

## LOCAL PLANNING POLICY

### LPP11: TREE PRESERVATION – GREVILLEA STREET SUBDIVISION AREA

<i>Responsible Department</i>	Development Services
<i>Resolution Number</i>	C.2949
<i>Resolution Date</i>	15/02/2017
<i>Next Scheduled Review</i>	2021
<i>Related Shire Documents</i>	Local Planning Scheme No. 6
<i>Related Legislation</i>	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015

#### OBJECTIVES

- (a) Protect 8 trees recommended for retention within the Policy Area.
- (b) Implement Tree Protection Zones (TPZs) with a view to ensure that damage to above ground and below ground parts of identified trees is limited to what the trees can reasonably be expected to tolerate by regulating activities around the trees in a way that avoids onerous remedial measures being imposed on responsible parties.

#### SCOPE

##### POLICY STATEMENT

During assessment and development of plans to subdivide land within the GSSA, a number of trees worthy of retention were identified. These trees were identified as habitat and feed supply for Black Cockatoos, and were identified as a priority for retention.

The successful preservation of the selected trees will rely on the measures identified within this policy. This policy has been formulated to provide advice to purchasers and landowners of the lots affected by the Policy.

## PRELIMINARY

### Authority to prepare and adopt a Local Planning Policy

Schedule 2, Part 2, clause 3(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) allows Council to prepare a Local Planning Policy in respect of any matter related to the planning and development of the Shire's Local Planning Scheme No.6 (the Scheme) area.

This policy will be made effective once Council has completed the process stipulated in clause 4(1) up to and including clause 4(4) of the Regulations.

### Relationship of this Policy to the Scheme

If a provision of this Policy is inconsistent with the Scheme, the Scheme prevails. This Local Planning Policy is not part of the Scheme and does not bind Council in respect of any application for development approval. However, Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

## APPLICATION OF THE POLICY

### Definitions

The following are definitions that may be used as part of this Policy in addition to the definitions included in the Scheme:

**"Building Envelope"** means the area identified on Schedule B to this policy as the building envelopes applicable to the GSSA.

**"Grevillea Street Subdivision Area" ("GSSA")** means the area delineated on Schedule A to this policy.

**"Tree Protection Zone" ("TPZ")** means an area identified and applied to specific trees in the GSSA to ensure preservation of those trees.

### Application

This Policy applies to the GSSA identified within the attached Schedule "A" to protect 8 trees recommended for retention, situated on Lots 2, 6, 9, 12, 13, 14 and 15 Grevillea Street, Wundowie.

## POLICY

### 1. Tree Types

Three types of trees affect various lots within the subdivision area (see attached "Schedule A"):

Tree Type	Tree ID	Lot/s Affected
Eucalyptus wandoo (Wandoo)	A	2
Eucalyptus Marginata (Jarrah)	B, C & D	6, 9 & 12
Corymbia calophylla (Marri)	E, F, G & H	13, 14 & 15

### Tree Type - *Eucalyptus wandoo* (Wandoo)

The *Eucalyptus wandoo* (Wandoo) located on Lot 2 has been retained and incorporated into the GSSA based on its health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Wandoo is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will be utilised), and would require site specific arboricultural input for appropriate recommendations.

#### Tree A



Tree Location:	Lot 2
Lots affected by TPZ:	Lot 2
Recommended TPZ:	9.1 metre radius

### Tree Type - *Eucalyptus marginata* (Jarrah)

The *Eucalyptus marginata* (Jarrah) trees located on Lots 6, 9 and 12 have been retained and incorporated into the GSSA based on their health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Jarrah is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will

be utilised), and would require site specific arboricultural input for appropriate recommendations.

**Tree B**



Tree Location:	Lot 6
Lots affected by TPZ:	Lot 6
Recommended TPZ:	8.2 metre radius

**Tree C**



Tree Location:	Lot 9
Lots affected by TPZ:	Lot 9
Recommended TPZ:	7.9 metre radius

### Tree D



Tree Location:	Lot 12
Lots affected by TPZ:	Lot 12
Recommended TPZ:	12.8 metre radius

### Tree Type - *Corymbia calophylla* (Marri)

The *Corymbia calophylla* (Marri) located on Lot 13 has been retained and incorporated into the GSSA based on its health, structure and the significance of the tree to the native fauna; in particular the native Black Cockatoo.

