City of Stirling

Ordinary Meeting of Council

14 May 2019

AGENDA ITEM 12.1/PS1

Notice of Meeting

To: The Mayor and Councillors

The next Ordinary Meeting of Council of the City of Stirling will be held on Tuesday 14 May 2019 in the City of Stirling Council Chamber, 25 Cedric Street, Stirling commencing at 7.00pm.

Stuart Jardine PSM | Chief Executive Officer

12.1/PS1 NOTICE OF MOTION - COUNCILLOR JOE FERRANTE - BOX TREES

This item was REFERRED to the Community and Resources Committee meeting to be held 7 May 2019 at the Council meeting held 26 March 2019 until the Urban Forest Strategy is presented to the Community and Resources Committee meeting to be held 7 May 2019 to allow further consideration by Councillors.

Councillor Joe Ferrante submitted the following Notice of Motion at the Council Meeting held 12 March 2019:-

"*1. That Council INVESTIGATES a similar motion that was approved by the Town of Claremont in relation to the trial removal of the Queensland Box tree.*

2. That a report be PRESENTED to Council which allows residents to request/inform Council of their intention of trimming trees that protrude into private land boundaries and at no cost to the respective ratepayers.

3. That the box tree be REPLACED with blue Jacaranda trees (including Heritage Protection Areas) or similar in all approved City replanting, new plantings and/or approved by a registered arborist for deceased trees or white ant infested trees.

4. That verge trees that continuously drop nuts onto footpaths and create a safety threat be TRIMMED by Council."

Background Information/Reason for Motion *(provided by Councillor Joe Ferrante)*

"Ratepayers are frustrated that they have no mechanism to trim trees that continuously dump leaves or nuts on private properties or footpaths, and are a safety threat or tripping hazard."

Report Information

Location:	City Wide
Applicant:	Not Applicable
Reporting Officer:	Manager Parks and Sustainability
Business Unit:	Parks and Sustainability
Ward:	City Wide
Suburb:	City Wide

Authority/Discretion

Definition

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	Executive	*the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	Legislative	*includes adopting local laws, town planning schemes and policies. It is also when Council reviews decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*
☐	Information Purposes	*includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').*

1. That Council INVESTIGATES a similar motion that was approved by the Town of Claremont in relation to the trial removal of the Queensland Box tree.

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3. That the Box tree be REPLACED with blue Jacaranda trees (including Heritage Protection Areas) or similar in all approved City replanting, new plantings and/or approved by a registered arborist for deceased trees or white ant infested trees.

4. That verge trees that continuously drop nuts onto footpaths and create a safety threat be TRIMMED by Council.

The motion LAPSED for want of a mover.

Recommendation

1. That Council INVESTIGATES a similar motion that was approved by the Town of Claremont in relation to the trial removal of the Queensland Box tree.

2. That a report be PRESENTED to Council which allows residents to request/inform Council of their intention of trimming trees that protrude into private land boundaries and at no cost to the respective ratepayers.

3. That the Box tree be REPLACED with blue Jacaranda trees (including Heritage Protection Areas) or similar in all approved City replanting, new plantings and/or approved by a registered arborist for deceased trees or white ant infested trees.

4. That verge trees that continuously drop nuts onto footpaths and create a safety threat be TRIMMED by Council.

Suggested Alternative Recommendation (refer to Conclusion)

Report Purpose

To respond to a Notice of Motion submitted by Councillor Joe Ferrante.

Relevant Documents

Attachments

Attachment 1 - Population of box trees per suburb

Available for viewing at meeting

Nil

Background

Council has long highlighted the need to protect existing trees and to plant more trees throughout the City to increase canopy cover and to stop the impacts of vegetation loss through development within the City.

The management of street tree planting, pruning and removals is outlined in the Street and Reserve Trees Policy which was approved by Council at its meeting held 8 December 2015 (Council Resolution Number 1215/010) and again at its meeting held 4 December 2018 (Council Resolution Number 1218/012).

At its meeting held 21 August 2018, Council considered a report in relation to the 'Cessation of the Planting of Box Trees', and subsequently resolved (Council Resolution Number 0818/048) as follows:-

> *"That Council SUPPORTS the City of Stirling's current methods for street tree selection, which continues to phase out the planting of box trees, while adhering to themed streetscape areas*."

Currently, there are 16,685 Box street trees on City verges.

