

Policy			
Title:	Tree Retention and Planting – Development	Code:	LP.09
Purpose or Objective:	<ol style="list-style-type: none"> 1. To facilitate acceptable tree retention and provision as part of development in order to deliver healthy, vibrant and ecologically sustainable communities. 2. To recognise the true environmental, social and economic value of trees at all stages of development. 3. To state the local government’s position on the retention, protection and provision of trees on private land and adjacent reserves, as a consequence of development. 4. To provide for planning flexibility and incentives where an existing tree is preserved. 		
Reference Documents:	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • Planning and Development (Local Planning Schemes) Regulations 2015 • State Planning Policy No. 7.3: Residential Design Codes of WA • City of Canning Local Planning Scheme No. 42 		

Policy Statement
<p>This policy outlines the local government’s recognition of trees as assets with significant environmental, social and economic values and ensures that retention and enhancement of the local government’s tree canopy cover is considered at all stages of development.</p>

1 Scope

This policy applies to all development with a minimum value of \$100,000 in the City of Canning (the local government) area.

2 Definitions

Unless otherwise defined, words and expressions in this policy are as defined in Part 6 of Local Planning Scheme No. 42 (the Scheme), the *Planning and Development Act 2005*, Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) or State Planning Policy 7.3 Residential Design Codes of WA.

Deep Soil Zone

This policy applies to all development with a minimum value of \$100,000 in the City of Canning (the local government) area.

Tree

A long-lived woody perennial plant with 1 or more trunks. Trees are categorised by size as per Table 3.3b of R – Codes Vol. 2.

Regulated Tree

A tree that:

- a) is equal to or in excess of 3m in height; or
- b) has a trunk equal to or in excess of 100mm in diameter (sum of 200mm diameter for multiple trunk species) measured at 1.4m above ground level; or
- c) has a canopy spread of 3m or more; and
- d) is not identified as an unwanted tree species listed within Appendix 1 of this policy.

Advanced Tree

A tree which requires planting in a 90L or larger container and is of a minimum 2m height and 2 years age at the time of planting. Tree stock is to be selected in accordance with Australian Standard 2303:2015 – Tree Stock for Landscape Use.

Significant Pruning

- a) Removal of more than one-third of a tree’s canopy; or
- b) The pruning of significant branches or roots that would affect the health and/or stability of the tree.

Arboricultural Impact Assessment

A report which is prepared in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites (AS 4970) and identifies all trees on site and possible impacts on trees being retained. It includes design and construction method recommendations to minimise impacts on retained trees and the measures necessary to protect trees throughout the demolition and construction stages.

Tree Protection Plan

A plan which forms part of an Arboricultural Impact Assessment and indicates Tree Protection Zones (TPZ) and protection details for all trees being retained, in accordance with AS 4970.

3 Development Requirements

3.1 Information Required for Development Applications

Development applications (DAs) are to indicate the location of all regulated trees on site and all trees within adjacent road reserves, including identification of trunk diameter at 1.4m above ground level, canopy spread, species and levels at the base of each tree.

3.2 Tree Retention on Development Sites

- a) In considering an application for development approval, the local government may require the retention of any regulated trees on site, pursuant to Clause 67 (p) of the Regulations 2015.
- b) In determining a development proposal which is likely to result in the removal or significant pruning of a regulated tree, the local government will assess the retention value of the tree, based on the following criteria:
 - i. The number of trees on the site and the ability to achieve the minimum tree provision rates identified in Table 1;
 - ii. The heritage, scientific, social, cultural and/or aesthetic significance of the tree;
 - iii. Environmental benefits and landscape amenity;
 - iv. The location of the tree on the development site and the potential to retain the tree on the periphery of the site, within the front setback areas, private open space or common property areas;
 - v. Tree species and habitat values;
 - vi. The location of the tree in relation to any conservation areas or ecological corridors;

- vii. If the site is located within a designated bushfire prone area, tree removal may be supported if required under an approved Bushfire Management Plan (BMP) or Bushfire Attack Level (BAL) Assessment;
 - viii. Potential safety risks associated with tree retention;
 - ix. Tree condition including health, structure and life expectancy; and
 - x. The amount of auxiliary works required to retain and protect the tree.
- c) To enable the local government’s assessment under Clause 3.2 of this policy, the submission of a Preliminary Arboricultural Report, at the applicant’s expense, in accordance with Clauses 2.3.2 and 2.3.3 of AS 4970.
- d) The local government may require amendments to development design to facilitate the retention of a regulated tree.
- e) Development design is to co-locate areas of communal open space and/or deep soil zones with any existing trees.
- f) The local government may vary other Scheme or policy provisions (where these provisions may lawfully be varied and such variation is considered to be acceptable on planning grounds) to facilitate the retention of a regulated tree.
- g) Regulated Trees being retained are to be protected during all stages of development in accordance with AS 4970 and AS 4373-2007 Pruning of Amenity Trees. The local government may require the preparation of an Arboricultural Impact Assessment including a Tree Protection Plan, at the applicant’s expense, in accordance with Clause 2.3.5 of AS 4970 and may require that all development site works comply with the approved Arboricultural Impact Assessment’ and the Tree Protection Plan.