Marri is highly susceptible to root zone disturbance however, there are measures that can be taken to utilise space within the TPZ, without further compromising the tree. These measures are specific to the site (and how it will be utilised), and would require site specific arboricultural input for appropriate recommendations.

### Tree E



Tree Location:	Lot 13
Lots affected by TPZ:	Lot 13
Recommended TPZ:	7.6 metre radius

**Tree F**



Tree Location: Lot 13  
Lots affected by TPZ: Lot 13  
Recommended TPZ: 8.2 metre radius

**Tree G**



Tree Location: Lot 14  
Lots affected by TPZ: Lot 14  
Recommended TPZ: 9.3 metre radius

## Tree H



Tree Location:	Lot 15
Lots affected by TPZ:	Lot 15
Recommended TPZ:	7.2 metre radius

## 2. Tree Protection Measures

### 2.1 Tree Protection Penalties

Any event that leads to the irreversible damage or death of an identified tree shall result in action being taken by the Shire, and penalties may be applicable. Penalties under the *Planning and Development Act 2005* can be up to \$250,000, with ongoing fines of \$25,000 per day.

### 2.2 Clearing on Lots Affected by this Policy

All lot clearing (if required) shall be undertaken outside of the specified TPZ. All care is to be taken during clearing operations to avoid any damage to the trees canopy or activities that could result in the loss of limbs.

No mechanical grubbing out shall occur within the TPZ. If required, removal of organics within the TPZ should be undertaken by hand and limited to the top 100mm of soil only. No mechanical equipment to be utilised without the prior written advice of an Arboriculturist being provided to and approved by the Shire.

All grubbing or removal of roots and/or removal of deleterious material below ground that is within 1 metre of the TPZ boundary, shall be preceded by root pruning consistent with written advice from an Arboriculturist being provided to and approved by the Shire [see Policy provision 2.4].

### 2.3 Development on Lots Affected by This Policy

All development, including, but not limited to, dwellings, outbuildings, animal shelters etc. shall be contained within the building envelopes specified In

“Schedule B”. No development will be permitted outside of the building envelope without written advice from an Arboriculturist being provided to and approved by the Shire prior to the construction of the development.

#### 2.4 Root Pruning

All trenches and excavations near the TPZ boundary of trees should be preceded by root pruning where the diameter of the root(s) exceed 20mm. Root pruning shall be undertaken in five (5) stages as follows:-

- *A dissecting cut* – a preliminary cut made at a distance away from the intended final root pruning alignment. Dissection cut made to relieve pressures on the individual roots.
- *Localised excavation around the individual root* – This is the removal of soils such that any tearing of bark can be observed to its source on the tree side of the root and the final cut zone made accessible for cutting with the pruning implement being used (Including sharp secateurs, loppers, handsaw or chainsaw that is fit for the purpose).
- *Final cut* – Made with a sharp pruning tool (i.e. sharp secateurs, loppers, handsaw or chainsaw that is fit for the purpose) at the position where the bark is attached around the circumference of the root. The final cut is not governed by the root pruning alignment if the tearing of the bark extends toward the tree and goes beyond the intended alignment. However, should the final cuts end up being closer to the tree than the intended alignment, the methodology should be modified such that steps (i) and (ii) are carried out further away from the intended alignment and the final cut made at the intended alignment.
- *Cover the exposed roots* – On completion of the final cut, the root(s) are to be covered with either soil (backfilled immediately following pruning), or a layer of hessian (or alike material approved by the Arboriculturist), that is secured and draped over the root exposed area. This cover should be put in place progressively with the root pruning (within hours), and the hessian regularly moistened as directed by the Arboriculturist.

