

BACKGROUND

Carefully planned and well-managed public trees and vegetation are valuable assets delivering significant long-term benefits to our City. For this policy, the term 'public trees' refers to all trees and vegetation that occur on public managed land. Trees provide a sense of place and local identity, and encourage people to be active outdoors. Trees are critical in maintaining a healthy urban environment as they release oxygen, trap airborne pollutants and absorb carbon dioxide. They improve wellbeing and reduce people's exposure to the sun and harmful radiation. Our City's liveability and amenity is a key factor driving business, development and investment. Other economic benefits include improved asset longevity, reduced energy consumption and costs, and higher residential property values.

Council's public tree assets include a diverse range of trees of different species, ages, size and significance growing within an increasingly urbanised environment. These include both old and new plantings alongside footpaths, street trees on busy highways and quiet suburban streets and lanes, vegetation in our parks and natural areas, remnant locally indigenous trees, individual specimens with heritage or ecological significance, trees and other vegetation growing within our town and city centres, and other public spaces. Trees will play a key role in achieving landscape connections and habitat provision across the City through corridor and street tree planting, and the use of plant species that provide habitat for local wildlife.

While trees play an important role in the urban landscape, it is also recognised that trees of the wrong type, growing in the wrong place, in an unhealthy condition or in conflict with surrounding assets and infrastructure can create unreasonable problems, conflict and risks. Local Government Authorities have certain obligations with respect to the protection of trees, and for any injury and damage caused directly by trees for which they are responsible. Council recognises the necessity and importance of appropriate tree selection and risk controls to effectively manage existing and potential threats to public safety, private property and council assets and infrastructure.

Managing the risks associated with public trees, whilst maximising the benefits that they can provide, requires a robust planning and decision making framework. Council is committed to managing these important assets within the constraints and challenges associated with urban environments and Council's limited resources.

This Policy is consistent with Council's *Urban Greening Strategy 2017-37* and will contribute towards a coordinated approach to managing urban vegetation within the City of Wollongong as a whole.

OBJECTIVE

The objectives of the Public Tree Management Policy are to:

- Grow the City's canopy cover through a targeted, evidence-based tree planting program to harness the economic, social and natural benefits of trees and urban vegetation.
- Prioritise the protection, maintenance and management of the existing public tree assets through a coordinated regulatory, planning, design and maintenance program to deliver a quality, world class urban landscape.
- Improve the ecological function of urban areas by increasing the quality and quantity of tree canopy cover, including increasing the species diversity and improving the age spread of the urban forest.
- Recognise and protect public trees considered significant due to heritage, cultural, social and ecological criteria.
- Increase awareness and understanding of the value of public trees in the urban landscape, and work in partnership with the community, business and agencies to encourage stewardship of the 'urban forest' in its entirety.
- Consult with adjoining residents on proposed tree plantings and consider their input.
- Effectively manage existing and potential threats to public safety, private property and Council assets and infrastructure.

POLICY STATEMENT

Council has a leadership role in protecting, maintaining and enhancing public tree assets as part of the overall 'urban forest'. This means purposefully planning for a greener, shadier city and providing the right trees in the right location.

POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

STATEMENT OF PROCEDURES

The Policy specifically:

- 1 Establishes Council's commitment and future strategic direction for the enhancement, protection, management and maintenance of public trees and vegetation.
- 2 Provides clear policy approaches for all public tree issues.
- 3 Applies to all Council activities undertaken by Council's staff, contractors, consultants, volunteers, the general public and ratepayers.

This Policy is designed to be read in conjunction with a suite of documents and processes, illustrated in Section 7. Processes relating to trees on private land are also included in this section for reference.

The Public Tree Management Policy is divided into the following areas:

1. Tree Protection.
2. Tree Planting and Selection.
3. Tree Replacement, Removal and Pruning.
4. Tree Asset Management.
5. Community Consultation and Engagement.
6. Review.
7. Related Legislation, Documentation and Policies.

1. TREE PROTECTION

Council recognises the social, economic and environmental benefits that well-managed trees provide. Council aims to achieve a quality, world-class urban landscape which balances the impacts of urban development by managing and protecting existing vegetation through a coordinated regulatory, planning, design and maintenance program.

