

Policy Title	Urban Tree Management Policy
Responsible Manager(s)	Manager Assets and Engineering
Contact Officer(s)	Natural Assets Officer
Directorate	Infrastructure
Approval Date	25 September 2025
Strategic Focus Area	EN. Environment IN. Infrastructure

Purpose

The purpose of this policy is to:

- Establish Hilltops Council's commitment and future strategic direction for tree planting, protection, management, and maintenance of its urban forest.
- Address tree management and maintenance issues faced by Hilltops Council whilst maintaining compliance with various relevant legislative requirements.
- Provide a framework for decision making documentation and standardised processes to ensure consistency in the management of the Hilltops Council's urban forest.

The Urban Street Tree Management Policy is one of several documents used to proactively manage and develop the Urban Forest within the Hilltops region.

Objective

Hilltops Council has the following strategic objectives in relation to Urban Tree Management within Council owned and managed lands:

- Apply a consistent approach to the environmental assessment of trees within the urban forest environment in a manner that meets relevant legislative requirements.
- Ensure the design and implementation of works that are consistent with protecting and enhancing the ecological, environmental, social, economic, and Aboriginal cultural heritage values that our urban forest provides. .
- Ensure Council staff have the appropriate level of skills and resources required to effectively implement this policy.
- Ensure consistency and transparency in the way Council manages the risks arising from trees under the care and control of Council.
- Prioritise the maintenance and protection of the existing tree population.
- Broaden the emphasis of urban tree management to include urban forestry principles, with trees managed as a collective asset to promote efficient and cost-effective management of Council's urban forest.
- Recognise and protect trees considered significant to Aboriginal cultural heritage, social and ecological criteria.
- Selecting, planting, and maintaining trees to maximise their benefit and minimise public risk, nuisance, and damage to industry, infrastructure, and hard surfaces.
- Increase awareness and educate the community, developers, and Council staff on the value of trees in the urban landscape.

Policy Aims

To promote the environmental, social, and economic values provided by urban forests across Council and to the broader community as per the identified strategic objectives.

The Policy is supported by the Statewide Mutual Best Practice Manual – Trees and Tree Roots, relevant Australian standards and Unsafe Plant in Non-rural Areas Code of Practice (DCCEEW) and State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Scope

This Policy applies to all Council trees located within urban forest environment within **the following zone being R1, R2, RU5, R5, RE1, RE2, B4, E3, E4, MU1, C3 SP2 and DM of the Hilltops Local Environment Plans.**

Introduction

Trees are important to the liveability and identity of urban areas and provide a fundamental contribution to the amenity of our streets and parks.

Trees provide many social, economic, and environmental benefits. They beautify and soften streetscapes, provide wildlife habitat, and play a significant role in determining the urban character of our region. Trees are critical in the maintenance of a healthy urban environment as they produce oxygen, trap airborne pollutants, and absorb carbon dioxide.

While trees play a key role in the urban landscape, it is also recognised that trees of the wrong type, or growing in the wrong place, can create problems and risks that are not reasonable in the urban environment.

Property owners and public authorities have certain obligations with respect to the protection of trees, and responsibilities for any damage or injury that may cause tree failure or impact the health or growth of Council's tree assets.

Tree management in the urban environment is about balancing the various risks against the benefits that trees provide, to ensure the best community outcome.

Policy Details

1.	<p>Application This Policy applies to all Urban land under Council’s control and management including but not limited to road reserves, public open spaces, Cemetery’s, Crown Land and operational land.</p>
2.	<p>Legislation Hilltops Council will observe and comply with all relevant legislation.</p>
3.	<p>Procedural Components The care and management of trees on Council owned and managed land within the urban environment shall follow the principles outlined in the current version of “Best Practice Manual - Trees and Tree Roots” (StateWide Mutual), relevant Australian Standards, and industry approved Arboricultural techniques and work practices. This will form the basis of the Hilltops Council ‘Tree Management Guidelines’ for managing the full life cycle of trees within the urban forest.</p>
4.	<p>Tree Asset and Risk Assessment Inventory Tree Asset and Risk Assessments to be recorded in the Council’s Asset Management System The information is to be collected by suitably qualified arborists (AQF) Level 3 or higher), who will assess the tree via Council’s Inspection and Risk Assessment Procedure for Trees on Council Owned and Managed Lands as per the following:</p> <ul style="list-style-type: none"> • As part of an inspection as requested by an external customer and/or. • A programmed asset and risk inspection as per resources available. <p>The result of the assessment will determine the required management strategies as per their care, maintenance, or removal. Trees assessed with a High Intervention level and/or Hazard Rating Score will be given priority to minimise public risk and promote long term health and amenity value.</p> <p>Trees that pose an immediate risk to public safety and/or property will take priority in tree removal decisions.</p>
5.	<p>Tree Removal - Trees on Council owned or managed Land A planted tree cannot be considered for removal unless:</p> <ul style="list-style-type: none"> • The tree has been the subject of a Tree Inspection and Risk Assessment. • There are no management strategies identified that will allow the tree to remain in situ. • The tree/shrub is not listed in the Biosecurity Act 2015 and is not deemed an Environmental Weed as listed in the current Hilltops Engineering Guidelines. • Removal of endemic vegetation shall be in accordance with the State Environmental Planning Policy (Biodiversity and Conservation) 2021 <p>The Director Infrastructure or their delegate shall authorise the trees removal prior to works being undertaken.</p>

