

B4.22 Preservation of Trees or Bushland Vegetation

Land to which this control applies

All land and waterways within the Pittwater Local Government Area (not including National Parks)

Uses to which this control applies

Tree and/or bushland removal

Outcomes

To protect and enhance the amenity that trees and/or bushland vegetation provide.

To protect and enhance the scenic value and character that trees and/or bushland vegetation provide (En, S).

To protect, enhance and account for the contribution trees and/or bushland vegetation provide to the ecological value and biodiversity of Pittwater, including habitat for locally native plant and animal species, threatened species populations and endangered ecological communities (En).

To promote the benefits that corridors of trees and/or bushland vegetation provide for the movement of flora and fauna (En, S).

Controls

A person shall not ringbark, cut down, top, lop, remove, poison, injure, or willfully destroy any prescribed tree or bushland vegetation without a Tree and Bushland Vegetation Removal Permit unless authorised by a current Development Consent.

This includes damage to a tree or bushland vegetation by:

- Damaging or tearing live branches and roots;
- Damaging the bark, including attachment of objects using invasive fastenings, the fastening of materials around the trunk of trees which may result in a detrimental impact on tree health;
- Tree topping, where large branches and/or the trunk of the tree is removed from the top of the trees canopy;
- Tree lopping, where branches are removed to reduce the height and spread of the tree;
- Damaging the root zone of a tree by way of compaction, including storage and stockpiling materials;
- Changing of ground levels within the root zone of a tree by way of excavation, trenching, filling or stockpiling;
- Under-scrubbing of bushland vegetation;
- Burning of vegetation (not part of a Hazard Reduction Certificate); or
- Any other act or activity that causes the destruction of; the severing of trunks or stems of; or any other substantial damage to, some or all of the native vegetation in an area.

Note: Where such activities are required as part of other works for which a Development Application is required, the works will be assessed as part of the Development Application.

This control does not apply to Council or its duly authorised servants or agents to carry out approved maintenance or works, including those covered under Part 5 of the Environmental Planning & Assessment Act.

Works conducted in accordance with a Hazard Reduction Certificate issued under the *Rural Fires Act 1997* for asset protection hazard reduction works do not require a permit.

Variations

Pruning less than 10% of a tree's canopy over a 12 month period (all pruning works must be in accordance with Australian Standard AS 4373:2007 - *Pruning of amenity trees*) is permitted without a Tree and Bushland Vegetation Removal Permit or Development Consent.

Council may consider a variation to this control where:

- Council is satisfied a tree or other vegetation is dying or dead and is not required as habitat for native fauna.
- Council is satisfied a tree or other vegetation is a risk to human life or property.

Exempt tree species

The tree species listed in Table 1 below and listed in the noxious weed declarations for Pittwater Council under the *Noxious Weeds Act 1993* are considered undesirable and can be removed without a Tree and Bushland Vegetation Removal Permit or Development Consent.

Refer to Council's website for a list of noxious weeds and

(http://www.pittwater.nsw.gov.au/environment/noxious_weeds/listed_noxious_weeds_for_pittwater_council).

There are five classes of noxious weed, each with different legal obligations for management, refer to the *Noxious Weeds Act 1993* for requirements.

Table 1 - Exempt Tree Species

Exempt Trees

BOTANICAL NAME

Acacia baileyana
Acacia saligna
Acer negundo
Alnus jorullensis
Araucaria bidwillii
Brachychiton acerifolium
Castanospermum australe
Celtis australis
Citharexylum spinosum
Citrus spp.

Cupressus spp
Cupressocyparis leyandii
Erythrina spp
Eriobotrya japonica
All Ficus spp. other than Ficus macrophylla, Ficus rubiginosa and Ficus coronata
Fortunella spp.
Harpephyllum caffrum
Jacaranda mimosifolia
Lagunaria patersonia
Liquidambar styraciflua
Malus spp
Nerium oleander
Olea spp.
Palms other than Livistona australis
Paraserianthes lophantha
Prunus spp.
Populus spp.
Robinia pseudoacacia
Sapium sebiferum
Schefflera actinophylla
Spathodea campanulata
Ulmus parvifolia

