

Item No: C1118(2) Item 5

Subject: DRAFT TREE DCP - ENDORSEMENT FOR EXHIBITION

Prepared By: Gwilym Griffiths - Urban Forest Manger

Authorised By: Elizabeth Richardson - Deputy General Manager Assets and Environment

SUMMARY

This report is seeking Council's endorsement of the draft Tree Management Development Control Plan (DCP) to be placed on public exhibition for 28 days, in accordance with 'Notice of Motion: Tree DCP Mail Out' resolved at the 11th September 2018 Council meeting. The results will be presented to Council along with a final Tree Management DCP for adoption.

RECOMMENDATION

THAT:

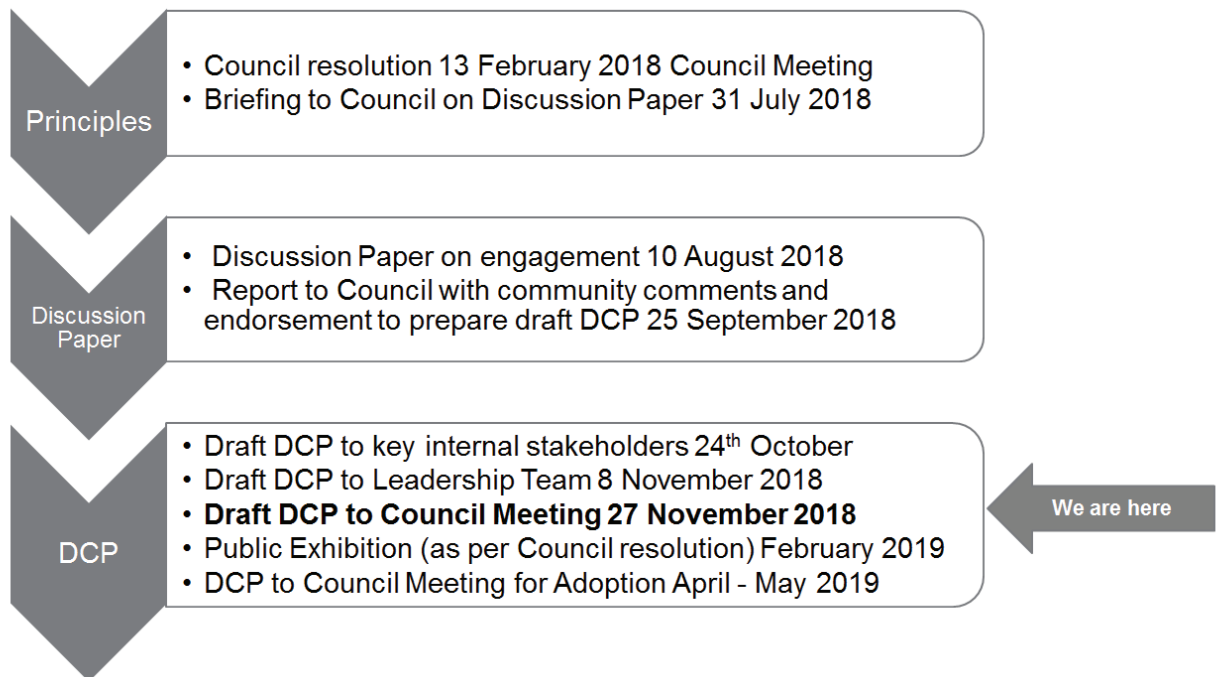
1. Council resolve to publicly exhibit the draft Tree Management Development Control Plan for the Inner West, as detailed in ATTACHMENT 2 of this report, for a period of 28 days, to replace the existing tree management controls contained in:
 - i. the Comprehensive Inner West Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill;
 - ii. Leichhardt Development Control Plan 2013; and
 - iii. Marrickville Development Control Plan 2011.
2. The results of the public exhibition and community engagement process are presented to Council along with a final Tree DCP for adoption.

BACKGROUND

At the 13 February 2018 Council Meeting (C0218 Item 11), it was resolved that Council:

Urgently review the DCP controls on trees relating to issues arising around damage to residents and properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement.

The following process has been followed:



FINANCIAL IMPLICATIONS

Staff resources have been allocated to the preparation and administration of this DCP amendment as part of their annual action plan.

Funding options for the grant scheme are currently being developed and will be presented to Council with the final Tree DCP for adoption.

OTHER STAFF COMMENTS

The following teams have had input into the development of the draft Tree DCP: Strategic Planning; Legal Services; Development Assessment & Regulatory Services; and Environment & Sustainability.

