

<b>Responsible Directorate</b>	Development Services
<b>Responsible Business Unit/s</b>	Statutory Planning
<b>Responsible Officer</b>	Manager Statutory Planning and Compliance
<b>Affected Business Units</b>	Statutory Planning

## Objective

- To preserve and enhance the Shire's landscape character;
- To protect and retain significant trees contributing to the biodiversity and amenity of the Shire;
- To provide guidance as to when the Shire will support tree removal and require replacement planting and additional planting in degraded areas;
- To enhance the Shire's urban areas through landscaping; and
- Increase canopy coverage, preserving and contributing to the Shire's urban and rural forest.

## Scope

This policy applies to all land within the Shire as part of applications for subdivision, development, and infrastructure works. It is divided into the following three parts:

1. Part 1 - Significant Tree Removal and Replacement as part of development and subdivision
2. Part 2 - Design of Street Tree Planting as part of Subdivision
3. Part 3 - Design of Street Tree Planting as part of Development

This policy does not apply where tree removal is required to reduce a Bushfire Attack Level (BAL) in accordance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas, as part of an application for development approval.

## Policy

### Part 1 - Significant Tree Removal and Replacement

#### **1.0 Loss of Trees as part of development or subdivision**

- 1.1 Unless exempt in accordance with the Shire's Local Planning Scheme No.3 (LPS3), or forms part of another approval (subdivision or development), development approval is required for tree removal.
- 1.2 Where street trees are existing, development applications will require their protection and development approvals may be conditioned accordingly.
- 1.3 **The Shire will consider the following matters in respect of a development or subdivision involving tree removal:**



- 1.3.1 The existing environmental assets, character and amenity of the area;
- 1.3.2 The level of environmental value and amenity provided by the tree/s to be removed and the impact of their removal;
- 1.3.3 Whether suitable replacement planting is proposed to offset the impact of the tree removal;
- 1.3.4 Whether the tree/s provide a habitat or support to a threatened or endangered species;
- 1.3.5 Whether the tree is locally native, introduced or a weed

**1.4 Generally tree removal will not be supported, unless suitably replaced, where the tree/s proposed to be removed:**

- 1.4.1 Are visually prominent within the streetscape and/or landscape;
- 1.4.2 Contribute significantly to the character and amenity of the locality; and/or
- 1.4.3 Would result in an area deficient of tree coverage as determined by the Urban and Rural Forest Strategy.
- 1.4.4 Would provide environmental or biodiversity services including habitats for threatened or endangered species

**1.5 Replacement Planting**

- 1.5.1 Where the removal of trees is supported by the Shire as part of a development application, they should be replaced (a minimum ratio of one for one) within the subject lot. This ratio may be increased where canopy cover is considered insufficient (i.e less than 20% of the site) or where saplings or small trees are proposed to replace mature trees.
- 1.5.2 Where the removal of trees is supported by the Shire as part of a subdivision application they should be replaced within the subdivision area, or where not practical, in an area to be mutually agreed between the Shire and the applicant, in accordance with an approved revegetation plan.
- 1.5.3 Replacement tree/s must comprise of species to the satisfaction of the Shire, local natives should be considered. Generally, replacement planting should attain, within ten years, the effective canopy coverage of the trees lost as part of the proposal. Species selection and number of trees should consider this principle.
- 1.5.4 Where a tree is proposed to be removed that cannot reasonably be replaced elsewhere on the lot, the Shire may consider replacement with street tree/s within the locality.
- 1.5.5
- 1.5.6 Street trees should be located so as to provide sufficient shading of the street verge and enhance the visual amenity of the streetscape.

**1.6 Financial Contribution**

- 1.6.1 Where trees proposed to be removed as part of a development application cannot reasonably be replaced within the subject site or the street, a financial contribution may be made to the Shire.
- 1.6.2 The financial contribution shall be used towards tree planting in the Shire to increase canopy cover in accordance with the Shire's Urban and Rural Forest Strategy.



- 1.6.3 A payment of \$1,500 in lieu of each tree is required to be paid to the Shire prior to the removal of any tree/s. This amount represents the cost to purchase a suitable advanced tree plus watering for the first two summer periods.
- 1.6.4 The Shire shall purchase and maintain any trees funded through this policy thereafter.

### **Part 2 - Design of Street Tree Planting as part of Subdivision**

- 2.0 Once an applicant, subdivider, developer or landowner as the case may be (hereafter referred to as "applicant") receives a subdivision application approval which involves civil works, there is a process by which they must prepare detailed engineering/civil works drawings for submission and approval by the Shire, prior to the commencement of works.