#### 2.5 Services

No services, excavation or trenching shall pass through the specified TPZ without the prior written advice from an Arboriculturist being provided to and approved by the Shire.

This includes trenching or excavation required for reticulation and garden lighting.

This advice will be at the landholders' expense, and the Shire will not be liable for any costs associated with this advice.



## 2.6 Boundary Fencing

Boundary fencing that is required to pass through the TPZ should be post and rail type. Locations for footings within the TPZ shall be subject to exploratory excavations to avoid damage or loss of roots exceeding 20mm diameter.

It is recommended that the advice of an Arboriculturist is obtained and submitted to the Shire for approval prior to construction of any fencing within the TPZ.

## 2.7 Canopy Pruning

Pruning or removal of any part of the canopy shall not be undertaken without the prior written advice from an Arboriculturist being provided to and approved by the Shire.

All pruning works to comply with the Australian Standards AS 4373 "Pruning of amenity trees" 2007.

## 2.8 TPZ restrictions

Restricted activities within the TPZ:

- Traversing and/or Parking of plant machinery or vehicles;
- Storage for construction or deleterious materials;
- Vehicle refuelling;
- Storage of surplus fill;
- Preparation of chemicals and/or cement products;
- Areas to dump construction and general waste;
- Wash down or cleaning;
- Locations for site offices or toilets; or
- Activities that may harm or injure the tree above or below ground.

## 2.9 Landscaping

No Landscaping shall occur within TPZ without written advice from an Arboriculturalist being submitted to and approved by the Shire prior to any landscaping works commencing.

Landscaping advice will be at the landholders' expense, and the Shire shall not be liable for any costs associated with this advice.

Arboricultural input shall form part of any landscaping design for any of the properties affected by this policy. Of particular concern will be issues such as (but not limited to):

- Soil level changes;
- Landscape lighting;

- Irrigation methods;
- Hard landscaping;
- Retaining walls;
- Footings;
- Fencing;
- Turf;
- Placement and location of sheds;
- Drainage implications.

### 2.10 Arboricultural Inspections

The long term welfare of the tree and its safety would best be served by undertaking regular Arboricultural inspections (approximately 3-4 years) by a suitably qualified Arborist to assess, identify and report any change or tree related problems that may cause future issues.

It is recommended that landholders undertake regular inspections of the nominated trees.