PUBLIC CONSULTATION

Community consultation was undertaken as part of the discussion paper engagement process, comments received have been considered during the development of the Draft Tree DCP.

It is intended to undertake this exhibition process concurrently with the exhibition of the aligned DCP provisions currently being prepared by Strategic Planning. These are proposed to be reported to Council early in the new year with exhibition commencing shortly thereafter. This will result in all revisions to the 3 current DCP's to align certain provisions being exhibited together.

Engagement will be carried out in accordance with 'Notice of Motion: Tree DCP Mail Out' at the 11th September 2018 Council meeting, where it was resolved that;
An LGA wide mail out calling on submissions on the new Tree DCP with information on what is happening in 5 ethnic languages, after the adoption of draft changes to the DCP.

CONCLUSION

The Draft Tree DCP has been developed to address the Council resolution 13 February 2018 Council Meeting and meet the requirements of Environmental Planning & Assessment Act 1979, State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and other planning policy. It aims to strike a balance between ensuring adequate protection of people and property while also enabling an increase in urban canopy to achieve broader canopy targets.

ATTACHMENTS

1. [!\[\]\(79de0df6c6ddd2d4eb74f1cc5f48ec50_img.jpg\)](#) Previous Council Report 25 September 2018
2. [!\[\]\(d4c9768318b38eff1042b07478e20b4c_img.jpg\)](#) Draft Tree Management DCP

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Item No: C0918(2) Item 2
Subject: TREE DCP HARMONISATION - DISCUSSION PAPER
Prepared By: Gwilym Griffiths - Urban Forest Manger
Authorised By: Elizabeth Richardson - Deputy General Manager Assets and Environment

SUMMARY

This report provides information on the principles outlined in the Tree Development Control Plan (DCP) amendment Discussion Paper. The report also summarises the feedback received from the community on the Discussion Paper, which will be utilised to inform the drafting of the Draft DCP.

RECOMMENDATION**THAT:**

1. That the Development Control Plan amendments on tree management be developed having regard to the principles of:
 - Public safety
 - Protection of property
 - Equity/ financial burden
 - Increased urban canopy
2. Council prepare the draft Tree DCP taking into consideration the options within the Discussion Paper, and the feedback received from the community consultation; and
3. The draft Tree DCP be reported to Council prior to being placed on public exhibition.

BACKGROUND

At the 13 February 2018 Council Meeting (C0218 Item 11), it was resolved that Council:

Urgently review the DCP controls on trees relating to issues arising around damage to residents and properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement.

Trees are protected under the *Environmental Planning & Assessment Act 1979* and; State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. These state legislated documents provide broad controls for trees and give powers to Council's Development Control Plans to determine what tree works require approval.

Council currently has three separate DCPs that regulate the management of trees on private land and set out controls for determining tree pruning and removals via Permit Applications and Development Applications.

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PRINCIPLES

Principles will form the foundation for the development of the Draft Tree DCP. These principles were formed based on the understanding of concerns raised by members of the public and Council. The principles include:

- Public safety
- Protection of property
- Equity/ financial burden
- Increased urban canopy

PUBLIC CONSULTATION

Tree DCP amendment Discussion Paper was placed on Your Say Inner West for a period of four weeks. The community where requested to comment on two questions:

1. Do you support the principles that guide the Tree DCP Amendment?
2. Do you support the DCP amendment options?

The community where requested to provide feedback by the 14 September 2018.

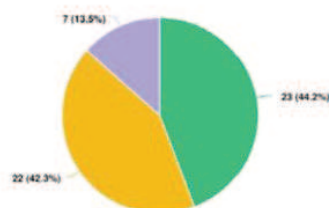
Notification on the Your Say engagement page was placed in the Council section of the Inner West Courier on the 4th September and notification was also placed on Council's social media channels on the 26th August.

Further consultation on the proposed changes to the draft Tree DCP will be done during the broader Council DCP amendment project and will be undertaken as per Council resolution made at the 11th September Council meeting where it was resolved that:

An LGA wide mail out calling on submissions on the new Tree DCP with information on what is happening in 5 ethnic languages, after the adoption of draft changes to the DCP.

A total of fifty-two (52) submissions were received from the community. The full summary report is attached. The key feedback and issues raised by the community are summarised as follows:

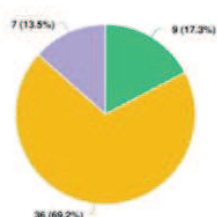
Q1 Do you support the principles that guide the Tree DCP Amendment?