3.3 Tree Planting on Development Sites

- a) All developments are to provide trees in accordance with Table 1 – Tree Provision Rates, through the retention of existing trees, or the planting of advanced trees. It is the City’s practice that the number of trees required in Table 1 shall be rounded to the nearest whole number. This means that:
- i. Where 0.49 or less is required, the number is to be rounded down (i.e. 2.01 to 2.49 trees = 2 trees); and
 - ii. Where 0.5 or high is required the number is to be rounded up (i.e. 2.5 to 2.99 trees = 3 trees).

Table 1: Tree Provision Rates

Type of Development	Tree Provision Rate	Planning Guidance
3.3.1 Multiple dwellings and mixed use developments (All multiple dwellings below R40 inclusive)	<ul style="list-style-type: none"> a) Trees are to be provided in accordance with Table 3.3b of R – Codes Vol. 2. b) Within open car parking areas, Advanced Trees are to be provided at a minimum rate of 1 tree for each 4 parking bays. 	<ul style="list-style-type: none"> a) Trees are to be provided in accordance with Table 3.3b of R – Codes Vol. 2. b) The required trees are to be planted within car parking areas to mitigate the urban heat island effect. c) Tree species that cast adequate shade are to be selected.

Type of Development	Tree Provision Rate	Planning Guidance
3.3.2 Single Houses and Grouped Dwellings	Minimum 1 tree for each 450m ² of site area.	<ul style="list-style-type: none"> a) For grouped dwellings, preferred location for existing and new trees is common property areas or private open spaces immediately adjacent to common property; and b) The size and location of new trees should have regard to adjoining properties in particular to minimise overshadowing of solar panels. Small tree species are preferred where there are concerns about the impact on adjoining properties.
3.3.3 All other types of development	<ul style="list-style-type: none"> a) Within open car parking areas, advanced trees are to be provided at a minimum rate of 1 tree for each 4 parking bays; and 	<ul style="list-style-type: none"> a) The required trees are to be planted within the car parking areas to mitigate the urban heat island effect. b) Tree species that cast adequate shade are to be selected.
	<ul style="list-style-type: none"> b) Minimum 1 tree for each 450m² of site area excluding any open parking area. 	The trees may be planted anywhere on site, including within the frontage landscaping strip at a preferred rate of 1 tree for every 10m of frontage, in locations to maintain adequate sightlines.

- b) Tree planting is to be in accordance with an approved landscape plan, or where no landscape plan is required, in locations agreed to by the local government and marked on the approved plans.
- c) Where no Deep Soil Zone is required in the case of 9.8.3, a minimum 1.5m x 1.5m clear surface area is required for each new tree.
- d) If the site falls within any ecological corridors identified through a Biodiversity Strategy, the tree species are to be selected in accordance with any applicable requirements within the ecological corridor. Where constraints exist, for example where siting of open car parking within an ecological corridor is inevitable wherein shade tree species are preferred, a variation from the species may be considered, provided that the overall ecological linkage within the corridor is not compromised.
- e) Driveway design is to maximise opportunities for tree retention and planting within the front setback area. The number and width of driveways is to be minimised and the use of previous material and ribbon driveways is encouraged.
- f) If the site is located within a designated bushfire prone area where fire assessment is required under State Planning Policy 3.7 – Planning in Bushfire Prone Areas, tree planting is to be in accordance with the approved BMP or BAL assessment, and any relevant provisions of the Western Australian Planning Commission (WAPC)'s Guidelines for Planning in Bushfire Prone Areas.
- g) Tree planting on roofs, balconies and other structures and the provision of biophilic features may be considered for the purpose of compliance with this policy, where adequate canopy and soil space is provided, the Objectives of this policy are met, and ongoing maintenance of these features are guaranteed.

3.4 Street Trees

- a) The local government's strong preference is for all street trees to be retained in their current locations. Prior to approving a development which may result in the removal of a street tree, all reasonable design alternatives must be examined.
- b) Developments are to be designed to maximise opportunities for new street tree planting. To achieve this, the local government may require reasonable design alternatives.
- c) For the purpose of this policy, a reasonable design alternative may involve:
 - i. Deletion of proposed second/additional crossovers to the development site;
 - ii. The altering of development design to relocate proposed crossovers which are in conflict with street trees;
 - iii. The tapering of driveway and/or crossovers to the satisfaction of the local government in order to provide the required clearance from street trees;
 - iv. For lots with a frontage of less than 10m, the narrowing of crossovers to the minimum widths permitted in the local government's Plan No. STD 01 Residential Crossover Standard Details or as otherwise approved by the local government;
 - v. The provision of shared crossovers for adjoining sites and/or shared driveways with reciprocal right of access easements; and
 - vi. Allowing for planning variations, including setback variations, to facilitate tree retention.
- d) Crossovers are to be set back from street trees in accordance with the local government's Policy ET525 – Streetscape and Park Management – Trees in Streets, Thoroughfares and Parks.