The following policy principles will apply to tree and vegetation protection:

a. Regulatory controls

Council will regulate and assess all applications to prune or remove trees on all land and for all types of new development in the Wollongong local government area in accordance with the *Environment, Planning and Assessment Act 1979*, *Biodiversity Conservation Act 2016*, *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*, Wollongong Local Environmental Plan 2009 (LEP), and Wollongong Development Control Plan 2009 (WDCP). Pruning or removal of public trees will only occur after assessment by Council technical staff to ensure a consistent approach to tree and vegetation protection on Council managed land.

b. Significant Tree Register

Council will develop a Significant Tree Register to recognise those special trees which contribute to the environmental, cultural and social character of the area. Council will prioritise the retention and protection of these significant trees, and will only prune or remove a significant tree under advice by a qualified arborist, and with consideration of existing and potential threats to public safety, private property and Council assets and infrastructure.

c. Development applications

Development applications must address the protection of existing public trees on, and adjacent to, development sites. Development applications will need to demonstrate the potential impacts on existing trees and protection measures required to be implemented to ensure the protection of the trees are maintained throughout the development period. Protection measures will be required to be in accordance with AS4970-2009 *Protection of trees on development sites*.

The removal of public trees to enable private development will be reviewed by a Council qualified arborist with a minimum level AQF level 5, Diploma of Arboriculture, as part of the development assessment process. Replacement tree planting to agreed technical standards as outlined in the Urban Greening Technical Manual and in accordance with any Council offsetting obligations, which include appropriate risk controls where required, will be included as a condition of consent. Additional survey and arboriculture reports will be required by Council where tree or other vegetation items have been identified as having state, regional or local heritage significance or ecological significance.

Council may require payment of bond to protect tree(s) where impact from development is determined to be a potential threat.

d. Development activities, events and infrastructure works

Trees will be protected from construction works and other activities/ events that threaten tree health and stability. The Australian Standard for the *Protection of trees on development sites* AS4970-2009 will be used to achieve consistency in tree protection requirements. Safeguards to protect tree trunks, root systems and soil build up at the tree base must be outlined and implemented through a Review of Environmental Factors (REF) or Statement of Environmental Effects, whichever is applicable. Council will consider technical options to relocate infrastructure away from trees, to reduce the need for excessive canopy pruning, reduce root damage or to increase new opportunities for planting.

Trees subject to construction works and other activities/ events that may impact on the trees health and structure must be subject to a development impact report. A qualified arborist with a minimum level AQF level 5, Diploma of Arboriculture must conduct the assessment and develop the report prior to works being undertaken and detail protection measure required in accordance with AS4970-2009.

e. Overhead powerlines / utilities

Council may pursue measures to relocate infrastructure away from trees, to reduce the need for excessive canopy pruning, reduce root damage, or to increase new opportunities for tree planting where it is practical and feasible. Council recognises the requirement for buffer zones in and around new infrastructure, and will attempt to seek alternative methods to clearing vegetation zones in the first instance. The removal of trees growing in proximity to power lines will only be considered where alternative methods, as defined in the Endeavour Energy Tree Management Plan 2014, are not feasible.

f. Vandalism and unauthorised works

Public trees that have been subject to malicious damage from vandalism or unauthorised works including pruning, poisoning and removal will be investigated. Response measures will be pursued, and enforcement and/or remedial action taken where appropriate in accordance with the *Tree and Vegetation Vandalism Policy 2018*.

g. Management of bushfire risk

Wollongong City Council's Bushfire Management Program manages Council's hazard reduction program in accordance with its Bush Fire Risk Management Plan (BFRMP). The BFRMP is a strategic document that covers both public and private land. It identifies community assets at risk and sets out a five-year program of coordinated multi-agency treatments to reduce the risk of bush fire to the assets. Tree works performed for bush fire hazard reduction purposes will be subject to the Bush Fire Environmental Assessment Code or another suitable form of environmental assessment.

2. TREE PLANTING AND SPECIES SELECTION

Council is committed to strategic and targeted public tree management which, over time, increases canopy cover and provides improved diversity in species and form across priority areas of the Wollongong local government area (LGA). A proactive public planting program will be developed, supported by evidence-based decision making and programming, ensuring "the right tree in the right location". Implementation of a planting program will follow best practice to ensure consistency and excellence in stock quality, installation, and tree species selection criteria and species diversity.

