

Environment and Sustainability Strategy

Action 3.5 - Discussion

Creating opportunities

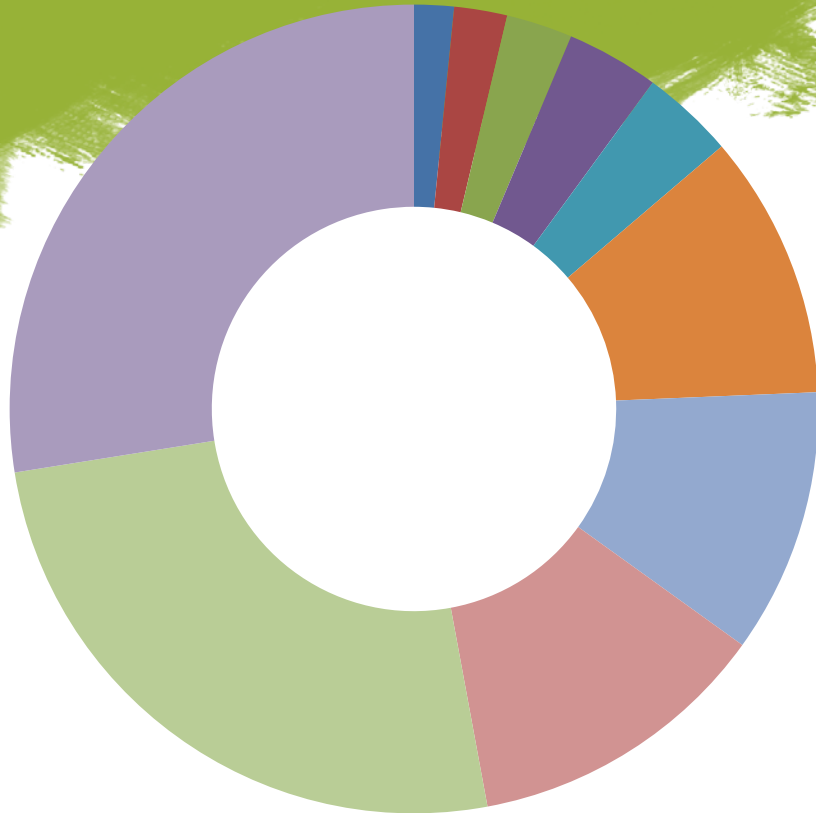


Current Process

1. Verge audits are undertaken in August/September to identify next year planting opportunities
2. Tree orders placed in December to ensure stock can be sourced
3. Letter to adjacent property owner sent January/February, advising of proposed tree
4. Three week deadline to object to the proposed tree planting which must be advised in writing
5. Orders are finalised and scheduled for delivery (by suburb) in March
6. Verge locations are marked and planting commences May
7. Planting is completed around August/September depending on weather conditions.

Reasons for rejections

TA5



TOTAL NUMBER OF OBJECTIONS RECEIVED WAS 190

Officers Comments on Resident Pushback

TA6

- Difficulty in proving letter was received by property owners
- In some circumstances the property owners change and the new owners are unaware of previous correspondence
- Property owners may not advise tenants of proposed tree planting
- Property owners may not have been available to object during the timeframe given
- Residents may also object to planting when planting is in progress and officers are on site.

Environment and Sustainability Strategy Action

TA7

*“At time of next review of Policy BB3- Streetscape Policy, consider inclusion of reference to **street tree planting (compulsory)** and investigate and establish a local law (head of power) to enable financial penalties for removal or damage to street trees.”*

Action largely completed via the adopted Urban Forest Policy which includes the provision for financial penalty based on the regulation below:

Regulation 5 of the *Local Government Regulation (Uniform Local Provisions) Regulations 1996* which states:

5. Interfering with, or taking from, local government land

(1) A person must not, without lawful authority –

(a) interfere with the soil of, or anything on, land that is local government property; or

(b) take anything from land that is local government property,

Penalty: a fine of \$5,000 and a daily penalty of \$500 for each day during which the offence continues.

Option for consideration – Compulsory verge trees

Proposed Compulsory Planting

TA9

- Compulsory planting will apply in the following circumstances:
 - Where the planting is simply a replacement for a removed tree
 - Where tree planting is a condition of subdivision/building approval/planning approval/approved landscaping plan
 - Where the City undertakes a streetscape upgrade
- Where the verge is adjacent to property owned by a government authority, Officers will consult with the landowner.

Proposed Compulsory Planting cont.

TA10

- Any further compulsory tree planting, ie residential verges, commercial verges etc, Officers believe this will have negative impacts for the City and may not yield any greater success in tree planting numbers due to the following:
 - Vandalism
 - Damage
 - Poisoning
 - Negative Council reputation
- Additional resourcing may also be required to action:
 - Additional complaint s/resolutions
 - Procurement
 - Storage

Proposed Actions

TA11

- Trial dual communication – initial letter to remain as previous, then second letter/communication card dropped to the mailbox when the tree is getting marked out
- Engage with residents who object. Objections have not been vetted previously. Engagement may provide an opportunity for Officers to educate residents on the benefits of tree planting, and assess their reasons for objecting
- Develop clearer guidelines on acceptable reasons for objecting to street tree planting
- Amend letter, information on website and online objection form in such a way that property owners are required to demonstrate how the verge tree will present a significant negative impact (as per Urban Forest Policy).