City Wide Box Tree Snap Shot						
Species	**Species Population**	**% Street Tree Population**	**Tree Canopy (Ha)**	**% Street Tree UF Canopy**	**Total Helliwell Valuation**	**% of Street Tree $ Value**
Box Trees	16,685	15.4%	71	28.3%	$102,627,443	21%
Total Street Trees	**108,401**	**100%**	**251**	**100%**	**$488,398,930**	**100%**

The population of Box trees represents 15.4% of the City's total street tree population. These trees are distributed across the suburbs as per Attachment 1.

Comment

Council has set a target of 18% tree canopy cover across the City by 2030. Currently the tree canopy cover is 12.6%. It is acknowledged that to achieve that target, the City needs:-

- More trees to be planted;
- More trees to be retained; and
- Trees to be able to grow to their full potential.

Space for larger growing trees is becoming limited due to development across the City. However, it is larger trees that provide more benefits associated with canopy cover by providing more shade and more leaf biomass which is required to cool the streets. Therefore those trees need to be able to be accommodated for in the urban environment.

Some of the main benefits of trees include:-

- Providing shade to streets, which encourages people to go outside and exercise;
- Reducing heating and cooling costs for homes;
- Cleaning the air and providing oxygen;
- Increasing property values;
- Providing food and habitat for native flora; and
- Increasing amenity values and sense of place.

The following information addresses each of the points raised in the Notice of Motion.

1. That Council INVESTIGATES a similar motion that was approved by the Town of Claremont in relation to the trial removal of the Queensland Box tree.

In reference to Council Resolution Number 0818/048 above, Council adopted a methodology to phase out the planting of Box trees within the City. This will be over a number of years, and streets dominant with Box trees will see replacements with other species through natural attrition and replacement. It is acknowledged that some suburbs have a dominant planting of Box trees as they were widely used in the past (by many Councils) as they present as a very successful and viable street tree which can survive the harsh conditions on verges as well as adapting to the changing climate and seasons. Any species of tree that has a dominant planting in a given area will give the perception that it has the most issues.

The Town of Claremont was contacted to discuss the Council program to remove Box trees, which would see residents paying a set charge for the removal and replacement of up to 10% of Box trees per street and up to 10% of Box trees removed across the City - each year. Advice from Town of Claremont officers managing the new Box tree policy indicates that:-

- Since the Town of Claremont Council policy was introduced in late November 2018, there has been a 10% increase in tree removal / pruning enquiries, including removal of Box trees and other tree species.
- Of these inquiries, 16 formal applications have been received (as at 13 March 2019) to have the Box street tree removed, and of these, five applicants have paid the Town of Claremont Council fee of $3,400.
- The issue has been contentious in its implementation and resource demanding, with residents expressing views on both / multiple perspectives.
- A review of the policy will be conducted at the conclusion of the two year trial.

With 16,685 Box trees in the City, it should be noted that it is the most prevalent street tree species throughout the City. It should also be noted that they provide the largest amount of canopy cover and they are the reason why suburbs, where they are heavily planted, have a high canopy cover. The Helliwell valuation of the total Box tree stock in the City is $102.6 million, of which 10% would be in the vicinity of $10.2 million of amenity tree valuation per year removed prematurely. To potentially remove this number of otherwise healthy trees each year due to personal preference, would see a backwards step in achieving the Council's 18% canopy cover target. Removal of viable trees before the end of their useful life expectancy is not a sustainable urban forest management model.

Experience from other local authorities with other tree species not liked, including Plane trees (due to asthma concerns) and Jacarandas (due to slippery footpaths with blossom drop) indicate that opening the issue up to non-arboricultural reasons will weaken measures to retain and grow the existing City managed urban forest for future generations.

Where there are cogent arboricultural reasons for a street tree to be removed that is not dead, dying, or structurally unsound (including Box trees) then the Council Policy states that Helliwell valuation will apply, along with removal and replacement costs.

It is recommended that Council continues with the methodology of the phasing out of Box trees in line with Council Resolution Number 0818/048.

2. That a report be PRESENTED to Council which allows residents to request/inform Council of their intention of trimming trees that protrude into private land boundaries and at no cost to the respective ratepayers.

In line with the City's Street and Reserve Trees Policy, the City is responsible for the pruning, maintenance and removal of street trees. Street trees are City owned assets that provide many benefits to the community as a whole and need to be maintained in line with adopted practices. One requirement in order for the City to reach the 18% canopy cover is to allow for trees to be able to grow to their full potential to maximise their canopy and the benefits they provide.

