

TREE POLICY (Trees On Council Land)

(COUNCIL POLICY)

1. INTRODUCTION

Clarence City Council values trees for their social, environmental, and economic benefits.

Trees benefit the physical and mental health and wellbeing of our communities. Trees provide shaded comfortable spaces to socialise, they cool the city, filter air and water, and store carbon for an environmentally sustainable future.

Trees shade buildings, which reduces energy costs and makes places more attractive and comfortable which increases land values for an economically viable city.

Council will plant and manage trees on council land to grow an urban forest network, for a sustainable and liveable city.

2. PURPOSE

The purpose of this policy is to:

- facilitate the development of strategic documents related to tree management and tree planning on council land
- guide the planting and growing of an urban forest network on council land within urban areas of the City
- reduce the incidence of tree/vegetation vandalism by establishing and promoting timely protective, investigative and response actions, and
- reduce the incidence of removal of healthy trees by establishing clear guidelines outlining the criteria under which consideration will be given to tree removal.

3. SCOPE

This policy applies to trees on existing and future council land including proposed new residential and commercial developments.

This policy does not apply to trees on private or Crown land unless subject to Planning Scheme requirements or other legislative or regulatory requirements.

4. DEFINITIONS

The following definitions apply to this policy:

Arborist	Means a person professionally qualified in the practice of the cultivation, management and scientific study of trees.
Council	Means the Clarence City Council.
Council works zone	Means where council or a contractor engaged by council is undertaking works on community infrastructure (i.e. in streets, parks or community facilities).
Council land	Means all publicly owned spaces including parks, gardens, reserves, beaches, foreshores, sports and recreation grounds and playgrounds, streets, laneways, forecourts, squares and borrowed landscapes within existing and new residential and commercial developments.
Exceptional circumstance	Means: ▪ a tree that is the subject of a claim against council with a high-risk assessment indicating that it (in whole or in part) is causing or is threatening to cause injury to people or substantial damage to property, and ▪ where council makes a decision at a council meeting.
Hazardous tree	Means a tree with recognisable features that impact on its structural integrity and elevate the potential for failure of branches, trunks or roots and likely injure people or property. Some of the more common features are extensive decay, bark inclusion at forks and poor branch attachment, poor root development or damage and significant tree decline.
Planning Scheme	Means the Clarence Interim Planning Scheme 2015 or any successor to that scheme.

Precinct Planting Plans	Means specific tree planting plans for local neighbourhoods that provide implementation tools for the Urban Forest Strategy.
Tree	A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground. Reference: <i>Oxford English Dictionary</i>, 2020, Oxford University Press, UK.
Urban forest	The urban forest is the art, science and technology of managing trees in and around urban community ecosystems for the physiological, sociological, economic and aesthetic benefits trees provide society. Reference: Helms, 1998, <i>Dictionary of Forestry</i> quoted in JC Schwab (Ed) 2009 <i>Planning the Urban Forest</i>
Vandalism	Means the unlawful damage, pruning or removal of trees or significant vegetation on council land.

5. POLICY STATEMENT

This policy provides a framework for council to manage trees on council land and provides a guideline for how council will respond to community requests relating to tree management.

6. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following strategies are identified in Council's Strategic Plan 2021 – 2031:

- **A people friendly city – Liveability**
Enhancing the liveability of activity centres, community hubs and villages through urban design projects.
- **A well-planned liveable city – Land use planning and urban design**
Enhancing natural and built amenities to create vibrant, accessible activity centres and community hubs through quality urban design.

Ensuring neighbourhoods have pleasant streetscapes and access to recreational spaces and appropriate neighbourhood facilities.

Applying land use techniques to identify and protect important natural values within the city.

- **An environmentally responsible city**

Protecting natural assets within council-managed land through the development and review of strategies in relation to bushfire, weed, land and coastal management.

7. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give context to this policy:

LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- *Local Government Act 1993*
- Clarence Interim Planning Scheme 2015
- AS 4373-2007 Pruning of Amenity Trees
- AS 4970-2009 Protection of Tree on Development Sites
- *Neighbourhood Disputes About Plants Act 2017*
- Clarence City Council Public Places By-Law 2018

COUNCIL POLICY, PLANS, PROCEDURES AND GUIDELINES

- Clarence City Council Strategic Plan 2021 - 2031
- Clarence City Council Open Space Policy 2013
- Clarence City Council Managing Trees on Council Land Procedure 2021

8. POLICY REQUIREMENTS

Council will achieve the policy purpose through the implementation of identified management practices and development of an Urban Forest Strategy and associated Precinct Planting Plans to guide the growing of an urban forest.