4 Development Conditions

Conditions and footnotes may be imposed on development approvals, in accordance with the provisions of this policy. These include but are not limited to conditions regarding tree retention, planting and maintenance thereafter.

5 Subdivisions

- a) In providing referral advice on a subdivision application, the local government will consider that the subdivision shall not prejudice the potential of the future development to comply with this policy. Accordingly, the local government may make the following recommendations to the WAPC:
 - i. Retention of existing trees or requesting information on trees being considered for retention;
 - ii. The realignment of subdivision or survey-strata boundaries to facilitate the retention of a street tree or a Regulated Tree on site;
 - iii. The reconfiguration of survey-strata boundaries to facilitate vehicular access from common property to minimise the number of crossovers;
 - iv. The reconfiguration of survey-strata boundaries to maximise tree planting opportunities within common property;
 - v. Imposition of a subdivision condition requiring crossover construction (Model Condition T20) to ensure crossovers avoid an existing street tree; and
 - vi. Restrictive covenants limiting vehicular access from the street to facilitate access from common property.
- b) Local Development Plans (LDPs) may be required for lots smaller than 260m² or other lots for which LDPs are required under the planning framework, to address the following matters:
 - i. Garage/crossover locations to avoid existing street trees and maximise opportunities for planting new street trees;
 - ii. Reducing/restricting the width of crossovers/driveways;
 - iii. Shared crossovers/vehicular access; and
 - iv. Indicating tree planting locations.

- c) Where as a condition of subdivision, the common property access way is required to be paved, drained and sealed (Model Condition T16), an advice note is to be provided to state that tree planting may be required within common property.

6 Related Local Policies

- ET525 Streetscape and Park Management – Trees in Streets, Thoroughfares and Parks
- ET520 Conservation of Flora and Fauna
- ET527 Urban Revegetation and Greening
- ET526 Subdivision – Landscaping

Governance References

Statutory Compliance	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • Planning and Development (Local Planning Schemes) Regulations 2015
Process Links	

Policy Administration

Program		Officer title	Date last approved
Canning Sustainable Development		Director Canning Sustainable Development	15 October 2019
Version	Decision Reference	Synopsis	Delegation No.
1	SD-014-19	Final adoption	

Appendix 1 – List of Unwanted Tree Species

The following tree species are not protected through this policy due to their invasiveness and potential ecological impact on natural areas within the local government.

Botanic Name	Common Name
<i>Acacia baileyana</i>	Cootamundra Wattle
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia decurrens</i>	Early Black Wattle
<i>Acacia elata</i>	Cedar Wattle
<i>Acacia floribunda</i>	White Sallow Wattle
<i>Acacia iteaphylla</i>	Flinders Range Wattle
<i>Acacia longifolia</i>	Sydney Golden Wattle
<i>Acacia melanoxylon</i>	Blackwood
<i>Acacia microbotrya</i>	Manna Wattle
<i>Acacia podalyriifolia</i>	Queensland Silver Wattle
<i>Acacia pycnantha</i>	Golden Wattle
<i>Ailanthus altissima</i>	Tree-of-heaven
<i>Casuarina cunninghamiana</i>	River Sheoak
<i>Casuarina glauca</i>	Swamp Oak
<i>Eucalyptus botryoides</i>	Bangalay
<i>Eucalyptus conferruminata</i>	Bald Island Marlock
<i>Eucalyptus globulus</i>	Tasmanian Bluegum
<i>Eucalyptus muelleriana</i>	Yellow Stringybark
<i>Eucalyptus polyanthemos</i>	Red Box
<i>Eucalyptus saligna</i>	Sydney Bluegum
<i>Leptospermum laevigatum</i>	Victorian Tea Tree
<i>Populus alba</i>	White Poplar
<i>Populus nigra</i>	Black Poplar
<i>Robinia pseudoacacia</i>	Black Locust
<i>Salix babylonica</i>	Willow
<i>Salix cinerea</i>	Grey Willow
<i>Salix humboldtiana</i>	Pencil Willow
<i>Schinus terebinthifolius</i>	Japanese Pepper
<i>Tamarix species</i>	Athel Pine; Tamarisk
<i>Ulmus Procera</i>	English Elm
<i>Washingtonia species</i>	Cotton Palm