6.	<p>Tree Care and Maintenance Residents, contractors, or private businesses shall not injure, or undertake activities that could adversely impact the health and safety of Councils tree assets.</p> <p>All tree care & maintenance and tree protection on worksites shall be in accordance with Australian Standard AS 4373-2007 Pruning of Amenity, Australian Standard AS 4970-2025 Protection of Trees on development Sites and arboricultural industry best practice.</p> <p>To maintain public safety and promote well-structured and healthy trees, all tree care and maintenance work will be authorised by, undertaken and or supervised by qualified staff and contractors with a minimum AQF level 3 qualification in Arboriculture, or completion of appropriate modules in Horticulture.</p> <p>The council's Senior Arborist is to work with energy providers to minimise the risk trees pose to their electrical network, whilst maintaining their health and amenity value.</p>
7.	<p>Third Party damage by Trees & Tree Roots Council's ownership of a tree does not create automatic liability if the tree causes damage or injury. Under the <i>Civil Liability Act 2002 (NSW)</i>, Council is not liable unless a duty of care was owed, breached, and the breach caused the damage. The Act also recognizes that public authorities must manage limited resources and competing priorities, including tree inspection and maintenance.</p> <p>If a property owner believes Council may be liable, they may submit an Incident Report for assessment. Submission or receipt of an Incident Report does not constitute an admission of liability or negligence by Council, nor does it entitle the individual to compensation or imply that Council accepts responsibility.</p>
8.	<p>Replacement of Removed Council Owned and Managed Trees All trees and shrubs removed will be replaced as per a funded offset planting scheme, with a minimum offset replacement ratio of 2:1.</p> <p>Trees and shrubs are to be replaced at or in the vicinity of the tree/shrub that was removed. Any remaining trees or shrubs not fully allocated will be placed on a register for future nearby tree planting projects.</p>
9.	<p>Fallen Trees and Branches Where a planted Council tree or branches cause an injury to person/s and/or property damage, an incident report shall be completed as per Council's policy and standard operation procedures.</p> <p>In the event of a tree or branch falling from private property onto Council owned and managed land, the private property owner is responsible for making the area safe and removing any debris at their cost as soon as practicable. If the owner fails to remove debris, Council may initiate clean up and recover all associated costs incurred for removal from the property owner</p> <p>During storm events:</p> <ul style="list-style-type: none"> • All incidents are to be logged electronically into the Council's Asset Management System, and the area is made safe to minimise public risk. • Any dangerous standing tree that the council is satisfied that it is a risk to human life or property is approved to be removed as per the relevant sections of the

Urban Tree Management Policy

	<p><i>NSW Roads Act 1993 and State Environmental Planning Policy (Biodiversity and Conservation)</i></p>
10.	<p>Customer Request Customer requests that identify trees that are considered a potential public risk will be recorded and processed as per the current Customer Service Policy and procedures.</p> <p>The Authorised Officer will undertake a formal tree assessment as per the relevant Acts, Regulation, Policies and Procedures and make recommendations to undertake the necessary corrective action.</p>
11.	<p>Tree Planting The selection and management of trees for planting in a Council Road reserve or open space will be planned with consideration of factors including local conditions, safety, existing services (above & below ground) compatibility with existing plantings, practicality, and aesthetic design.</p> <p>All planting of new trees will be carried out in accordance with best practice and will require a minimum three-year maintenance period.</p> <p>Number of Trees per property street frontage:</p> <ul style="list-style-type: none"> (a) In existing streets, the number of trees per residential block depends on several factors including width of the frontage, location of services and driveways. (b) New subdivisions will be as per the conditions listed in the current Hilltops Development Control Plan. <p>The council will continue to investigate initiatives that encourage residents to be actively involved in beautifying their neighborhood through street and community tree planting agreements.</p>
12.	<p>Unauthorised Tree Planting Where a tree has been planted by a resident in any Council owned or managed land without prior Council approval, the planting will be reviewed by an Authorised Officer and appropriate regulatory action undertaken as required in accordance with the provisions of the <i>Local Government Act 1993</i>.</p>

Governance

This policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Related legislation and policy