This policy requires these detailed engineering drawings/civil works to indicate the provision of street trees to be planted on both sides of all streets within the subdivision application area, and how they will be maintained.

There will be a specific Street Tree Management Plan included as part of the engineering drawings. Street trees are to be provided at the rate of one tree per fee simple (green title) lot (hereafter referred to as "lot"), or in the case of lots less than a 10m width, at a rate to be determined by the Shire. Corner lots shall provide one tree per street frontage (primary and secondary street) unless otherwise approved by the Shire.

Street trees must comprise of a species to the satisfaction of the Shire and which will mature to a sufficient size and canopy, and be located such as to provide sufficient shading of the street verge area to the satisfaction of the Shire. Engineering drawings must demonstrate this detail.

- 2.1 An applicant can satisfy their street tree planting obligations by choosing one of the following options:
- 2.1.1 Option 1 (preferred) - Applicant provides contribution payment to Shire who then takes responsibility. In this option, an applicant can choose to pay the Shire \$1,500 per street tree. This payment must be made prior to the practical completion certification of the civil works. In receiving this contribution, the Shire will purchase, plant and maintain all street trees within the subdivision for two years. Planting will occur at the most optimal time in the opinion of the Shire, taking into account development rates on each lot.
- 2.1.2 Option 2 - Applicant takes responsibility and plants the trees after clearance and after each lot is developed. To achieve clearance of the subdivision, a bond equal to \$1,500 per street tree must be provided to the Shire. The Shire will return this in one amount once all street trees have been planted and maintained consistent with the Street Tree Management Plan.
- 2.1.3 Option 3 - Applicant takes responsibility and plants the trees prior to clearance of the subdivision. The applicant is required to plant and manage the street trees for a two year period post planting, performing sound arboricultural maintenance practices that promote good form and shape with a well-defined canopy, to the satisfaction of the Shire. Street trees which are not adequately maintained in the opinion of the Shire will be required to be removed, replaced and maintained for a further two years. Details of maintenance must be set out in the Streetscape Management Plan.



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**Part 3 - Design of Street Tree Planting as part of Development**

- 3.0 A condition may be imposed on development approvals (except those for a Single House and/incidental residential development) to establish street trees for the adjoining verge of a lot, and this condition will reference the requirement for a Streetscape Management Plan, to be submitted and approved prior to the issue of a Building Permit. In residential areas, either zoned or designated under a Structure Plan, one street tree per lot will be required. In all other zoned areas, the street tree rate will be determined based on the width of the lot, and taking in to account relevant issues like vehicle access. An approximate rate of one street tree per 10m of lot width will be used. Corner lots shall provide the trees per lot frontage. In all cases, the requirement for street trees will need to take in to account the availability of space within the adjacent verge area and be a species which meets the satisfaction of the Shire.
- 3.1 An applicant can satisfy the condition of planning approval by choosing one of the following options:
- 3.1.1 Option 1 (preferred) - Applicant provides contribution payment to Shire of Serpentine Jarrahdale who then takes responsibility.

In this option, an applicant can choose to pay the Shire the equivalent of \$1,500 per street tree. This payment must be made prior to the issue of a Building Permit, as the Streetscape Management Plan (required prior to Building Permit) will demonstrate the planting areas of the street trees. In receiving this contribution, the Shire will purchase, plant and maintain all street trees identified in the approved Streetscape Management Plan. Planting will occur at the most optimal time in the opinion of the Shire, taking in to account development rates.

3.1.2 Option 2 - Applicant takes responsibility and plants the trees

The applicant is required to plant the street trees prior to occupation and manage the street trees for a two year period post planting, performing sound arboricultural maintenance practices that promote good form and shape with a well-defined canopy, to the satisfaction of the Shire. Street trees which are not adequately maintained in the opinion of the Shire will be required to be removed, replaced and maintained for a further two years. Details of maintenance must be set out in the Streetscape Plan.

## **Definitions**

**Significant Tree** – a tree that includes one of the following:

- (a) **Having at least one well defined stem or trunk of a height greater than 4m**  
(b) **A trunk diameter greater than 150mm measured at a height of 1.2m above natural ground level.**

## **Relevant Policies/Council Documents**

- Strategic Community Plan 2017 – 2027
- Urban and Rural Forest Strategy



### Legislation/Local Law Requirements

- *Local Government Act 1995*
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Office Use Only				
<b>Relevant Delegations</b>				
<b>Council Adoption</b>	<b>Date</b>	15 May 2023	<b>Resolution #</b>	OCM100/05/23
<b>Reviewed/Modified</b>	<b>Date</b>		<b>Resolution #</b>	
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