-Natal. The municipal area is approximately 3,250 km² in extent and includes the towns and settlements of Ulundi, Nqulwane, Mahlabathini, Babanango, Mpungamhlophe and Ceza as well as nine Traditional Authorities of Buthelezi, Mbatha, Mpungose, Ndebele, Nobamba, Ximba, Zungu, Nsimbi, Buthelezi-Emphithiphithini. It consists of 24 wards. The Ulundi LM is the administrative centre and seat for the Zululand Local Municipality and well-equipped airport.

The largest part of its area is rural and underdeveloped. Approximately half of the Municipal area consists of commercial farms and the area supports a substantial agricultural community. The town of Ulundi represents the only urban centre in the Ulundi LM area and accommodates approximately 40,000 people.

2. PROBLEM STATEMENT

1.1 Planning for and providing trees and parks is important to create a sense of place and to enhance the social and public environment. Trees transform neighborhoods into desirable areas to live, work, and play. They can be used to transform underutilized spaces in destination sites, reduce the carbon footprint, change roadways into scenic drives, demarcate community gateways and become symbols as part of Ulundi landscapes. In the built environment, trees shield undesirable sights by making buildings more “human” in scale and serve to buffer noise, sun, and wind. In the absence of built structures, trees are tangible features in the historic and cultural landscape.

1.2 The Ulundi municipality strategic frameworks and policies emphasize sustainable development, environmental protection and the creation of quality living and work environments. Trees play a critical role in achieving these objectives and therefore these valuable environmental assets need to be provided and managed in a manner that will optimize the outcomes of key Ulundi strategies.

1.3 However, 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:

1.3.1 an increasing demand on land for development;

1.3.2 Competing societal needs and demands resulting in trees being considered a nuisance rather than a benefit in some instances; and

1.3.3 changing environmental laws that redefine how trees are provided and managed.

1.4 Due to increasing urbanization 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.

1.5 The Ulundi of Ulundi current Tree Policy has not yet been adopted by Council due to certain environmental issues and dispersion. Over time the applicability and relevance of the existing policy has diminished and it has become incumbent to undertake a revision of the existing policy and develop a Tree Management Policy which is responsive to the changing social, legislative and environmental context of the Ulundi.

1.6 The current Tree Policy was applied and utilized predominantly within the operational environment of the parks and recreational department. This review aims to develop a transversal policy that applies to the management of all trees growing on Ulundi-owned land and can be utilized by all departments that are responsible for the provision and management of trees.

2. DESIRED OUTCOMES

2.1 This policy aims to provide a uniform approach to the management of trees on municipal land within the Ulundi local Municipality

2.2 Trees on Ulundi-owned land that has been leased out, is the responsibility of the lessee or land owner department, but approval for any work must first be obtained from parks and gardens divisions in writing, in accordance with this policy.

2.3 The outcome of the implementation of a uniform and transversal policy for the management of trees within the Ulundi of Heritage will be clustered around the following three key components:

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2.4 NEW TREE PLANTING IN THE ULUNDI

2.4.1 Appropriate planting pallets that prioritizes the planting of locally indigenous vegetation and drought resistant trees and shrubs in POS, Road Reserves and within new developments.

2.4.2 Integrated greening and tree planting programmers in new housing developments.

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

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

2.4.5 Conservation of Ulundi green indigenous trees highly threatened natural heritage and cultural landscapes, through Biodiversity Agreements.

5 A ULUNDI-WIDE UNIFORM APPROACH TO TREE MANAGEMENT

2.

2.5.1 Reduce risks related to ad hoc approaches to tree maintenance by various internal and external role-players.

2.5.2 Manage trees in a professional manner under the guidance of skilled arboriculture professionals.

2.5.3 Regulate the protection, planting and removal of trees by ensuring an integrated Ulundi-wide approach based on sound arboriculture practices.

2.5.4 Integrated management frameworks and service level agreements between Ulundi departments in order to prevent unnecessary damage to trees during construction works or related activities.

2.5.5 Parks will research international examples of best management practices.

2.6 REINFORCE THE IMPORTANCE AND VALUE OF TREES

2.6.1 Improve understanding and awareness of the importance of trees and the tree lifecycle within a given habitat or environment, including its contribution to reducing the Ulundi's carbon footprint.

2.6.2 Develop partnerships with suppliers, property development companies, ratepayers' organizations, environmental groups amongst others to promote tree planting and the importance of trees within the rural context and promote the protection of cultural landscapes, tree lanes and tree avenues of heritage significance.

