TREE MANAGEMENT
COUNCIL POLICY

ADOPTED BY COUNCIL: 3 APRIL 2023

PURPOSE

The purpose of this policy is to guide Wollongong City Council's ongoing commitment to the planting, protection, and management of the urban forest.

This policy supports Council's tree management goals set out in the Urban Greening Strategy 2017-37 and provides a consistent approach to managing public and privately-owned trees.

POLICY INTENT

The main objectives of this policy are to:

- Increase tree canopy cover in urban areas using effective tree management practices.
- Engage the community to plant, value and protect trees in Wollongong using a customer focussed approach
- Support greening, environmental and place-making objectives set out in the Urban Greening Strategy 2017-37 and the Our Wollongong Our Future 2032 Community Strategic Plan
- Establish clear and consistent guidelines for the management of public and privately owned trees, including tree risk management
- Enable and enforce controls which limit tree canopy loss, consistent with Council's Compliance and Enforcement Policy 2022.
- Increase community participation in greening activities, reduce the amount of tree vandalism and grow community stewardship of trees on public and private land.
- Embed a community consultation approach for view management which mitigates the impact on residents and maximises benefits for the community.

WOLLONGONG 2032 OBJECTIVES

Our Wollongong Our Future 2032 outlines the community's main priorities for the future and includes strategies for achieving them. This policy specifically delivers on the following:

Community Strategic Plan	Delivery Program 2022 – 2026
Goal	Actions
Goal 1: We Value and Protect our Environment.	1.1 The community is actively involved in the expansion, improvement and preservation of our waterways, green corridors and other natural areas connecting the escarpment to the sea. 1.2 Manage and effectively improve the cleanliness, health, biodiversity of land and water including creeks, lakes, waterways and oceans. 1.3 Increase our resilience to natural disasters and a changing climate to protect life, property, and the environment.
Goal 5: We have a healthy community in a liveable city.	5.2 Urban areas are created and maintained to provide a healthy and safe living environment for our community.

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	5.4 Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community.
	5.7 Provide an appropriate range of active and passive open spaces and facilities to cater for traditional and emerging recreational pursuits.

POLICY

1. Where does the tree management policy apply?

This Policy applies to trees on public and private land across the Wollongong City Council Local Government Area.

Tree management controls on private land and the issue of Tree Permits through the Tree Permit Procedure are enabled by the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* and provisions in the Wollongong Development Control Plan.

2. Council's tree management approach – minimum intervention, maximum benefits

Trees are a vital ingredient for quality living conditions around our homes, commercial places, and our shared open spaces. Trees provide us with significant benefits (see our Greening your suburb page) which are most abundant when trees are large and mature. Larger trees provide the most benefits which makes them valuable to us and worthy of careful species selection, location planning and protection. All trees in the Wollongong Local Government Area make up our urban forest and contribute to an enhanced quality of life for the community.

Wollongong has an average canopy cover of 17% in the places where people live. It's easy to see the forested escarpment overlooking our city and think we have enough trees. Most of the benefits trees provide can't be realised at a distance like shade, cooling, air quality and local amenity. It's important to grow tree canopy in the town centres and suburbs to ensure these benefits are realised by everyone.

More than 50% of trees in Wollongong's urban forest are mature and delivering maximum benefits right now. As these trees age and decline the pool of benefits they provide for the community will diminish. To ensure the community realises tree benefits for years to come, these trees will need to be replaced with new tree plantings. This policy requires that trees removed from the urban forest are replaced with one or more trees to retain and grow canopy.

The best trees in the urban forest are often the ones we leave alone but this is rarely appropriate or realistic in the urban setting. Tree management is often about choosing the least-worst option to minimise the impact on the tree and action a specific safety, conflict or nuisance issue for the community. Taking this approach is why we protect trees first and exhaust all management options (least worst to worst) before considering tree removal. Tree removal will always be considered as the last resort when no other intervention will deliver an appropriate outcome for the community.

To get the maximum benefit from our trees, they will require some management throughout their lifetimes to ensure trees improve (and not degrade) the places where we live, work and play. The right tree in the right place with the right management inputs at the right time will realise its maximum benefit to the community.