Question options

Yes Yes with changes outlined below No

Q3 Do you support the DCP amendment options ?



Question options

Yes Yes with changes outlined below No

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Do you support the principles?	Do you support amendment options?	Summarised comments	Council staff response
Yes	Yes (with changes)	They seem fair and will bring all the former council regulations into alignment. Need more natives.	Native tree species will form the majority of the suggested tree replacement species outlined in the new DCP.
Yes	Yes (with changes)	Option 2 free 'informal' tree application for dead or dying trees. Concern is that some dead or dying trees may have been killed by a resident. I agree that the expense of a full arborist report is wasteful and a brief letter of confirmation of the state of the tree is enough. Dead or dying trees should be replaced. I object to the distance exemption for trees within 500 mm of a primary dwelling as it will inevitably be a subjective assessment and will lead to the unnecessary removal of trees. An exemption for trees within a given distance of a building is a retrograde step with no technical justification. Many trees close to buildings present no difficulties and can be sustainably managed. Each situation should be assessed on its merits otherwise trees will be lost unnecessarily. I support grant scheme proposal. This DCP amendment is an opportunity to increase the urban canopy rather than accelerate its current rate of decline.	The dead tree removal process will need to have some tight controls set around it and poisoning is a good reason to do so. This will be looked at during formulation of draft DCP. These suggestions will be considered during formulation of draft DCP. Noted
Yes (with changes)	Yes (with changes)	I disagree with the assumption that "Trees are there for the benefit of the community". There are benefits to the community to be sure but it is not one that should be assumed by any future DCP for tree protection. Option 4 - needs to be extended to 1.0m. Option 9 - 40% canopy target for residential zones is unreasonable. There should be encouragement but it should not be mandated.	Trees perform essential functions that benefit urban areas and the people that live in these areas such as the Inner West. The amendment of option 4 to allow 1m exemption and option 9 canopy targets will be considered during formulation of draft DCP.

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		The policy needs to be considered along with solar access and view entitlements along with fair and reasonable assessment.	
Yes	Yes (with changes)	If the council wants to encourage the canopy then they should consider providing free trees. It would also be good to have a list of preferred trees.	Council provides free trees to residents on an annual basis at on National Tree Day and throughout the year via the community nurseries. The DCP will have a list of suitable replacement species for our area.
Yes	Yes (with changes)	Safety principle - Could photos also be sufficient where a dead branch is hanging on an otherwise ok tree thus posing risk? Equity/financial burden principle- Can other "lower income" residents also be assisted? Not all "lower income" residents receive government pension."	Removal of dead branches does not require council consent. Additional discounts for low income will be considered during formulation of draft DCP.
Yes (with changes)	Yes (with changes)	Min distance of 500mm scale should be dependent on tree height and size. If a tree is rejected on private property council should be liable for maintaining the tree. Branches that overhang properties should be able to be trimmed without approval.	Will be considered during formulation of draft DCP. Tree owners are responsible for the care and maintenance of trees on their property. Any liability is assessed on a case by case basis. Tree pruning requires expert assessment. Indiscriminate boundary pruning can see a tree left potentially unstable or with irreparable damaged.
Yes (with changes)	Yes (with changes)	Council policy discourages people from planting trees by threatening residents with large fines for pruning their own trees. Owners should be allowed to prune their own trees without council permission and should be allowed to remove (as long as they replace) a tree on their own property without Council involvement.	Council administers controls on trees to ensure the preservation and appropriate management of trees within the LGA. Trees are essential green infrastructure that require skilled care and maintenance. Council is uniquely placed to be able to manage trees as a collective Urban Forest which means when we look at applications we also consider broader elements such as canopy cover in that area. Allowing removal without consent would be inconsistent with best-practice tree management