COMMON NAME

Cootamundra Wattle
 Golden Wreath Wattle, Golden Willow Wattle
 Box Elder
 Evergreen Alder
 Bunya Bunya Pine
 Illawara Flame
 Black Bean, Moreton Bay Chestnut
 Hackberry
 Fiddlewood
 Citrus Trees inc. Lemon, Orange, Mandarine, Lime, Grapefruit
 Cypress Pine
 Leighton's Green Cypress
 Coral Tree
 Loquat
 All Ficus spp. other than Moreton Bay Fig, Port Jackson Fig and Sandpaper Fig
 Kumquat
 Kaffir Plum
 Jacaranda
 Norfolk Island Hibiscus
 Liquidambar
 Apple
 Oleander
 Olive
 Palms other than Cabbage-tree Palm
 Crested Wattle
 Apricot, Almond, Cherry, Plum, Peach
 Poplar
 False Acacia
 Chinese tallow
 Umbrella Tree
 African Tulip Tree
 Chinese Elm

Advisory Notes

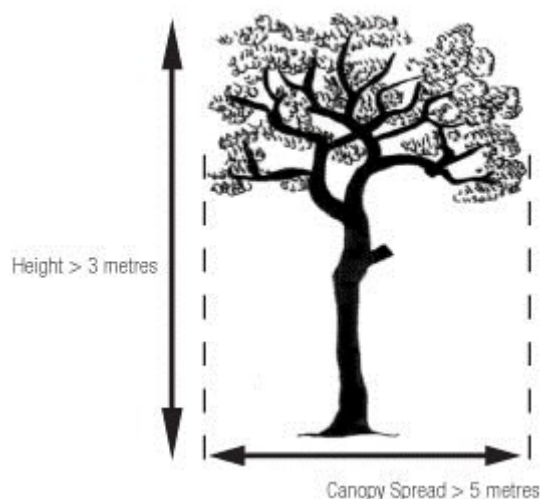
Refer to the DCP definitions for what is a prescribed **tree** and **bushland**, and to the instructions below on how to measure a tree.

Further information is available on Council's website which outlines:

- Types of protected and desirable tree and bushland vegetation species
- Noxious weed declarations and environmental weeds
- Undesirable shrubs and plants in Pittwater

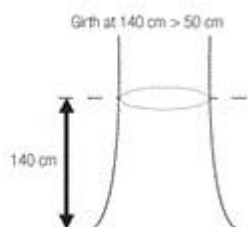
How to measure a tree

The diagrams below illustrate how tree measurements shall be obtained. The height of a tree is the distance measured vertically between the horizontal plane of the lowest point of the base of the tree (which is immediately above ground) and the horizontal plan of the uppermost point of the tree.

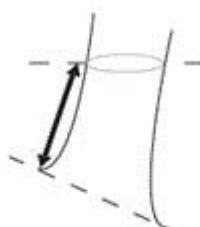


Advisory Notes

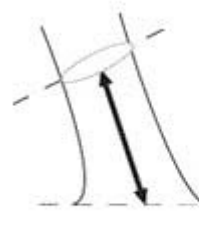
Using a measuring tape, measure the girth (circumference) of the tree trunk/s or branch as shown in the diagrams below. Generally measurements are taken at 1.4 metres above ground level. These diagrams were developed using the Australian Standard AS 4970:2009 - *Protection of trees on development sites*.



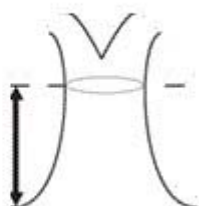
1. Level Ground



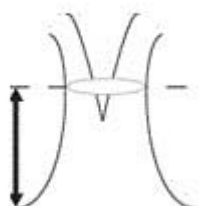
2. Sloping Ground (Take measurement 1.4m from highest side)



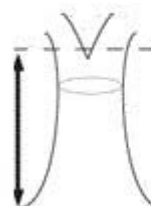
3. Leaning on Level Ground



4. Forked tree above 1.4 metres



5. Forked Tree below 1.4 metres



6. If branches/whorls occur at 1.4 metres take the measurement from the narrowest point below.



7. If the tree is deformed or buttresses take the measurement at the narrowest point above.