To achieve maximum benefits from our urban forest, management practices described in this policy need to:

- be consistently applied to all trees to ensure a quality urban forest for everyone in Wollongong.
- adhere to best practise established in urban forestry (the discipline of managing all the trees in a defined urban area like a Local Government Area) and arboriculture, technical guidelines, and Australian Standards.
- be applied to the right tree in the right place - recognising that the wrong tree in the wrong place can create unreasonable problems, conflict, and risk.

- be the minimum intervention required to mitigate a conflict, nuisance or risk and minimise any negative impact on the tree over time
- be delivered within timeframes which consider the level of risk to people and substantial property and by suitably qualified Council staff
- provide means for the community to carry out some routine tree maintenance on private property of the sort which keeps trees and infrastructure in good condition.
- satisfy the greening expectations and aspirations of the Wollongong community and encourages people to plant trees.

To ensure the urban forest continues to grow and provide benefits to the community, trees within it require protection. Preventing loss of larger canopy trees is addressed through the Tree Permit process and Council tree maintenance programs.

Council is committed to protecting trees on public and private land using multiple approaches, including but not limited to, community engagement programs and compliance and enforcement measures.

3.   Policy Statement

- **Tree Pruning and Removal**

For the purposes of this policy, a prescribed tree is defined ***on privately-owned land*** as follows:

- 5 metres in height or greater; or
- Trunk diameter of 30cm or greater (measured at ground level).

This section should be read in conjunction with Chapter E17: Management of Trees and Vegetation of the Wollongong Development Control Plan 2009.

Two processes have been established to deal with the assessment and approval for tree pruning/removal on **private land:**

- Tree Management Permit (generally for individual/small scale tree removal and pruning in urban areas).
- Development consent via either Complying Development or Development application (for the removal or pruning of trees on a site that is subject of a proposed development). Refer to Chapter E17: Management of Trees and Vegetation of the Wollongong Development Control Plan 2009.

One process applies on **public land** for tree pruning/removal:

- a Tree Assessment (VTA) is the minimum assessment undertaken by qualified Arborist to determine management actions including pruning or removal of trees.

All trees removed on public land are listed on Council's website and detail the reason for removal.

- **Reasons for tree removal**

The reasons for the removal of trees must meet one of the following criteria:

Land to which criteria applies:	Reason:
Public and Private Land	Emergency tree works
Public and Private Land	Mitigate a risk to people or substantial property
Public and Private Land	Dead or dying tree
Public and Private Land	Unavoidable conflict between the tree and infrastructure
Public Land Only	Asset renewal program

Land to which criteria applies:	Reason:
Private Land Only	Exempt tree species
Public and Private Land	Unsuitable species in location

A Tree Permit is generally required to remove a tree on private land and the property owner should check before commencing any works on the tree.

Public trees are assessed by qualified Arborists via our customer request process.

- **Non-Actionable reasons for tree removal**

Functions which are part of the normal biological cycle of trees are not actionable reasons for tree removal. These include shedding of leaves, bark, flowers, fruit, foraging insects, birds, bats, and small sticks.

Overhanging limbs and other nuisance issues will be assessed through the Tree Permit process on private property or the Customer Request process if the tree is on public land.

The pruning or removal of trees on private property to improve or create private views will not be approved. The management of public views is assessed and actioned on a site-specific basis.

Unsubstantiated claims about conflicts with infrastructure will be followed up with requests for evidence. The onus is on the property owner to demonstrate (by providing evidence) that a public tree is causing damage to substantial private property. Property owners are also expected to provide evidence to support claims about substantial property being negatively impacted by a privately owned tree.

- **Tree Risk Management**

Council manages trees to minimise the risk to our community. Council's tree assessment process uses the internationally recognised tree risk assessment framework – Visual Tree Assessment (Mattheck and Breloar, (1994)). Tree management actions are informed by evidence-based decision making and determined by expert arborists. Council's arborists have the experience and qualifications to perform the required tree inspection or risk assessment to accepted industry standards and best practise.

Council will manage trees to achieve a level of risk that is As Low As Reasonably Practicable (ALARP). Council will maintain electronic records of evidence collected and management actions which relate to risk management of trees.

Risks are identified, prioritised, and actioned in consideration of Council's risk management framework and available operational resources.