TREE MAINTENANCE PROGRAM

All tree maintenance works will be undertaken by an arborist, or other suitably qualified person. The tree maintenance program will manage tree assets on council land to best practice arboriculture standards and in accordance with relevant plans relating to vegetation management.

RISK MANAGEMENT

Trees will be maintained to best practice arboriculture standards by assessing, monitoring and mitigating identified risks. Where a member of the public notifies council about a potentially unsafe tree/s, the matter will be investigated and assessed by an independent arborist with a report provided to identify each risk and mitigating actions.

TREE PRUNING PRIORITIES

Tree pruning priorities will be based on mitigating risk and best practice arboriculture standards.

Pruning priorities include:

- Childcare centres (inspected after high wind events)
- Damaged trees reported by council staff or the public
- Trees damaged in a storm event
- Trees impeding public use of footpaths or roads, and
- High volume areas (streets, playgrounds, council car parks etc).

TREE REMOVAL

Trees will not be removed because they, amongst other things, obstruct views, commercial advertising or signage, are disliked, produce leaf litter, cause minor allergic or irritant responses, block solar access.

A tree or trees suspected of being hazardous, diseased, or dying will be assessed by an independent arborist or other suitably qualified person in accordance with this policy and the Managing Trees on Council Land Procedure. Council will implement any recommendations.

Trees that are removed will be replaced in accordance with the Urban Forest Strategy and Precinct Planting Plans.

Trees that are healthy and located within a council works zone will be retained where possible, designs will limit tree removal. If removal is required, trees will be replaced in accordance with the Urban Forest Strategy and Precinct Planting Plans.

Trees are permitted to be removed under Exceptional Circumstances as defined in this policy.

TREE VANDALISM

Damage, pruning or removal of a tree on council land by an unauthorised person is an offence under Council's Public Places By-law 2018. Identified offenders will be fined in accordance with the *Penalty Units and Other Penalties Act 1987*.

Council will develop a program to increase public awareness of tree vandalism to reduce the incidence of tree vandalism.

Where an act of vandalism is identified, council will:

- investigate the vandalism to identify those responsible, and issue fines (infringement notice)
- install tree vandalism signage at the site of the vandalised tree
- replant trees to restore the streetscape or landscape to the condition it was in prior to the vandalism, and
- replant trees in accordance with the Urban Forest Strategy and Precinct Planting Plans.

CLARENCE INTERIM PLANNING SCHEME 2015

URBAN ENVIRONMENTS

Where a development application is subject to a landscape condition requiring a landscape plan, the plan will be assessed in accordance with the Tree Policy, the Urban Forest Strategy, and relevant Precinct Planting Plans and Master Plans to ensure the landscape plan meets council's requirements.

Council will advocate for undergrounding of services and wider streets to allow for large canopy street trees where possible.

NATURAL AREAS (NATIVE VEGETATION COMMUNITIES)

Natural areas will be managed to conserve and enhance habitat, conservation, biodiversity and amenity values. Land Management Plans, Fire Management Plans and Local Area Reserve Activity Plans will guide the development and protection of these spaces. These plans will be available to the public and to landcare and coastcare groups participating in approved revegetation activities under council's direction.

9. IMPLEMENTATION AND COMMUNICATION

The Manager Open Space and Operations Manager are responsible for the implementation of this policy.

This policy will be communicated via:

- council's website, and
- Internal circulation to staff

10. REPORTING

The number of tree inspections and reports completed by an independent arborist, community tree removal requests and the number of trees removed will be reported in the annual report.

11. ADMINISTRATIVE ARRANGEMENTS

TABLE OF AMENDMENTS

No.	Date	Brief Details

APPROVAL

GM APPROVAL DATE	XX XXX 2021
REVIEW	Every 5 years
RESPONSIBLE POSITION	Manager Open Space & Operations Manager
ECM REFERENCE	