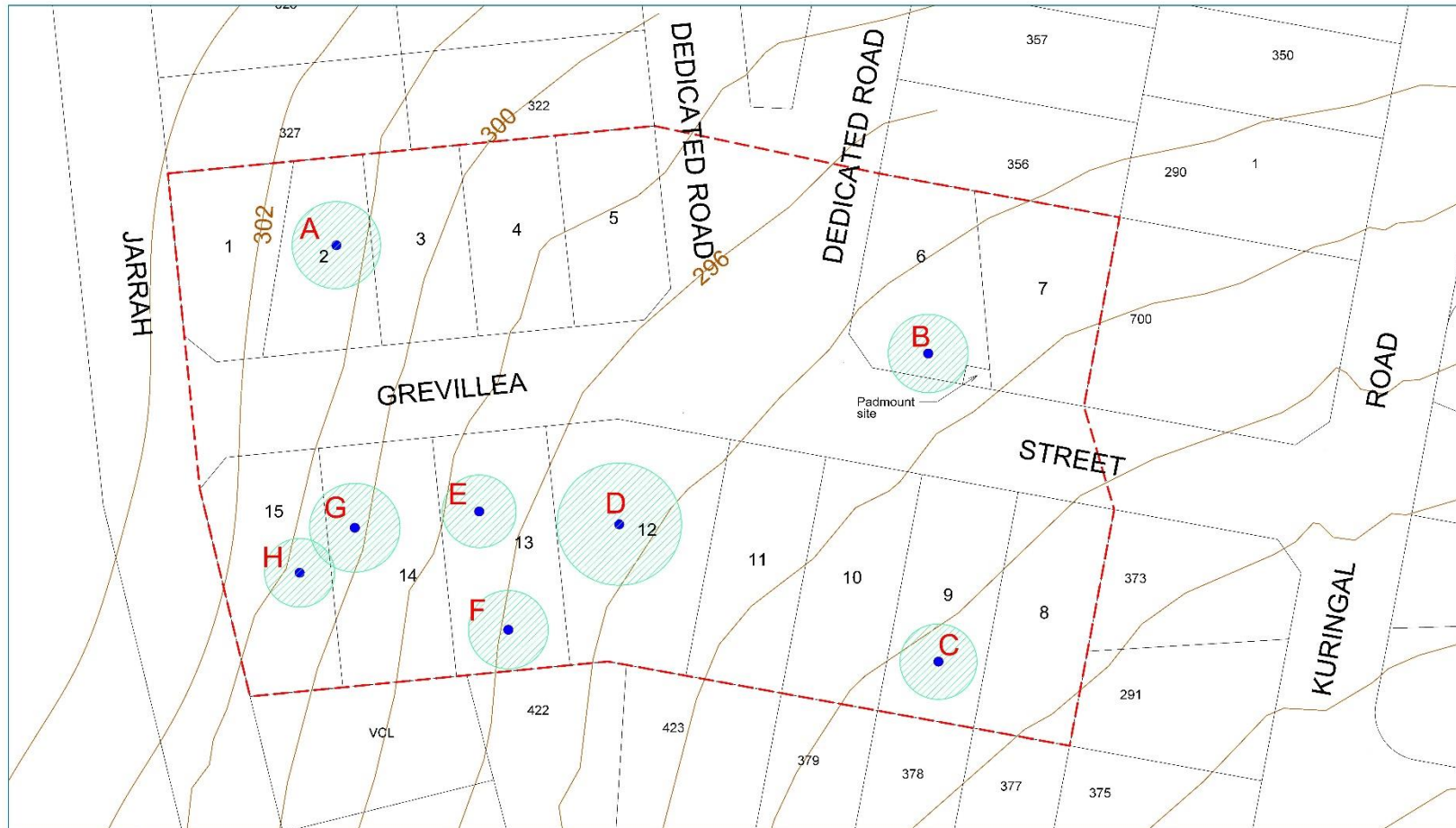
These inspections and advice will be at the landholders' expense, and the Shire will not be liable for any costs associated with this advice.

### 2.11 Unavoidable TPZ encroachments

No encroachment into a TPZ is permitted without written advice from an Arboriculturalist being submitted to and approved by the Shire prior to any works commencing.




This advice will be at the landholders' expense, and the Shire will not be liable for any costs associated with this advice.

Where encroachment into the TPZ is unavoidable, variations to the TPZ may be possible subject to compensation measures being afforded the tree and appropriate Arboricultural advice being provided i.e. increasing area of the TPZ elsewhere and/or via remedial arboricultural works within the TPZ area.



Job Number: 14307  
 Sheet Name: 14307-policy  
 Scale: 1:750 @ A3  
 Date: 16/09/2012  
 Drawn By: Cde  
 Checked by: RW  
 File: P:\projects\14307\14307policy.dwg  
 All drawings are issued subject to any conditions of use set out in the relevant contract documents. The user must ensure that the drawings are used for the intended purpose and are not used for any other purpose without the written consent of the Shire of Northam. The date and version number of the drawings shall be as shown on the drawings.

**RESTRICTIVE COVENANT UNDER S129BA OF TLA:**  
 NO TREES OR VEGETATION LOCATED WITHIN THE AREAS AS NOTED AS TREE PROTECTION ZONES SHALL BE DISTURBED WITHOUT THE WRITTEN CONSENT OF THE SHIRE OF NORTHAM. NO DEVELOPMENT SHALL OCCUR WITHIN THE TREE PROTECTION ZONES.

-  28 Tree to be retained
-  Tree Protection Zone (Various radii)
-  Policy Area

**TREE PROTECTION POLICY AREA**  
**GREVILLEA STREET**  
**WUNDOWIE**  
**"SCHEDULE A"**