- **Tree Maintenance**

Trees require maintenance throughout their lifetime so that people will realise the benefits trees provide and to maximise trees useful life expectancy. Council maintains public trees to ensure they deliver the maximum benefit to the community throughout their lifetime.

Council will continue to record tree attributes in the electronic tree inventory, prioritise tree works using a risk-management approach and implement a proactive tree maintenance program across the city.

Council will not consent to tree pruning for the sole purpose of improving solar access.

The community is encouraged to do some limited tree maintenance on private property (Trees on your property - customer guide) to maintain tree canopy in the urban forest. Council supports the use of qualified arborists to maintain trees on private property.

- **Tree Replacement**

Council's Urban Greening Strategy and Climate Change Adaptation/Mitigation Plans are drivers behind Council programs which are realising thousands of new trees being planted and established in our urban forest. A sustained tree planting effort over years, timely maintenance and ongoing protection will ensure that trees provide benefits for us that will increase significantly as they grow and mature.

Employing tree management practices that are proactive ensures the longest possible yield of benefits (Useful Tree Life). Trees selected for planting should be the largest tree species which are compatible with the growing space and surrounding infrastructure.

Tree replacement for trees removed on private land is mandatory and consistent with the replacement practice on public land. As part of the tree permit process, customers will receive a voucher for a replacement tree from Council's Greenplan Nursery. In circumstances where a tree can't be replaced on privately-owned property, An additional fee is payable as part of the tree permit application and will be used to fund tree planting on public land where the tree can be maintained throughout its life by Council.

- **Tree Planting**

Tree planting is a continuous process to ensure an even distribution of tree age over time, which will deliver a resilient urban forest and build canopy cover towards the 35% target by 2046. Council will work to a minimum 2 x new trees for every 1x tree removed on public land and will develop tree planting programs that work toward increasing this ratio to the desired 8 x new trees for every 1 x tree removed.

Species selections are made following the right tree / right place principle and we aim to use a majority species palette of Australian Native with a preference for Local Native species to create forest connectivity and biodiversity outcomes.

Council will also continue to plant exotic species in certain situations that meet the right tree / right place approach and contribute to species diversification creating a more resilient Urban Forest.

Council planting programs are designed to grow canopy and provide the maximum benefits to the community. Objectives of tree planting include optimising canopy cover, activating spaces, increasing active transport, providing shade / heat mitigation, and increasing public amenity.

Council will assess the broader community benefit of tree planting programs against the impacts tree planting may have on views. Tree planting in public spaces provides shade benefit to many, and whilst effort will be made to reduce any impact on private views through a view assessment process, Council's focus is delivering tree canopy to benefit the wider community.

The communities need for trees and the benefits they provide will be given the primary consideration, with a risk-based approach to view management ensuring that private property owners are duly considered.

- **Trees on public land and Views**

Council has developed a risk-based approach to view management. A View Assessment will determine the impacts on views from public tree planting projects.

Council will determine the community benefit that tree planting in public reserves will provide to the broader community and assess this against the potential impact tree planting will have on surrounding views.

Impacts on views will be determined using a digital-twin model of the location and surrounding properties. The digital-twin environment will enable investigation of the impacts of planting trees based on the proposed landscape plan.

The view assessment will determine the impact of tree planting and their predicted size at time of planting (0 years), after 10 years of growth (10 years) and at their mature size (40 years).

Using these model trees, sightlines from 3D models of surrounding residential properties will be investigated to determine the immediate, mid, and long-term impact on surrounding views.

If the impact of the proposed tree planting is severe, the impact can be reduced using controls including:

- Changing the spacing of the trees.
- Changing the number of trees.
- Substituting tree species.
- Changing the position of trees.

Using this assessment process, Council can determine the best layout for the tree planting which delivers benefits to the community and minimises view impact on surrounding properties.

Once the planting plan has been developed, Council will consult with the community as per the existing notification and consultation processes.

This process will only apply to tree planting proposal on public land.

- **Trees and Powerlines**

Council owns trees on public land and consent is required to work on a Council tree.

Electricity Network Providers operate under the Electricity Supply Act 1995 and do not require Council consent to prune Council trees or remove trees presenting a hazardous threat to the power network.

Utility Energy Providers provide public notification of upcoming planned maintenance pruning and publish pruning standards and clearance zones around powerlines – separate to this policy.