With the City's current pruning programs, residents are able to request property line pruning and the City will assess and accommodate those requests when they are not detrimental to the tree overall. The City carries out amenity tree pruning in line with the Australian Standard *AS 4373 - Pruning of Amenity Trees*. This allows for correct pruning techniques to be carried out which leaves the tree in a sound condition. Incorrect pruning techniques can result in rendering the whole tree, or the regrowth, in a dangerous condition.

Whilst the City is responsible for the maintenance of its tree assets, it is also responsible for the associated risks. When assessing any tree for pruning, the whole tree must be taken into account and not just the limb that is being pruned. The limb must be pruned correctly to avoid future issues and the impacts to the whole of the tree must be taken into account. Substandard work could result in a dangerous tree that needs to be removed, or a substantial amount of work carried out to repair it.

Allowing for residents to prune street trees (via their tree contractor) would be an area that could not be quality controlled and the damage to the City's tree assets could be insurmountable. There would also be issues of public safety should the resident pruning the City controlled tree be hurt, or a passer-by be hurt, or property damaged whilst the tree was being pruned. Many of the City's trees are also in close proximity to powerlines, and certification and specialised equipment is required to prune such trees. It would be negligent of the City to permit residents to place themselves in close proximity to such dangers.

As mentioned, poor pruning can result in ongoing issues and risk of poorly attached regrowth, or destabilised trees can increase that risk of failure. As the failures would be from a City owned tree, it would be difficult to place responsibility onto the resident who pruned the tree in the first instance if the City allowed for them to do so. The City's insurers, LGIS, would likely have some issues with this proposed idea.

Pruning of City managed trees located in road reservations, by those other than current City authorised tree contractors, would necessitate ensuring those businesses/individuals had the skills, experience and qualifications to operate in a safe manner under the State's Occupational Health and Safety legislation. Unfortunately, the arboricultural industry has a number of rogue operators that are routinely targeted by State's Consumer Affairs and Worksafe agencies. It can be reasonably predicted that some residents will resort to DIY (do-it-yourself), to avoid contractor costs, and while there, to 'touch up' the rest of the tree for the likes of vehicle access, views and aesthetics. It will be extremely difficult to keep track of this work and the commensurate risks to the City's tree assets and public health and safety.

Where quality and extent of work initiated by the resident (and their contractor) is questionable, City refunds to the resident for that work could not be processed – resulting in disputes. Managing City refunds would be resource hungry and could reasonably result in bad publicity.

It is recommended that the Council continues with its current pruning allowances and assesses property line pruning requests on individual merit and impacts on the tree.

3. That the box tree be REPLACED with blue Jacaranda trees (including Heritage Protection Areas) or similar in all approved City replanting, new plantings and/or approved by a registered arborist for deceased trees or white ant infested trees.

As previously stated, Council adopted a methodology to phase out the planting of Box trees within the City (Council Resolution Number 0818/048). It was also outlined in that resolution the methodology of species selection that will see a healthy diversity of species throughout the City. Replacing one dominant species in any given locality with another is not in line with best practice of urban forestry. Current standard practice for a healthy forest in any suburban setting should incorporate the planting of local native trees, trees native to a wider region (in Stirling's case that would be Western Australia), trees native to the country (Australia) and introduced species from other countries that have adapted and in many cases are considered to be localised.

The above methodology will assist to avoid mass decline within the City's tree population should a particular species react negatively as a result of issues such as climate change or pest/pathogen/disease introduction and/or spread. As part of the City's Urban Forest Plan (currently in draft) it has been identified that a number of street tree (master) plans will be developed to allocate particular species to specific streets. This will see the diversity of species required for a healthy forest built into the long term management of the City's urban forest. In the future, should a Box tree (or any tree for that matter) be identified as needing to be removed in line with the City's Street and Reserve Trees Policy, then its replacement will be selected as per the street tree (master) plan developed in consultation with those communities covered by the plan.

Given the number of Box trees on verges within Heritage Protection Areas (HPA) that contribute to the green and leafy garden environment, any premature removal of Box trees from HPA suburbs will have a negative impact on that heritage value. Any transition to an alternative street tree species should occur though natural attrition (as trees die) and with full consultation.

Across the arboricultural industry, anyone can call themselves an arborist. There is no government / legislative registration process as to what constitutes an 'arborist'. The City assesses contractors for its arboricultural tender panel to ensure contractors have the skills, experience and qualifications, to give the City confidence that work will be undertaken according to best practice contemporary arboricultural standards.