2.6.3 Special attention should be drawn to the traffic calming effect of trees.

3. STRATEGIC INTENT

The strategic intent of the policy is to give effect to the Ulundi's approach to transversal management and more importantly to give impetus to the Ulundi's Integrated Development Plan, the One Ulundi 2040 and Ulundi Development Strategy, the Ulundi's Social Development Strategy, the Ulundi's Economic Growth

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Strategy, Integrated rural Environmental INTEGRATED DEVELOPMENT PLAN

The diverse value of trees makes it a contributor to all of the strategic pillars of the IDP but in particular to:-

3.1.1 *The Opportunity Ulundi* – 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 the Ulundi and play a role in the socioeconomics of the urban environment, which is important for the tourism industry.

3.1.2 *The Caring Ulundi* – the management of trees in the urban environment is pivotal to creating liveable communities and improving the quality of life of people within the urban context.

3.1.3 *The Inclusive Ulundi* – addressing the lack of trees in certain areas of the Ulundi 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.

3.3 SOCIAL DEVELOPMENT STRATEGY

3.3.1 The Tree Management Policy is directly and indirectly aligned to the SDF) of the Ulundi.

3.3.2 It is a directly aligned to the objective of building and promoting safe households and communities in those trees are a key component of creating quality and healthy living environments for communities.

3.3.3 The green industry provides opportunities for jobs and income generation as it relates to arboriculture services like the propagation and maintenance of trees and the provision of the infrastructure related to the planting of trees.

3.3.4 Trees also offer the opportunity to align and integrate the social development, environmental protection objectives and economically crucial services in the rural Environment and support the SDF objective of „mobilizing resources for social development“ through CSI, public-private collaborations and by directing individuals“ and organizations when they wish to make contributions to the Ulundi of Ulundi local Municipality

3.4 ECONOMIC GROWTH STRATEGY

3.4.1 This Tree Management Policy is directly aligned to the Economic Growth Strategy (EGS) objective of developing „sustainable growth strategies“. These strategies are focussed on the green economy, eco-tourism and the protection of environmental assets.

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3.4.2 This Policy supports the EGS of the Ulundi in that it is a key element of the Ulundi’s environmental, horticultural and arboriculture landscape. Scenic routes, tourism destinations, historical and cultural locations are all enhanced by trees and landscapes. These are areas which attracts national and international visitors to the Ulundi and which are critical to the local tourism industry, which is one of the growing economic sectors in the Ulundi.

3.5 INTEGRATED RURAL ENVIRONMENTAL POLICY (IREP)

3.5.1 Trees contribute to air quality control by offsetting carbon emissions. They are central to the protection of biodiversity and coastal zones; they assist in reducing noise pollution; they have a role to play in water demand management; the management of storm water and is one of the key focal points for creating environmental awareness.

3.5.2 This policy will give effect to the strategies and sectoral plans of the IREP.

3.6 ULUNDI LOCAL MUNICIPALITY SPATIAL DEVELOPMENT STRATEGY 2012

The Ulundi Spatial Development Framework (ULMSDF) views parks as both natural assets and destination places, which together with areas adjacent to constructed roads, are the physical spaces where most of the Ulundi trees occur. Strategy 3 of the ULMSDF encourages building an “inclusive, integrated, vibrant Ulundi”. This Strategy has implications for the Tree Management Policy, particularly with reference to enhancing the value of heritage resources and scenic routes and promoting Ulundi-wide destination places.

4. POLICY PARAMETERS

4.1 The core focus of this policy is the management of trees that grow on Ulundi-owned land throughout the metropolitan area. This includes Ulundi-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.

4.2 This policy will take into account 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.

4.3 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

5.1.1 Due to the large number of trees in the Ulundi, the total management responsibility cannot practically reside only with one Ulundi department. It is accepted that Parks and gardens is the lead department responsible for tree management including streetscapes and avenue planting, cluster planting, historic trees and all other occurrences of trees within the Ulundi. However, trees occur in various places and therefore the respective land “owner” Departments in the Ulundi must manage the trees within their areas of responsibility in accordance with this policy.