Council will continue to plant new trees within the network using the right tree / right place methodology and a risk-based approach. A small tree guide has been developed for this purpose to ensure species do not grow into the powerline clearance zone, while smaller trees deliver less benefits, they will still provide greening benefits for the community.

Council will continue to work with the Electricity Network Provider to improve the management of trees within the power network including pruning practices. Where possible, Council's preference is to ask Electricity Network Provider to relocate infrastructure away from trees, or to undertake Aerial Bundled Cabling, the process where powerlines are bundled into a single line and insulated the result is a significantly reduced powerline clearance zone for tree pruning.

- **Tree and Vegetation Vandalism**

Council will respond firmly to unlawful acts of tree vandalism.

Council recognises:

- the value of trees for our community now and into the future.
- Acts of tree vandalism rob the community of benefits both immediate and unrealised.

Council has response procedures in place to address tree vandalism proactively and reactively. Council will use a range of methods to prevent, minimise and discourage vandalism to public trees.

In high profile foreshore parks and reserves, new trees will also have discreet signage placed onto tree guards that highlight how Council will respond to act of vandalism.

Incident Impact	Response process	Additional measures
Low	Education, Warning, Formal Caution or Issue a fine.	Proactive signage about the value of trees, replacement of damaged trees, Respond to customer request with the outcome.
Medium	Issue notice of intent to serve an order, Voluntary undertaking to remedy the damage (including replacement planting), Issue a fine.	Proactive signage about the value of trees, Limited community engagement and Community Response signage, Respond to customer request with the outcome.
High	Commence legal proceedings for court action, Issue a fine.	Councillor and community consultation, Media and social media campaigns, tree stencil installs, shipping container installs - where vandalism is view-driven, Community response signage.

Warnings, cautions, the installation of CCTV and educational responses will be delivered at Council's discretion depending on circumstances surrounding the incident.

Council will pursue enforcement actions consistent with the *Compliance and Enforcement Policy 2022*.

Where sufficient evidence is available, council will consider legal options from the issuing Penalty Infringement Notices up to prosecution in the Land & Environment Court depending on the significance of the damage caused by act of vandalism

- **Vegetation Management in Natural Environments**

Management of vegetation in natural environments will often require additional protections and permissions for tree management activities – including a Tree Permit, always check with Council prior to undertaking any work in natural areas.

4. Policy framework

The Tree Management Council Policy is consistent with Council's Corporate Policy Framework.

LEGISLATIVE REQUIREMENTS

The following regulatory instruments are relevant to this Policy:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *Wollongong Local Environment Plan 2009*
- *Wollongong Development Control – Chapter E17 Vegetation, Chapter E18 Biodiversity*
- *Compliance and Enforcement Policy 2022*
- *Local Government Act 1993*
- *Environmental 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*
- *Civil Liability Act 2002*
- *10/50 Vegetation Clearing Code of Practice for New South Wales*
- *Coastal Management Act 2016*
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (Chapter 2: Coastal Management)*

REVIEW

This Policy will be reviewed every two years from the date of each adoption of the policy, or more frequently as required.

REPORTING

No external reporting is required under this policy.

ROLES AND RESPONSIBILITIES

Manager Open Space and Environmental Services is responsible for reviewing and updating the Policy.

Parks and Open Spaces Manager is responsible for:

- Overseeing tree planting, tree assessments, and maintenance of the urban forest
- Maintaining the tree inventory
- Responding to requests from the community

Environment and Conservation Manager is responsible for overseeing the assessment and administration of the tree permits and tree replacements on private land.**Manager Regulation & Enforcement** is responsible for determining the appropriate compliance action.

REFERENCES

Mattheck C, Breloer H (1994) 'Field Guide for Visual Tree Assessment (VTA)', Arboricultural Journal, 18: 1-23

RELATED PROCEDURES

- Managing Trees in Wollongong – A Customer Guide
- Public Tree Management Procedure
- Tree Permit Procedure
- Tree Assessment Procedure
- Tree Replacement Procedure
- Tree Vandalism Procedure
- View Assessment Procedure

APPROVAL AND REVIEW	
Responsible Division	Open Space and Environmental Services (Infrastructure + Works)
Date adopted by Council	3 April 2023 (in force 1 July 2023)
Date/s of previous adoptions	NA
Date of next review	April 2024