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			and would mean healthy viable trees are removed and the urban canopy will decline.
Yes (with changes)	Yes (with changes)	Can Council require an application to plant new trees and enforce removal of unauthorised planting?	Council is not able to regulate the planting of trees as there is no planning mechanism that allows this. Council can provide guidance to residents on species and locations.
Yes	Yes	Great initiative. A more streamlined process would help. It would also be great to see the Council continue to promote species that are suited to gardens and soil types.	The DCP amendment aims to make the process easier. Council will prepare a list of suggested tree replacement species outlined in the new DCP.
Yes (with changes)	Yes (with changes)	Option 4 - needs to be extended to 2.0 metres. Why does the trunk girth need to be less than 300mm at the base? This seems counter intuitive as larger trees are going to have a far greater risk of damaging a property than a smaller tree?	Increasing the exemption to 2 meters may allow for removal of trees that aren't causing damage to property. This does not mean they cannot be removed it will just need an application to be submitted and if the damage is substantiated the tree will be approved for removal. The trunk girth diameter exemption will be considered during formulation of draft DCP.
Yes (with changes)	Yes (with changes)	Suggest additional principle of 'Sustainable Vegetation' - ie trees should be appropriate to the urban environment (not reducing ability of other vegetation coverage) and non-invasive (ie allow removal of mature trees that are invasive - bot native and non-native) and as appropriate allow for replacement with other trees.	Most invasive tree species are considered exempt and do not require approval to removal. The exempt weeds list will be revised during formulation of draft DCP.
Yes (with changes)	Yes (with changes)	The Council must establish a Significant Tree Register. I also believe we have no time to lose, so can you please support a Significant Tree Register and add this to the Tree DCP Amendment. Having such a Register will set up a culture & philosophy of protecting our natural heritage & will go a long way to protecting significant trees.	The DCP sits within the planning policy framework and sets out controls under the LEP. A significant tree register is more of a Council policy level document not tied to planning controls (unless trees are listed in the LEP heritage list). Council supports the idea of a Significant Tree Register

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			however currently has three other significant operational and policy documents to deliver within the next 18 months and does not have the resources to undertake this work at this time.
Yes (with changes)	Yes (with changes)	<p>Do not allow dead or dying trees to be removed without a formal assessment. Some people poison trees deliberately. Therefore a qualified Council Officer needs to make an assessment and confirm that deliberate vandalism has not occurred.</p> <p>Where developments along a fence line are approved (where no dwelling previously existed) how are the trees on the other side of the fence to be protected from the 500mm rule?</p> <p>Are replacement trees followed up?</p> <p>Many people don't understand the importance of trees. I think that where significant trees are identified on private property, there should be a rebate on rates to the property owners.</p> <p>The policy should include a registration for tree pruners who wish to work in the area.</p> <p>More council assistance for tree disputes between neighbours.</p>	<p>The dead tree removal process will need to have some tight controls set around it and poisoning is a good reason to do so. This will be looked at during formulation of draft DCP.</p> <p>It is possible that this offset rule will have a flow on effect on the conditions imposed on developments adjacent to trees. It is unlikely that a new dwelling would be approved within 500mm of a tree anyway.</p> <p>Replacement plantings are currently and will continue to be followed up on.</p> <p>The intention of the proposed grant scheme is to recognize the importance trees on private property. A rebate scheme could be considered in the future but would be subject to broader Council review.</p> <p>Registration for contractors is an interesting concept this can be looked at during formulation of draft DCP.</p> <p>Processes already exist to assist civil disputes between neighbours. It is not Council's role to get involved in such matters.</p>
No	No	<p>These changes seem to be a watering down of the current rules and can easily be abused.</p> <p>Impacts on neighbouring trees from development and the 500mm rule need to be considered.</p>	These impacts will be considered during formulation of draft DCP.
Yes (with	Yes (with	As a senior with several magnificent	Noted

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changes)	changes)	Eucalypts on my property I support the introduction of a grants scheme.	
No	No	<p>Trees are a vital part of the community. There seems to be a swing 'Not In My Back Yard'.</p> <p>I believe that the original policies provide protection to all trees and people.</p> <p>Trees will be poisoned then a photo sent to council and then the tree will be removed.</p>	<p>Noted</p> <p>The dead tree removal process will need to have some tight controls set around it and poisoning is a good reason to do so. This will be looked at during formulation of draft DCP.</p>
Yes (with changes)	Yes (with changes)	<p>I do not believe the draft policy is specific enough.</p> <p>Residents should be permitted to view independent reports undertaken by Council when Council uses such reports in the assessment of trees.</p> <p>The cost burden should be reduced for all residents when trees are being assessed for public safety and protection of residences.</p>	<p>This is not a draft policy it is a discussion paper that will inform the DCP (policy).</p> <p>Council reports can be requested under the <i>Government Information (Public Access) Act 2009</i>.</p> <p>Noted. This will be looked at during formulation of draft DCP.</p>
Yes	Yes	Council conditioning a replacement tree that is the same size as the one that is removed seems illogical; it will just cause the same issues.	This needs to be assessed on a case by case basis and be determined by available space and size of lot.
Yes	Yes (with changes)	<p>In regards to distance exemption, this measurement needs to have a sliding scale applied, as trees come in many sizes.</p> <p>For example, a tree that is 1800mm at the base, would equate to a distance of 3000mm to the primary dwelling.</p>	This suggestion will be considered during formulation of draft DCP.
Yes (with changes)	No	<p>Reducing the cost should not discriminate against working people by limiting it to people on "low incomes". If reducing costs is an option it must be for all.</p> <p>More broadly, the Council has no business interfering with the property rights of property owners.</p>	<p>This suggestion will be considered during formulation of draft DCP.</p> <p>Work on trees is considered a form of development under the EP&A Act and the Vegetation SEPP, as such Council administers controls under these state legislations.</p>
Yes (with changes)	Yes (with changes)	<p>What about protection of existing and elderly trees in perfect health. Why is there no 'Register of Significant Trees' in Inner West. Preserving what tree canopy</p>	Council supports the idea of a Significant Tree Register however currently has three other significant operational and policy documents to

