

Section 1 Tree Management Control Plan

Purpose of the Control Plan	Wollongong City Development Control Plan 2009 allows proper assessment to be made of the environmental importance and viability of trees before they are pruned, removed or damaged in any way.
Terms of Control Plan	<p>This Control Plan prohibits the ringbarking, cutting down, topping, lopping, removing, injuring or destruction of any tree except with the prior written consent of Council.</p> <p>Any person acting on a permit issued under this Control Plan must comply with all conditions of that permit.</p> <p>Any person who contravenes, or causes or permits the contravention of this Control Plan is guilty of an offence under the Environmental Planning and Assessment Act 1979.</p>

Section 2 Affected Trees

Tree Requirements	<p>Subject to the exemptions set out in Section 3, the Control Plan applies to any tree that:</p> <ul style="list-style-type: none"> • is 3 metres or more in height, • has a diameter of 200 mm or more at a height of 1 metre from the ground, or • has a branch spread of 3 metres or more
Note	<p>A dead or dying tree is still subject to the Tree Management Control Plan.</p> <p>Pruning of major structural or anchor roots is also subject to the Tree Management Control Plan.</p>

Section 3 Exempt Trees

Exemptions	<p>Unless listed in Wollongong Local Environmental Plan 2009 as a heritage item, growing within the curtilage of a heritage item or within a heritage conservation area, the following trees are exempt from the provisions of the Control Plan.</p> <ul style="list-style-type: none"> • any commercial or domestic fruit tree; • any declared noxious weed; or • any of the following species <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;">Botanical Name</th> <th style="text-align: left;">Common Name</th> </tr> </thead> <tbody> <tr><td>Cinnamomum camphora</td><td>Camphor Laurel</td></tr> <tr><td>Cotoneaster species</td><td>Cotoneaster</td></tr> <tr><td>Cupressus macrocarpa "Brunniana"</td><td>Golden Cypress</td></tr> <tr><td>Erythrina x sykesii</td><td>Coral tree</td></tr> <tr><td>Ficus elastica 'Decora' and hybrids</td><td>Ornamental Rubber Tree</td></tr> <tr><td>Grevillea robusta</td><td>Silky Oak</td></tr> <tr><td>Harpephyllum caffrum</td><td>Kaffir Plum</td></tr> <tr><td>Laganuria pattersonii</td><td>Itchy Pod Tree</td></tr> <tr><td>Ligustrum lucidum</td><td>Large Leafed Privet</td></tr> <tr><td>Liquidambar styraciflua</td><td>Liquidambar</td></tr> <tr><td>Nerium oleander</td><td>Oleander</td></tr> <tr><td>Olea Africana</td><td>African Olive</td></tr> <tr><td>Phoenix canariensis</td><td>Canary Island Date Palm</td></tr> <tr><td>Pinus radiata</td><td>Radiata Pine</td></tr> <tr><td>Populus species</td><td>Poplar</td></tr> <tr><td>Salix species</td><td>Willow</td></tr> <tr><td>Schefflera actinophylla</td><td>Umbrella Tree</td></tr> <tr><td>Syagrus romanzoffiana</td><td>Cocos Palm</td></tr> <tr><td>Robina pseudoacacia</td><td>Black Locust/False Acacia</td></tr> <tr><td>Schilus areira</td><td>Pepper Tree/Peppercorn</td></tr> <tr><td>Alnus spp</td><td>Alders</td></tr> <tr><td>Acer negundo</td><td>Box Elder</td></tr> </tbody> </table>	Botanical Name	Common Name	Cinnamomum camphora	Camphor Laurel	Cotoneaster species	Cotoneaster	Cupressus macrocarpa "Brunniana"	Golden Cypress	Erythrina x sykesii	Coral tree	Ficus elastica 'Decora' and hybrids	Ornamental Rubber Tree	Grevillea robusta	Silky Oak	Harpephyllum caffrum	Kaffir Plum	Laganuria pattersonii	Itchy Pod Tree	Ligustrum lucidum	Large Leafed Privet	Liquidambar styraciflua	Liquidambar	Nerium oleander	Oleander	Olea Africana	African Olive	Phoenix canariensis	Canary Island Date Palm	Pinus radiata	Radiata Pine	Populus species	Poplar	Salix species	Willow	Schefflera actinophylla	Umbrella Tree	Syagrus romanzoffiana	Cocos Palm	Robina pseudoacacia	Black Locust/False Acacia	Schilus areira	Pepper Tree/Peppercorn	Alnus spp	Alders	Acer negundo	Box Elder
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Section 3 (Cont'd) Exempt Trees