The following policy principles apply to tree planting and species selection:

a. Street and Park Tree Master Plans

Council will develop Street and Park Tree Master Plans to coordinate the design of priority streetscapes, suburbs / precincts and open spaces across the LGA. These comprehensive, living documents will be developed in collaboration with the community, and draw on data collected through the tree inventory project. They will outline the proposed character, design principles, species palette and planting practices for future trees and vegetation in particular locations.

b. Tree selection criteria

A list of species suitable for planting will be developed and be part of the Urban Greening Technical Manual which will include a species selection criteria and matrix, and a species list for the diverse types of suburbs, streets and parks within the Wollongong LGA. The City Centre Public Domain Technical Manual 2017 details a list of species suitable for the City Centre. Council will plant the most appropriate tree species based on compatibility with topography and geology, analysis of individual site conditions and design constraints including sight lines and safety, functional and biological attributes, as well as considering future predicted climate change conditions. This integrated approach ensures that planting carried out on public land is consistent with best environmental practice, helping to preserve and enhance the unique local landscape character of suburbs within the Wollongong LGA and build on local biodiversity.

c. New tree planting

The long term success of urban tree plantings is the end result of a detailed process involving many stakeholders, and requires knowledge of individual site conditions and suitable species. Council will target and prioritise new tree planting opportunities in appropriate locations to maximise canopy cover and deliver ongoing environmental, economic and social benefits through a scheduled tree planting program. The planting of trees within road reserves, public reserves or on verges needs to comply with the objectives of this Policy, and Council will use only quality nursery stock according to the latest best practice and standards. All trees supplied will conform to the Australian Standard for *Tree stock for landscape use* (AS2303). Connectivity between urban and natural areas can be achieved by promoting appropriate local native species and avoiding weedy species across all land types – particularly those spatially identified as biodiversity corridors.

(i) Street and Park Tree Planting

- (ii) The Street and Park Tree Master Plans will guide the planting of street trees within individual suburbs. All new street tree plantings will need to comply with the specifications detailed in the Urban Greening Technical Manual. *Verges*

Council will develop Verge Garden Guidelines which will provide guidelines for verge tree planting and gardens, including edible gardens. Any new planting of street trees or garden verges by residents must be consistent with the Council guidelines taking into account the suitability of species, location of the proposed garden beds with respect to neighbouring properties, pedestrians, traffic and infrastructure, Work Health and Safety of the volunteer and potential future maintenance issues.

(iii) Natural Areas

Bushland corridors are important to our natural areas. Council will endeavour to continue to maintain and create strategic corridors to support biodiversity through implementation of the Illawarra Biodiversity

Strategy and street and park tree planting programs, as well as by seeking private agreement to enhance corridor linkages throughout the Wollongong LGA.

(iv) New subdivisions and developments

Street trees installed as part of new subdivisions and development will reflect the intent of this Policy, and comply with the specifications detailed in the Urban Greening Technical Manual and relevant consent conditions and landscape plans. Particular care must be taken to ensure suitable species are selected where development adjoins natural areas. Prior to issuing an occupancy certificate, Council technical staff must be satisfied that street trees installed are well-established and installed in accordance with conditions of consent.

3. TREE REPLACEMENT AND REMOVAL

Wollongong's public trees are a living asset. As Council works to better understand the condition of all our public trees, they will be managed over time to ensure the benefits they provide are sustained for future generations. Public safety is a priority. Selective tree removal, renewal and replacement will be required to ensure the long term health of individual trees and the urban forest, and their ability to adapt to changing climatic conditions, to support ecological systems and biodiversity, and to renew urban places to meet the changing needs of our community.

The following policy principles apply to public tree replacement and removal:

a. Assessment of trees

To ensure consistency in tree removal or pruning related to the potential for injury to any person or damage to property, Council will assess customer requests in accordance with established criteria and procedures. A qualified arborist will inspect tree(s) and undertake a Visual Tree Assessment (VTA). This is a widely accepted arboricultural methodology for assessment and defect analysis.

b. Tree removal and pruning

Public trees may need to be removed or pruned for emergency purposes, as a result to risk to public safety or private property, as part of a renewal program, or to address conflicts with infrastructure which cannot be resolved through other means. If concerned, the community may contact Council to initiate an inspection of a public tree. Pruning or removal of public trees will only occur after assessment by Council technical staff to ensure a consistent approach to tree and vegetation protection on Council managed land. Notification to the community of tree removal will follow appropriate Council guidelines and policies. All public trees removed by Council will be recorded on a publicly available online and/or on-site register, including the reason for removal.

Unauthorised removal, damage and poisoning of public trees and vegetation are prohibited acts and penalties are in place for breaches.