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		<p>remains should be a top priority.</p> <p>Consideration for 'dead' habitat trees.</p> <p>Replanting - yes and compliance inspected and policed.</p>	<p>deliver within the next 18 months and does not have the resources to add another.</p> <p>The habitat and planting compliance suggestion will be considered during formulation of draft DCP.</p>
Yes (with changes)	Yes (with changes)	<p>I am a pensioner, I don't have the money required to remove two wonderful but inappropriate lemon scented gums from my property.</p>	<p>The grant scheme would apply to the maintenance of trees only and not for the removal.</p>
Yes	Yes (with changes)	<p>The concept of 'informal' applications is a great idea.</p> <p>The proposal for the planting a minimum of 2 trees (lot size greater than 300m²) should be different for battleaxe blocks.</p> <p>Taking the entire area of a battleaxe block into consideration is not practical as often a large contributor to the area is the driveway.</p>	<p>Noted. This suggestion will be considered during formulation of draft DCP.</p>
Yes	Yes (with changes)	<p>The distance of 500mm is still too close for most trees to be to a dwelling. 2000 mm is more realistic.</p> <p>The cost of arborist reports is prohibitive for most people. Can we please go back to the system we had years ago.</p>	<p>Noted. This suggestion will be considered during formulation of draft DCP.</p>
Yes	Yes (with changes)	<p>Weed trees on residential properties should be able to be removed even in a heritage conservation area.</p> <p>Photographic evidence of branches fallen from trees should be sufficient evidence of risk. Owners should not always have to pay substantial arborist's fees for expensive risk reports in these instances.</p> <p>The size and species of new trees should be from an approved list to ensure trees with excessive leaf drop, tendency to drop branches and damaging root systems are not allowed in residential areas.</p> <p>Neighbours solar access should not be impinged on by mandatory tree planting (including future size) therefore 2 trees should not be required until 400m² block and</p>	<p>The exempt weeds list will reviewed as part of this draft DCP.</p> <p>Tree risk assessment is a complex process that requires a full assessment of the tree. Risk cannot be assessed from photos.</p> <p>There is no perfect tree and the proposed preferred tree species list will aim to outline trees that can tolerate a range of locations and are varying in size.</p> <p>Noted. This suggestion will be considered during formulation of draft DCP.</p> <p>The \$220 fee applies to any tree application (permit or</p>

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		located to front of properties. Other issues: requiring a DA for tree removal in a heritage conservation area (min \$220 in fees) is an unfair imposition on residents.	DA). The requirement for DAs with conservation areas is set by state government legislation.
Yes (with changes)	Yes (with changes)	I would like to see a principle incorporated that favours local native plantings over non-natives. The 'increased urban canopy' principle is unworkable if decisions are to be made on individual trees on private property. The proposed principle infers that individual residents will be judged against an area wide policy of increased canopy. A lack of trees in Leichhardt (or three backyards away) for example, should not impact a decision to remove a tree in St Peters. The principle infers otherwise."	Native and non-native tree all contribute to the canopy and ecology of the LGA. Native trees with form the majority of the preferred replanting list. Council is uniquely placed to be able to manage trees as a collective Urban Forest which means when we look at applications we also consider broader elements such as canopy cover in a specific area, not the entire LGA.
Yes (with changes)	Yes (with changes)	500mm is too small a measurement to ensure the safety of property. This distance of a tree to a primary dwelling should be measured by its height as well as its diameter. An architect should be able to provide an assessment on the risk a tree provides to a dwelling. Arborists have no qualifications with regard to knowing the structure/physical damage.	Noted. This suggestion will be considered during formulation of draft DCP. The key point in assessment of damage to a property is that its evidence based - not opinion based.
Yes (with changes)	Yes (with changes)	O1. Agree – risk should be assessed by an arborist qualified in tree risk assessment. O2. Agree. O3. Disagree. The industry accepted methods of tree risk assessment already consider future damage to property. If this is included it needs to be within a given time frame. O4. Disagree – no setback rule should be added to the DCP. Trees can coexist without problem within close proximity to buildings. This should be assessed on a case by case basis. Due to the small property sizes in the Inner West area, a setback rule would unnecessarily exempt trees which are not problematic.	Noted. These suggestions will be considered during formulation of draft DCP.