<p>Other Exemptions</p>	<p>Neither a Tree Management Permit or Development Consent is required for the ringbarking, cutting down, topping, lopping, pruning, removal, injure or wilful destruction of any tree or other vegetation in the following situations:</p> <ul style="list-style-type: none"> (a) The clearing of native vegetation that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, as administered by the relevant Catchment Management Authority. (b) The clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause. (c) Where a prescribed tree has been approved for removal or management under a previous development consent (ie, where such vegetation is within the building envelope or the surrounding curtilage of the building envelope). (d) Where a prescribed tree is included in Council’s Exempt Tree Species List in Appendix 1 to this chapter (excluding trees within the curtilage of the heritage item or heritage conservation area). (e) Where bushfire hazard reduction work is undertaken, authorised by the NSW Rural Fire Service under the <i>Rural Fires Act 1997</i>. (f) Where action is required or authorised to be done by or under the <i>Electricity Supply Act, 1995</i>, the <i>Roads Act 1993</i> or the <i>Surveying Act 1993</i>. (g) Where a prescribed tree is identified as a noxious weed under the <i>Noxious Weeds Act 1993</i> or any management plan published by the Illawarra District Noxious Weeds Authority. (h) Where a prescribed tree is identified as an environmental weed. (i) Where a prescribed tree is located within a State Forest or on land reserved for sale as a timber forest reserve under the <i>Forestry Act 1916</i>. (j) Where a prescribed tree within an approved plantation meeting the criteria of the <i>Timber Plantations (Harvest Guarantee) Act 1995</i>. (k) Where action is carried out by Council, State Emergency Service, Rural Fire Service, or another infrastructure authority/emergency service authority in response to an emergency (ie, where there is an immediate threat of injury to persons or damage to property) [a maximum of 5 trees only may be removed at any one time under this exemption clause, to avoid adverse effects of possible land clearing activities]. (l) Any works to make safe a prescribed tree where there is an immediate threat of injury to persons or damage to property, either during or within 48 hours following a severe weather event [a maximum of 5 trees only may be removed at any one time under this exemption clause, to avoid adverse effects of possible land clearing activities]. (m) Where the subject tree has been grown specifically for its edible fruit. (n) Where the works are undertaken by Council or a contractor acting on behalf of Council on Council owned or controlled land, including but not limited to lands within a sportsground, park, reserve, road reserve, riparian corridor. <p>Note: A Tree Management Application or Development Application must be lodged with Council for the removal or further pruning of a tree within 72 hours from the date of the emergency pruning works for any tree upon private land.</p>
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Section 4 Enquiries and Applications

<p>Enquiries</p>	<p>Enquiries concerning this Control Plan may be made personally at:</p> <p>Wollongong City Council Customer Service, Ground Floor Council Administration Building 41 Burelli Street Wollongong NSW 2500</p> <p>Ph: (02) 4227 7111</p>
<p>Applications</p>	<p>Applications for a permit under this Control Plan must be made in the form approved by Council, contain the information required and be accompanied by the application fee specified in the form.</p> <p>Application forms and application fee information are available from the Customer Service Centre, Ground Floor, Wollongong City Council.</p>

Disclaimers

This Fact Sheet was believed to be correct at the date of its publication.

This Fact Sheet is for general information purposes only and should not be relied upon for legal advice.