Council will not consider the following as valid reasons for the removal or pruning of public trees or vegetation:

- (i) shedding of leaves, bark, fruit, flowers, sticks which is part of the normal life cycle of the tree and animal and bird droppings and noise,
- (ii) street lighting (except in circumstances where inadequate street lighting adversely impacts crime prevention and/or public safety such as obscuring pedestrian paths of travel);
- (iii) maintaining, improving or creating of private views;
- (iv) for the sole purpose of enhanced solar access to solar appliances. However Council may consider applications for pruning in accordance with AS4373-2007 Pruning of Amenity Trees. In these situations, Council's assessing officer will determine the amount of pruning permitted to address performance concerns relating to solar appliances.
- (v) improved communication signals; and
- (vi) facilitation of off-street parking or minor lifting of driveways and paths by tree roots.

c. Tree replacement

Council will assess trees proposed for removal on public lands and implement tree removal and replacement programs as required. The Urban Greening Technical Manual will provide the detail on a tree replacement methodology and associated compensatory planting rates. This replacement mechanism is necessary to ensure that tree canopy loss is compensated wherever possible by appropriate, planned replacement plantings.

d. Management of trees and vegetation for public benefit

Trees play a vital role in enhancing the liveability, amenity and performance of our Council area for the whole community. They serve important environmental services and provide habitat for wildlife. As noted in Section 3.b of this Policy, trees and vegetation will not be pruned or removed for the sole purpose of maintaining or creating views for private benefit. However, Council acknowledges that views for public benefit are a consideration in the management of urban trees and vegetation. Council has managed vegetation for views for public benefit at key vantage points such as lookouts. Areas of identified public view benefit will be continued to be monitored and managed.

Species selection, pruning and maintenance of key public vantage points will be undertaken in accordance with relevant Plans of Management and Vegetation Management Plans.

4. TREE ASSET MANAGEMENT

Council recognises that trees are valuable assets, requiring specialised care and management to ensure the health, integrity and diversity of the public 'urban forest'. Council bears the risk, responsibility and cost of caring for public tree assets on behalf of the community, and they will be managed with financial rigor and commitment. Council will collect and use high quality asset data to inform decision making. Tree data will link to Council's asset register, and can be used to inform budget and resourcing requirements for an ongoing public tree management program.

a. Street Tree Inventory and Tree Asset Management

Council will utilise an asset based approach to managing public trees to ensure financial rigour and to evaluate longer term levels of service. A Street Tree Inventory will be developed by qualified arborists to yield information required to make decisions that ensure appropriate tree species are planted in the right places, and there is a plan for public tree maintenance, pruning, removal and replacement over time.

b. Tree maintenance

Council will develop and implement an on-going, scheduled program of public tree maintenance, including a new tree maintenance program that identifies how Council will establish and manage new trees and their requirements. This will ensure that best practice tree management is applied across all streets and trees, and will be directly supported by Urban Greening Technical Manual.

c. Risk management

Council will move towards a proactive public tree management program which will manage tree risk management issues. This includes using the Tree Asset Management System to record and limit risk management issues. Council has a legal duty of care to prevent ongoing and/or potential injury or damage being suffered by other parties. This duty of care applies to current threats and future threats and relates to injury or damage which can be reasonably expected to continue where the tree owner is already aware of the risk. Tree risk management issues can include but are not limited to falling limbs, root intrusion, displacement of assets and infrastructure, and encroachment on pedestrian paths of travel. Council will determine if a tree presents an unacceptable risk of future injury, or damage to private property and whether appropriate risk mitigation controls as part of a tree management plan are available in order to reduce that risk to an acceptable level.

d. Pest and diseases

Pest and disease issues will be monitored and treated using best practice control techniques, and will be directly linked to the tree maintenance program.

e. Emergency situations

Risks to public safety and property will take priority in public tree pruning and removal decisions in emergency situations.

f. Tree information systems

Council will keep abreast of new technology in the field of arboriculture and urban forestry and incorporate technical tools into management and maintenance techniques where appropriate.

5. COMMUNITY CONSULTATION AND ENGAGEMENT

Council values our community's opinion and will undertake appropriate levels of collaboration, consultation and communication about public tree management and the urban forest. Council aims to engage the community, business, agencies and private landholders to inspire stewardship and partnership in the care and growth of the urban forest within the LGA. Genuine engagement ensures the community is actively involved in planning for public green spaces, the awareness about the value of the urban forest is increased and that there are opportunities for the community to actively participate in urban greening.