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		<p>O6. Agree – case by case basis is the best approach.</p> <p>O7. Agree.</p> <p>O8. Agree.</p> <p>O9. Agree. Needs clarification to determine what area/volume of soil will allow for the required canopy coverage.</p> <p>O10. Agree. Suggest also adding a compulsory monetary contribution for council planting in cases where there is no physical space for a tree to be planted with opportunity for it to grow to maturity.</p>	
Yes	Yes	<p>I support changes because it will ease the burden of having trees on your property. Residents won't plant trees on their property unless Council makes it easier to manage them. In other words, there would not be any increase in tree canopy on private land because landowners would not willingly take on the risk under current DCP rules.</p>	<p>Noted. These suggestions will be considered during formulation of draft DCP.</p>
Yes (with changes)	Yes	<p>No minimum requirements to plant trees on property size less than 150sqm.</p> <p>Allow for tree removal where they are within 2m of main dwelling to allow for small verandas.</p> <p>Agree about subsidy for maintenance of large private property trees.</p>	<p>Noted. These suggestions will be considered during formulation of draft DCP.</p>
Yes (with changes)	Yes (with changes)	<p>I would like to see more emphasis on keeping trees where ever possible. I am concerned that some Arborists just say what the resident wants them to say.</p> <p>Better community education on how to look after trees (in changing climate) and which tree to choose.</p> <p>Include a principle for 'Climate change mitigation and shade' (huge issues into the future).</p> <p>Public safety: Will council have a list of approved arborists who are independent of tree loppers. Supportive of discount for pensioners and grants</p>	<p>Noted. These suggestions will be considered during formulation of draft DCP.</p> <p>Council will be undertaking a community education program to coincide with the new tree DCP.</p>
Yes	Yes (with changes)	<p>Amendment Option 10: recommend that a Council follow-up program be</p>	<p>Noted. These suggestions will be considered during</p>

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		included to track the survival of compensatory plantings.	formulation of draft DCP.
No	Yes (with changes)	<p>Agree with Public safety and Protection of property principle.</p> <p>Unfair financial burdens imposed on tree owners results in poor outcomes both for trees and individuals. Better understanding of regulations is needed by tree owners.</p> <p>Risk assessment can be carried out by competent arborists with years of experience in the field.</p> <p>Agree with informal tree application.</p> <p>Assessing future structural damage can only be speculative and not useful.</p> <p>Trees located within 500mm, this needs to be increased and to include other structures large walls.</p> <p>Canopy percentage targets are not needed.</p>	<p>Noted.</p> <p>Council will be undertaking a community education program to coincide with the new tree DCP to improve understanding.</p> <p>Tree risk assessment is subjective and requires an adopted methodology to ensure appropriate factors are considered.</p> <p>These suggestions will be considered during formulation of draft DCP.</p>
Yes	Yes (with changes)	<p>The simplified 'informal' application should include a replacement tree if dead tree is approved to be removed.</p> <p>Assessment of alleged damage or potential for damage to a primary dwelling should be a merit based with strong evidence to support an approval for removal. Many trees in proximity to dwellings do not damage structures. Home owners often receive poor advice and scare tactics to push them to tree removal as their only option.</p>	<p>Noted.</p> <p>These comments will be considered during formulation of draft DCP.</p>
Yes	Yes (with changes)	<p>Do not support the 500mm exemption.</p> <p>Research on this subject shows that it is virtually impossible for tree roots to exert enough physical pressure to damage the foundation of a heavy structure such as a house, unless that foundation was poorly constructed or somehow degraded. This is something that is very poorly</p>	<p>Noted.</p> <p>These comments will be considered during formulation of draft DCP.</p>