5.1.2 The Parks Department will play an advisory and consultative role to other departments with regards to the management of trees. Ulundi Parks 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:-

5.1.2.1 ElectricUlundi - Maintenance of trees under overhead electrical cables or street lights;

5.1.2.2 Transport for Ulundi local Municipality - Planting and maintenance of trees at transport interchanges and along transport routes such as NMT and IRT networks;

5.1.2.3 Roads & Stormwater - Service level agreements with Ulundi Parks with respect to trees planted in road reserves, and the management of trees in rivers and other storm water catchment areas;

5.1.2.4 Sport, Recreation & Amenities - Maintenance of trees on formal sports fields, along the coastal zone and at resorts and other recreation facilities;

5.1.2.5 Environmental Resource Management - Planting and maintenance of trees in nature reserves and other nature conservation areas. Inputs into landscape plans submitted by developers and other stakeholders for Ulundi approval. Protection and conservation of trees with heritage, cultural and environmental value. Input into the management and control of trees on Ulundi land as required by the Conservation and Agricultural Resources Act 43 of 1983;

5.1.2.6 Water Demand Management - Management of trees within water catchment areas. Regulation of the use of water for the management and maintenance of trees;

5.1.2.7 Human Settlements, Urbanisation and Human Settlements Development & Delivery - Planning to plant trees and create landscapes in human settlements (inclusive of road reserves);

5.1.2.8 Public Housing & Customer Services - Planting and management of trees on Ulundi housing estates;

5.1.2.9 Metro Police - Enforcement of Ulundi by-laws and other legal regulations relating to the environment;

5.1.2.10 Law Enforcement - Enforcement of Ulundi by-laws and other legal regulations relating to the environment;

5.1.2.11 Solid 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

5.2.1 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 Ulundi will engage with regarding tree management:-

5.2.1.1 Department of Agriculture, Fisheries and Forestry

5.2.1.2 Department of Environmental Affairs

5.2.1.3 General Public

5.2.1.4 Developers and private companies

5.2.1.5 Environmental Groups

5.2.1.6 NGOs and community groupings

5.2.1.7 Schools and other education institutions

5.2.1.8 Nursery Traders

5.2.1.9 Landscaping Industry

6. REGULATORY CONTEXT

Legislation:

6.1 Constitution of the Republic of South Africa, 1996

6.2 Water Services Act, 1997 (Act 108 of 1997)

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

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

- 6.5 Conservation of Agricultural Resource Act, 1983 (Act 43 of 1983)
- 6.6 Local Government: Municipal Finance Management Act, 2003, (Act 56 of 2003)
- 6.7 CCT; Public parks By-law, 2010
- 6.8 CCT: By-law relating to Streets, Public Places and the Prevention of Noise Nuisances, 2007
- 6.9 Forest Act, 1984 (Act 122 of 1984)

- 6.10 Forest Act, 1998 (Act 84 of 1998)

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
- 7.2 Tree pruning and removal
- 7.3 Tree protection and maintenance

7.1 TREE PLANTING

7.1.1 TREE ESTABLISHMENT

7.1.1.1 The Ulundi shall plan for the planting of new trees.

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

7.1.1.3 The Ulundi Parks and gardens Division under the department of community services will facilitate the planting of new trees by any other department and/or residents of Ulundi local Municipality..

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

7.1.1.5 New tree planting can also take place when developers, residents or other parties request to plant trees within their municipal area on Ulundi land. These requests will be processed via the Ulundi Parks Department using Tree Planting Request forms or way-leaves for the planting of new trees.

7.1.1.6 For new trees, preference must be given to the planting of local indigenous trees dependant on local conditions.

7.1.1.7 Considering the Ulundi local municipality is not historically a tree rich area, the planting of new trees does not exclude the use of appropriate exotic species provided that they are non-invasive and are suited to local conditions.

7.1.2 REPLACEMENT (OR BLANKING) 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 replaced with a new suitably appropriate tree, so as to ensure the planned tree planting programmer remains in 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 planning will take place when problematic trees have to be removed due to the damage caused to the public and private property, in line with the policy.

7.1.3 GENERAL GUIDELINES (NEW TREES AND REPLACEMENT PLANTING)

7.1.3.1 Any street tree planting on sidewalks must be done by the municipality Parks in collaboration with other land owner departments.

7.1.3.2 Applications by the public for individual tree planting on sidewalks must be in writing and addressed to the relevant Manager in the Parks division. Application forms are also available 7.1.3.3 In the event of the applicant not being able to read and/or write, provision must be made for such applications to be presented verbally at the local or district office or depot.

7.1.3.4 Residents requesting individual tree planting must undertake to water the tree for a specified period until it becomes established.