The following principles apply to community engagement and consultation:

a. Facilitating community awareness and appreciation of the benefit of trees

Council will continue to provide strong leadership and to guide a participatory approach to community engagement in regards to urban greening and public tree management. Council will develop programs to expand community knowledge, skills and opportunities to actively engage in programs to enhance urban greening.

Council aims to inspire community participation, flexibility in delivery of programs, adaptive learning, transparency in process and opportunities for reflection and celebration of milestones. Council will continue to provide a broad range of community programs with opportunities for involvement in tree planting and broader environmental and social sustainability. This includes the continual growth and support of community groups working in our natural areas, along with support for appropriate verge plantings, school and community gardens.

b. Street and park tree selection and management

Council will promote awareness in the community of these Policy objectives and the need for a consistent approach to selection and management of trees, involving the community in planning wherever possible.

Any tree planted in streets or parks and reserves, by Council or volunteer organisations must consider the location of that tree, the impact of that tree when mature on the view lines of adjacent residents. Those residents likely to be adversely impacted by the tree planting must be consulted and their opinion taken into consideration before a tree is positioned or planted.

c. Managing change: Tree planting and renewal programs

Tree removal, replacement and planting programs involve considerable change for a community, and Council will develop Street and Park Tree Master Plans in collaboration with the local community. Whilst it may not be possible for Council to consult on every public tree removal or planting, Council will clearly articulate the issues and the rationale for tree removal/replacement programs.

Council will provide strong leadership whilst ensuring flexibility, transparency and opportunities for community response and engagement. This process aims to build a capacity for change through broader ownership of the actions, decisions and shared responsibility.

d. Resident requests

Council will develop a street tree planting program and consider and assess resident requests for tree planting in streets, parks and open spaces in regards to whether the plant is suitable for the site. Any planting undertaken will be in accordance with Street and Park Tree Master Plans, Vegetation Management Plans or other relevant Council documentation.

6. REVIEW

Council is to have opportunity to review and adopt, at least once during its Term. Review of this Policy will align with the implementation of identified priority actions in Council's Urban Greening Strategy 2017-37.

7. RELATED LEGISLATION, DOCUMENTATION AND POLICIES

Related legislation:

Wollongong Local Environmental Plan 2009
Wollongong Development Control Plan 2009
Local Government Act 1993
Environment Planning and Assessment Act 1979
Biodiversity Conservation Act 2016
Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth)
Biosecurity Act 2015
Fisheries Management Act 1994
Crown Land Management Act 2016
State Emergency and Rescue Management Act 1989
National Parks and Wildlife Act 1974
Heritage Act 1977
Rural Fires Act 1997
Roads Act 1993
Electricity Supply Act 1995
Relevant SEPPs (eg., Vegetation SEPP in Non-Rural Areas, SEPP Infrastructure, Coastal Management SEPP ,)
Civil Liability Act 2002
10/50 Vegetation Clearing Code of Practice for New South Wales

Existing related documents and policies:

Wollongong City Council Tree Management Policy (2013) – allows for a proper assessment to be made of the environmental importance and viability of trees on private land before they are pruned, removed, or wilfully damaged in any way.
Tree and Vegetation Vandalism Policy 2018
Wollongong City Council City Centre Public Domain Technical Manual 2017
Wollongong City Council Civil Works Notification Policy 2014
Bush Fire Risk Management Plan 2015-2020 (Prepared by the Illawarra District Bush Fire Management Committee)
Bush Fire Environmental Assessment Code (Rural Fire Service 2006)
Australian Standard for Pruning of Amenity Trees (AS4373)
Australian Standard for Protection of trees on development sites (AS4970)
Australian Standard for Tree stock for landscape use (AS2303)
Endeavour Energy Tree Management Plan 2014

Proposed new documents or processes referred to in this policy:

The following documents and processes have been identified as necessary to support this Policy, and are short term priority actions in the *Urban Greening Strategy 2017-37*. Several are included as funded items in the *Urban Greening Strategy Implementation Plan 2017-21*:

- Significant Tree Register.
- Urban Greening Technical Manual (includes species palettes, verge garden guidelines and specifications for planting, maintenance, pruning, risk assessment, removal, protection, infrastructure conflict management, site selection and ground preparation).
- Street and Park Tree Master Plans.
- Tree Asset Management System.
- Street Tree Inventory.

SUMMARY SHEET

Responsible Division	Environmental Strategy and Planning
Date adopted by Council	23 July 2018
Date of previous adoptions	23 July 2018
Date of next review	March 2020
Responsible Manager	Manager Environmental Strategy and Planning
Authorised by	Director Planning and Environment