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		<p>understood by the general public.</p> <p>This seems like it would be easily misinterpreted by residents who would begin to remove trees purely on the basis on proximity, it should be case by case.</p> <p>Trees that are proven to be causing damage to structures are currently already allowed for removal anyway.</p>	
Yes	Yes	Trees do have a measurable financial benefit to our community.	Noted.
No	No	<p>Clarification is required in order to determine whether the risk methodology and these principles are truly taken into consideration.</p> <p>What risk management methodology will be adapted to align with these principles? One of the current industry methodologies in place is QTRA (Quantified Tree Risk Assessment) a method adopted to quantify the probable risk of a tree failure. This methodology is orientated around trees and not people and is based on a one-size fits all approach.</p> <p>The trees distance from a main dwelling, 500mm is inadequate. How are carports, verandas etc deemed as non-primary dwelling?</p> <p>How will the grant scheme work, where will council obtain funding to provide this assistance?</p> <p>Rather than co-contribute to the maintenance of private trees, should there not be a focus toward replanting in parks to increase and maintain the urban canopy.</p>	<p>Noted.</p> <p>Tree risk assessment is a complex process that requires the user to be qualified in the system. QTRA is one of these systems and is used by Council in the risk assessment of it public trees. It considers people in the target assessment component.</p> <p>Ancillary structures such as carports and not deemed primary dwellings as they are not typically significant structures occupied by the owner.</p> <p>Details of the grant scheme will need to be resolved following adoption of the option.</p> <p>These comments will be considered during formulation of draft DCP.</p>
No	No	<p>The tree DCP needs to consider the nesting season for bird and mammals. Some LGAs do not allow trees to be cut down during the nesting season - from August to March - without special permission.</p> <p>The tree DCP needs to be backed up by enforcement.</p> <p>Developers should be encouraged</p>	<p>Noted.</p> <p>These comments will be considered during formulation of draft DCP.</p>

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		to keep mature trees on their property and care for new trees if they are required to plant them. Too often they die due to neglect.	
Yes (with changes)	Yes (with changes)	<p>It's essential that trees are recognised for their significant contribution to the urban environment. It is essential that Council remains in a monitoring and assessment role where tree removal is sought.</p> <p>State government has a positive target of 40% urban forest canopy and in light of the fact that the inner west is far lower than that, there is a long way forward.</p> <p>The free 'informal' tree application should require a brief letter by an arborist on the state of the tree and possible cause of death to Council. The poisoning of trees by some property owners is a known behavior. Replacement trees should be provided.</p> <p>500 mm exemption is not supported each situation should be assessed on its merits otherwise trees will be lost unnecessarily</p>	<p>Noted.</p> <p>These comments will be considered during formulation of draft DCP</p> <p>The dead tree removal process will need to have some tight controls set around it and poisoning is a good reason to do so. This will be looked at during formulation of draft DCP.</p>
Yes (with changes)	Yes (with changes)	<p>Reducing the cost to the tree owner must not lead to unprofessional, biased assessment of trees. Council is best placed to do this.</p> <p>01 Agree- tree hollows must be kept whenever possible. 02 - no - this is asking for people to begin poisoning any tree that they want to remove. There must be no un-notified tree removal. 03 - no - future damage should not be considered as grounds for removal. 04 - no – 500mm rule not supported. 05 - no - An arborist (specifically a Council arborist) is essential to the process of assessment. 06 - yes - Very supportive of this idea. These trees are so important to the community that the community should certainly assist home owners to maintain them. 07 - yes - elderly people with a</p>	<p>Noted.</p> <p>These comments will be considered during formulation of draft DCP</p>

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		<p>limited income need this.</p> <p>08 - I would support notification in the surrounding area for the whole LGA.</p> <p>09 - yes - But the medium and high density areas also need the 40% coverage.</p> <p>10 - yes - There needs to be a 'check up' system so that it is proven that replacement trees are still alive in a year's time.</p>	
Yes	Yes (with changes)	<p>"O1 As part of the risk management review, include consideration for whether this an appropriate tree for the site conditions.</p> <p>O2. Would this simplified process also apply to houses within a heritage conservation area?</p> <p>O3. Strongly agree with your recommendation to include an assessment of future structural damage.</p> <p>O4. Amend the distance to 3m in line with the other neighboring councils such as Bankstown Council.</p> <p>O5. Strongly agree with this amendment.</p> <p>O9. On such small inner west blocks a target of 40% seems too high and would make the case for tree removal for those who have existing trees that require removal due to safety issues more challenging.</p>	<p>These comments will be considered during formulation of draft DCP.</p> <p>Simplified dead tree application would apply to HCA's.</p> <p>The 3m rule for Bankstown Council is not an equal comparison as their lots sizes a generally much larger that the Inner West.</p>
No	No	<p>Consideration should be given to trees that are totally inappropriate to their placement on a property. Permission should not be necessary if the tree is dangerous and causing damage dwellings both primary and non-primary.</p> <p>An arborist cannot give technical advice on structural matters. They can only give advice on the Tree.</p> <p>Who would decide the criteria for the grants scheme?</p> <p>What about the self funded retirees on a fixed income deserve to have a discount on the tree assessment</p>	<p>These comments will be considered during formulation of draft DCP.</p> <p>Details of the grant scheme will need to be resolved following adoption of the option.</p>