It is recommended that Council continues with the methodology of the phasing out of Box trees in line with Council Resolution Number 0818/048.

4. That verge trees that continuously drop nuts onto footpaths and create a safety threat be TRIMMED by Council.

Pruning of trees cannot stop the seasonal dropping of nuts, flowers, leaves or fruits without compromising the integrity of the tree and costing a substantial amount of money to do so.

One of the benefits of street trees is that they provide a food source for local native species of birds such as the Carnaby Black Cockatoo. Such native fauna are becoming dependant on the food that street trees provide, as the amount of other food available to them is being reduced due to the removal of private trees for such reasons as development.

With the development of the street tree (master) plans this will see the same species planted on the same streets. This will allow for a much more calculated response to seasonal tree debris drop as those trees will have similar pruning requirements for ongoing maintenance and will also have similar debris shedding timeframes. These streets and footpaths can then be incorporated into a program to easily address that debris clean up. This would require an increased level of service which would result in not needing to over prune trees that shed debris seasonally. This proactive approach, rather than a reactive approach, would see trees developing to their full potential across the City and adding to the canopy targets.

If considered a priority, it is available to Council to consider a mechanised road / footpath sweeping service to collect such tree debris in the future. This would incorporate additional resources to achieve, but would have a greater positive outcome of tree retention and excess debris removal.

It is recommended that Council continues with its current pruning practices and if deemed a priority, consider the introduction of a supplementary footpath sweeping service to mitigate the issue of seasonal nut and debris shedding from street trees.

Consultation/Communication Implications

As part of the development stages of the Urban Forest Plan, a number of workshops and surveys with residents were carried out with little feedback about tree debris coming to the forefront. The majority of feedback showed a strong support for the City planting trees, with many comments from residents stating that the City should just plant all the available spaces on verges. Residents strongly supported the ideals that trees should be able to grow to their full potential with the right trees being planted in the right spaces to achieve the maximum benefits.

It is anticipated a comprehensive community education and engagement action plan will be required for the implementation of the Urban Forest Plan and followed up with a similar requirement for the street tree (master) plans that will follow.

The multitude of arboricultural inputs that assists the selection of the preferred street tree species will be developed into an Information Sheet to be included on the City's website under street tree management.

Policy and Legislative Implications

The current adopted Street and Reserve Trees Policy is consistent with international, Federal, Western Australian State and other City policies with regards to improving the natural environment, addressing climate change and making cities more liveable.

City policies have been aligned to complement each other in regards to retention, protection and planting of trees. With the development of the Urban Forest Plan and the proposed street tree (master) plans, any required changes to subsequent policies will need to be addressed at that time.

Financial Implications

There are no financial implications if the Alternative Recommendation is adopted.

Should the Notice of Motion recommendations be approved, there will be considerable impacts on operational budgets and employee resources. Firstly, resources will be diverted to negotiating the premature removal of Box trees, at the expense of managing the current City trees and the implementation of the draft Urban Forest Plan. Refunds to residents who have sought approval to prune street (or reserve) trees overhanging their property and have undertaken those works, would result in extra costs to the City that could not be readily predicted, controlled and or audited.

Furthermore, pruning City trees that generate fruit / nuts that drop on the ground will require substantial extra expenses for contractor pruning, as flowering and fruit drop varies by tree species, location and generic variability within species. This requirement would also capture olive trees and other productive trees (lemon, avocado, mulberry, etc) where the fruit is sometimes harvested.

Should Council wish to pursue the introduction of a dedicated footpath sweeping program then there would be additional financial implications.

Strategic Implications

Natural Environment: Sustainable natural environment

Outcome N2: Greener City

Objective N2.1: Create and maintain inviting green spaces and streetscapes

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	**Comment**
Vegetation impact	Stopping the planting of Box Trees, and their premature removal, would over time change the appearance of streets due to a reduction of species dominance in suburbs. Replacement species that perform similarly would need to be introduced into mixed species streets. This would form part of the development of the street tree (master) plans.
Energy consumption	Cooler streets and neighbourhoods will lead to less need to use air-conditioning and more walkable neighbourhoods. Allowing for all trees to be pruned to the property line will reduce the total amount of canopy to contribute to this.
Vegetation impact	Better tree planting, retention, control and protection methods of existing trees will culminate in an increase to the tree canopy cover across the City. Similarly, premature removal of existing street trees will worsen the City tree canopy cover and make achieving the 18% target more difficult.