Name	Link
Biodiversity Conservation Act 2016 (BC Act)	https://legislation.nsw.gov.au/view/html/inforce/current/act-2016-063
Biosecurity Act 2015	https://legislation.nsw.gov.au/view/html/inforce/current/act-2015-024
Dividing Fences Act 1991	https://legislation.nsw.gov.au/view/html/inforce/current/act-1991-072#sec.5
Electricity Supply Act 1995	https://legislation.nsw.gov.au/view/html/inforce/current/act-1995-094
Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)	https://www.dcceew.gov.au/environment/epbc
Environmental Planning and Assessment Act 1979 (EP&A Act)	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Environmental Planning and Assessment Regulation 2000	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0759
Fisheries Act 1935	https://legislation.nsw.gov.au/view/html/inforce/current/act-1935-058
Heritage Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1977-136
Local Government Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030
Local Land Services Act 2013	https://legislation.nsw.gov.au/view/html/inforce/current/act-2013-051
Roads Act 1993	https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-033
Rural Fires Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-065
State Environmental Planning Policy (Biodiversity and Conservation) 2021	https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722
State Environmental Planning Policy (Transport and Infrastructure) 2021	https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732

Urban Tree Management Policy

Document History

Date	Status	Version	Resolution	Description
26 October 2022	Draft	0.1		Draft Urban Tree Management Policy Within Council Owned and Managed Lands reviewed and reformatted
26 October 2022	Draft	0.2		Draft Urban Tree Management Policy Within Council Owned and Managed Lands presented to Hilltops Council for endorsement for 28-day public exhibition and submissions.
26 October 2022	Draft	0.3		Draft Urban Tree Management Policy Within Council Owned and Managed Lands be placed on public exhibition and submissions for 28 days.
24 November 2022	Final	1.0		No submissions received after 28-day public exhibition - Urban Tree Management Policy Within Council Owned and Managed Lands adopted.
4 August 2025	Draft	1.1		Draft Urban Tree Management Policy Within Council Owned and Managed Lands reviewed
27 August 2025	Draft	1.2		Draft Urban Tree Management Policy presented to Council for 28 day public exhibition and submissions.
27 August 2025	Draft	1.3	25/255	Draft Urban Tree Management Policy approved for 28 day public exhibition and submissions.
25 September 2025	Final	2.0	25/255	No submissions received after 28 day exhibition - Urban Tree Management Policy adopted.

- This Urban Tree Management Policy Within Council Owned and Managed Lands (Policy) shall be reviewed within 12 months of an election, and thereafter at intervals of no greater than four years. Any review will ensure this Policy continues to meet all statutory requirements and the operational needs of Hilltops Council. The Policy may also be reviewed at other times as determined by Hilltops Council.
- This Policy commences on and from the date of adoption by Hilltops Council as listed in the document history and replaces all previous versions.

Definitions

Arborist	A specialist in the care of trees and vegetation with minimum AQF Level 3 qualifications in Arboriculture or equivalent.
Authorised Officer	An authorised person as defined in the <i>Local Government Act 1993</i> .
Council Tree	Is any tree planted and managed by Council on Council owned and managed land within the Hilltops Council area.
Duty of Care	It is the responsibility of Hilltops Council to take reasonable care to avoid acts or omissions which Council could reasonably foresee that may result in harm or injury.
Exotic Tree	Trees or woody plants that have been introduced to Australia from other countries.
Injury	It means damage to a tree and includes: <ul style="list-style-type: none"> (i) Lopping and topping. (ii) Poisoning, including applying herbicides and other plant toxic chemicals to a tree, or spilling of oil, petroleum, paint, cement, and the like onto the root zone. (iii) Cutting, tearing, breaking, or snapping of branches and roots that are not carried out in accordance with accepted arboricultural practices. (iv) Ringbarking, scarring the bark when operating machinery, fixing objects by nails, screws, or wire, or fastening materials that circle and significantly restrict the normal vascular function of the trunks or branches. (v) Damaging a tree root zone by compaction or excavation, asphyxiation including unauthorised land filling or stockpiling of materials around the tree trunks and root zones.
Pruning	As defined in Australian Standard AS 4373–2007 Pruning of Amenity Trees.
Remnant Tree	An endemic native tree or woody plant which remains in the landscape after removal of the majority of all the native vegetation in the locality.
Tree Health	Tree health may be affected by insects, parasites, disease, chemical & environmental damage, or other problems. Its ability to resist these problems will influence the trees' ability to be retained as a viable asset.
Urban	Trees growing on Council owned and managed land, within the following Hilltops Local Environment Plans zone being R1, R2, RU5, R5, RE1, RE2, B4, E3, E4, MU1, C3 SP2 and DM.
Weed Tree	These are trees & shrubs listed in Hilltops Engineering Guidelines that have grown by sucking, seed deposited by birds or by other vegetative means in inappropriate or environmentally sensitive areas.