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		<p>applications.</p> <p>Canopy percentage targets are too excessive.</p> <p>Many properties less than 300sqm would not have any place to plan a tree.</p>	
Yes	Yes (with changes)	<p>Managing the urban forest is increasingly challenging as the need to increase canopy will be addressed in a climate of increasing urban densities, increasing heat etc.</p> <p>In the last 10 years, internationally recognised tree risk assessment methodologies have been developed for which there is training and qualifications. These should be the standard to which Council aspires.</p> <p>No prescribed trees should be exempt. Exempt species should be subject to an application for removal. Approval should be automatic but compensatory tree planting can be required to replace and replenish tree canopy.</p> <p>Dead trees should not be exempt or subject to an 'informal' application. This will open the way for tree poisoning to proliferate.</p> <p>There should be no exemption for trees within a minimum distance from a building. Some trees can grow immediately adjacent to a structure without causing damage. Each situation should be assessed on its merits.</p>	These comments will be considered during formulation of draft DCP.

FINANCIAL IMPLICATIONS

Staff resources have been allocated to the preparation and administration of this DCP amendment as part of their annual action plan.

If a grants scheme is recommended, a discussion on the financial implications of the scheme will provided to Council at that time.

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OTHER STAFF COMMENTS

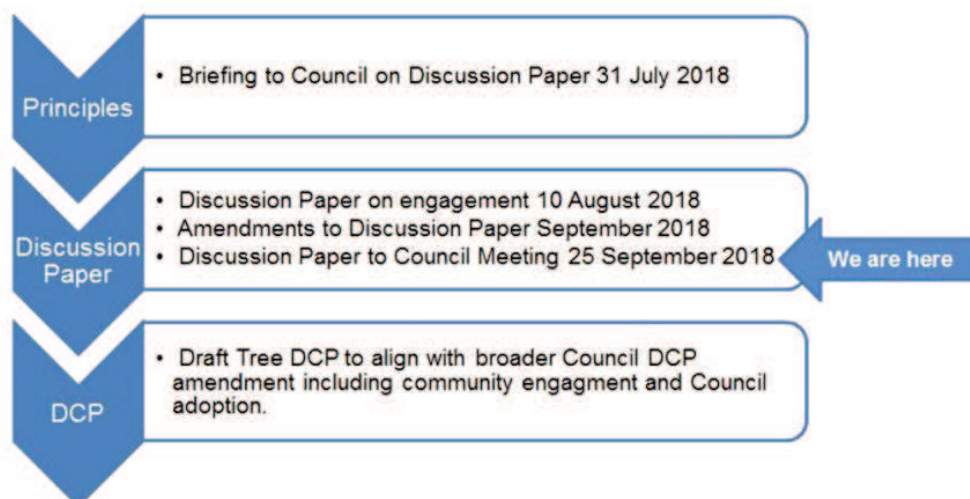
Comments from Council's Urban Ecology team were received during the engagement period. The Draft Tree DCP, when prepared, will be distributed for further staff comments.

CONCLUSION

There have been broad and wide-ranging comments provided by the community during the engagement with many issues presented. One of the most common topics was the 500mm exemption proposal which saw a mixed of responses both for and against.

In general, the community has indicated that they support the principles and options for amendment as outlined in the Discussion Paper.

The following diagram illustrates the process to implement the amendment to the Draft Tree DCP. Some timeframes are subject to the broader Council DCP amendment project that is being delivered by the Strategic Planning Team.



ATTACHMENTS

1. Tree DCP amendment - Engagement Report
2. Tree DCP amendment - Discussion Paper
3. Tree DCP amendment - Submission from IACA