SOCIAL	
Issue	**Comment**
Health, wellbeing and safety	Green and leafy tree lined streets which are shaded encourage pedestrians and cyclists to utilise the footpath and cycleway networks, leading to increased activity through incidental exercise. People are more likely to meet their neighbours, and more people on the street increases passive surveillance of neighbourhoods.
Transport and access	More attractive streets and neighbourhoods encourage people to walk and ride when carrying out short local journeys rather than drive their private motor vehicle/s.
Cultural and Heritage Value	Box tree avenues are generally found in older established suburbs such as Doubleview, Dianella, Scarborough and Nollamara, and contribute to the heritage value of suburbs such as Menora, Inglewood and Mount Lawley. Stopping the planting of Box trees or allowing their untimely removal in those avenues would impact the amenity of those suburbs.

ECONOMIC	
Issue	**Comment**
Business innovation	Removal of established Box trees before the end of the useful life expectancy and replacing with young trees would see a reduction in the Helliwell value of the overall tree population as well as the canopy cover across the City.

Conclusion

Street trees across the City present many benefits that the whole of the community within Stirling gain from. Within a built City there will always be ongoing maintenance required to establish and maintain a heathy urban forest. Trees are living organisms and as part of their growth there will always be an amount of seasonal debris shed from them. The documented benefits that trees provide to a City outweigh the inconveniences that some residents experience from time to time.

It is proposed that the City continues with its tree planting and maintenance programs as best practice for maintaining the ongoing health of its tree assets. In line with Council Resolution Number 0818/048, Box trees are not to be introduced into streets where they are either non-existent or present as less than dominant in avenues of plantings. Box trees should continue to be planted into defined Box tree avenues to fill any gaps in the streetscape or to replace removed trees, or the species to be changed after careful consideration of the arboricultural evidence and public consultation. This is in line with current best practice Urban Forestry to incorporate proven species into the diversity of species planted across any given location.

Suggested Alternative Recommendation

That Council SUPPORTS the City's current practices for the management of Box trees and their phasing out as required in accordance with Council Resolution Number 0818/048, and the City's current practices for ongoing street tree pruning and maintenance that provides for the City to maintain tree assets with minimal risk associated with pruning to the general public.

<u>Reason for Alternative Recommendation</u>

The recommendations will see Box trees phased out as a dominant species in the years to come and tree maintenance will be retained under the control of the City in a safe and viable manner that will see a healthy urban forest growing for the City.

Additional Information – 7 May 2019

At its meeting held 26 March 2019, Council resolved to refer the item to allow further consideration by Councillors (Council Resolution Number 0319/052).

Attachment 1 – Population of Box Trees per Suburb

Population of Box trees Per Suburb				
Suburb	Rank	Species Population	Canopy of Species in Suburb (ha)	Species Helliwell Valuation
Balcatta	16	362	1.0	$2,459,045
Balga	7	1019	2.5	$5,170,024
Carine	28	12	0.0	$123,553
Churchlands	23	23	0.1	$152,360
Coolbinia	15	376	2.2	$2,463,811
Dianella	2	1761	7.0	$7,479,366
Doubleview	1	1919	8.4	$14,807,183
Glendalough	24	18	0.1	$90,100
Gwelup	25	16	0.0	$131,671
Hamersley	20	43	0.1	$370,310
Inglewood	9	1005	5.2	$7,396,257
Innaloo	8	1006	3.4	$5,554,190
Joondanna	13	510	1.7	$3,336,007
Karrinyup	14	453	1.3	$3,141,245
Menora	12	523	3.6	$3,780,467
Mirrabooka	27	14	0.0	$105,572
Mount Lawley	5	1355	9.6	$14,156,012
Nollamara	4	1488	4.3	$5,925,375
North Beach	21	27	0.1	$264,837
Osborne Park	17	224	0.7	$1,268,944
Scarborough	3	1503	6.6	$8,058,634
Stirling	22	27	0.1	$378,311
Trigg	26	15	0.0	$118,645
Tuart Hill	11	570	2.4	$3,014,004
Watermans Bay	29	6	0.0	$71,699
Wembley Downs	19	106	0.4	$565,823
Westminster	10	812	1.9	$4,051,969
Woodlands	18	170	0.9	$1,331,119
Yokine	6	1322	7.5	$6,860,913
	Grand Total	16685	71.0	$ 102,627,443