7.1.3.5 Individual and replacement planting will be carried out when required by the Ulundi Parks Department.

7.1.3.6 Trees shall not be planted in these circumstances:-

7.1.3.6.1 where it may interfere with any underground services;

7.1.3.6.2 close to a driveway or road intersection where it is likely to impair sight lines of motorists, cyclists or pedestrians;

7.1.3.6.3 where it will obstruct sight lines to traffic signs, signals or direction signs;

7.1.3.6.4 where pedestrian paths will be obstructed in such a way to cause people to walk in the street, or which makes passage by wheelchairs or push carts difficult;

7.1.3.6.5 where they may encroach on service infrastructure such as gas, electricity and telecommunication lines, water and sanitation services, except where root barrier has been installed; or

7.1.3.6.6 where it would impair visibility or create a traffic hazard.

7.1.3.7 Trees that are planted on Ulundi land that cause damage to private property must be reported to Ulundi Parks and claims lodged with the Ulundi Insurance Section for investigation.

7.1.3.8 Existing street lights and lighting shall be taken into consideration whilst planting is undertaken.

7.1.3.9 Private planting is not permitted on Ulundi-owned or leased land without prior consultation with the relevant Manager: Operations who has the applicable delegation of power in the Ulundi Parks Department.

7.1.3.10 The planting distance between trees must be determined by the species selected, services encountered and areas to be planted.

7.1.3.11 Existing trees identified to be unsuitable may, after being authorised by the Director: Ulundi Parks or his/her delegated authority, be removed and replanted with a suitable species.

7.1.3.12 In terms of the Conservation of Agricultural Resources Act, plants declared as weeds may not be planted. Plants that have been declared as invaders must be controlled or removed.

Tree Watering

- a) The Municipality will ensure that watering of new planted Trees are watered for the first 4 years requesting help and aid of water for Technical Services department.
- b) Street Trees planted by the local residents will not be watered by the Municipality.
- c) Trees planted in open spaces will be monitored and irrigated by the Municipality for the first 4 years of their establishment.

Removal of Trees in Open space, Municipal Premises and other demarcated areas falling within the boundaries of the Municipality

- a). All request of removing a tree must be in writing and must be assessed by the person nominated by Executive Director of Community services, be a horticulturist, under parks and Gardens Division. Preservation of trees is the first priority when the assessment is done.

B). Trees that are healthy and structurally sound must not be removed at any case and for the following reasons:

1. Tree variety is disliked.
2. Tree harboring wildlife such as birds, that causes nuisance in terms of animal dropping, tree litter.
3. The tree is in a way on non- essential crossover or verge of paving option.
4. The tree obscure or potentially blocks pedestrian crossing, and traffic.

The Director Community Services: or nominated representative from Parks and Gardens has delegated powers to authorize the removal of street trees which are:

1. Dead, dying, decaying and prone in infestation beyond saving or not structurally sound to be placed there.
2. Designated as an alien invasive plant, off which must be gazette by the South African Biodiversity regulations in terms of NEMBA.
3. The Director Community services must delegate personnel who will authorize the removal of trees if the trees or tree is obstructing the access of essential services.
4. Residents and Municipal employees are not authorized to remove any tree or fauna from the Municipal Premises unless the Person removing the tree is authorized in writing by the Executive Director.
5. All legislation will be applied to protect the biodiversity and tree species within the premises of the municipality, including street trees located within the household areas.
6. Internal Department within the Municipality must first liaison with the Department of Community Services before attempting to remove any trees in public area, whether there is any construction or fixing electrical cables.

7.1.4 **TREE(S) REQUESTED BY RESIDENTS**

7.1.4.1 Depending on funds and the availability of suitable material, the Ulundi shall annually plant trees along sidewalks in residential areas on condition that owners or occupiers of adjacent properties accept responsibility for their watering. Pruning of trees will be done by the Ulundi Parks Department, if and when required.

7.1.4.2 Residents may apply for trees to be planted in their neighborhood. Applications must be made on a prescribed form.

7.1.4.3 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.

7.1.4.4 Tree planting is generally undertaken during the rainy season from April to August of each year. Planting during warmer summer months is not encouraged.

7.1.4.5 Residents may indicate their preference for tree species to be planted but local circumstances will determine the final choice.

7.1.4.6 On pavements not wide enough to accommodate trees, a tree donation for adjacent private property may be provided at the discretion of the Director: of community services (Parks & gardens division or his/her delegated authority. Trees may be donated on request from schools and community greening projects, according to Ulundi"s policy regarding donations and in accordance with the Local Government: Municipal Finance Management Act, 2003.