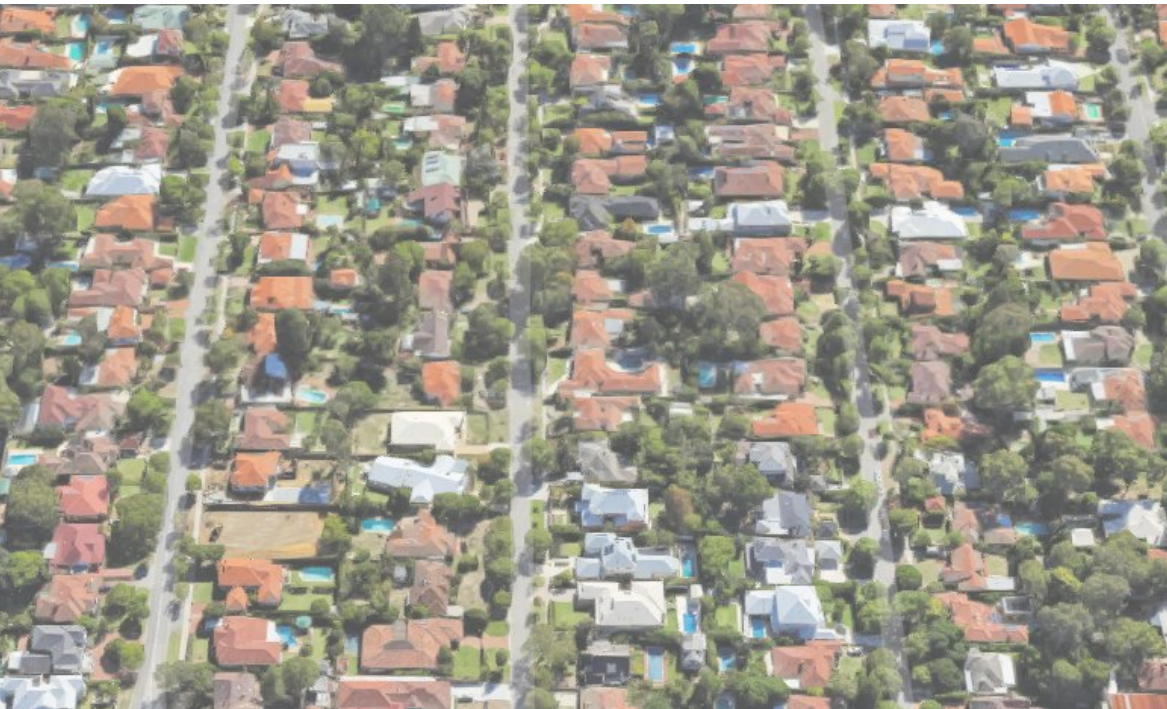


Investigating options for tree protections on private land

Bonnie Hall – Senior Strategic Planning Officer



- Leafy green Nedlands
- Canopy loss on private land
- Urban Forest Strategy
- Options for increasing urban canopy
- Proposed approach
- Involved community
- Council support
- Finer detail
- Resources

Leafy green Nedlands

Nedlands 2028 Community Vision

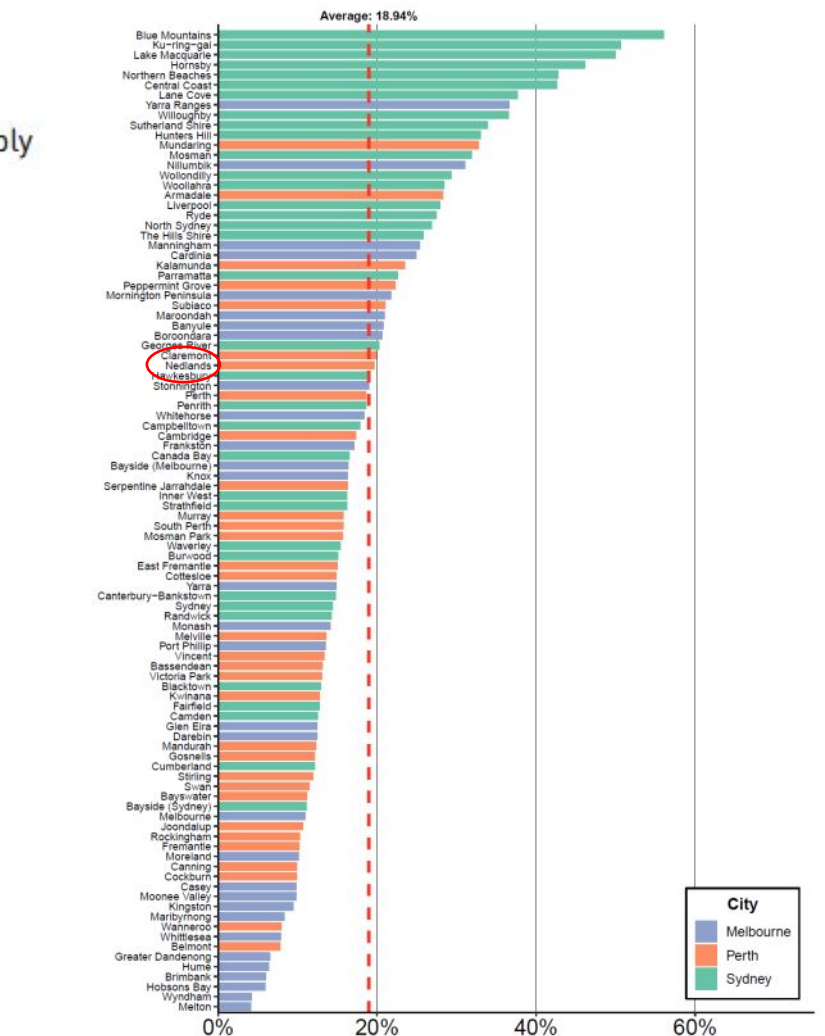
Our gardens, streets, parks and bushlands will be clean, green and tree-lined and we will live sustainably within the natural environment.

Nedlands 2028 Community Values

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well planned and managed development.



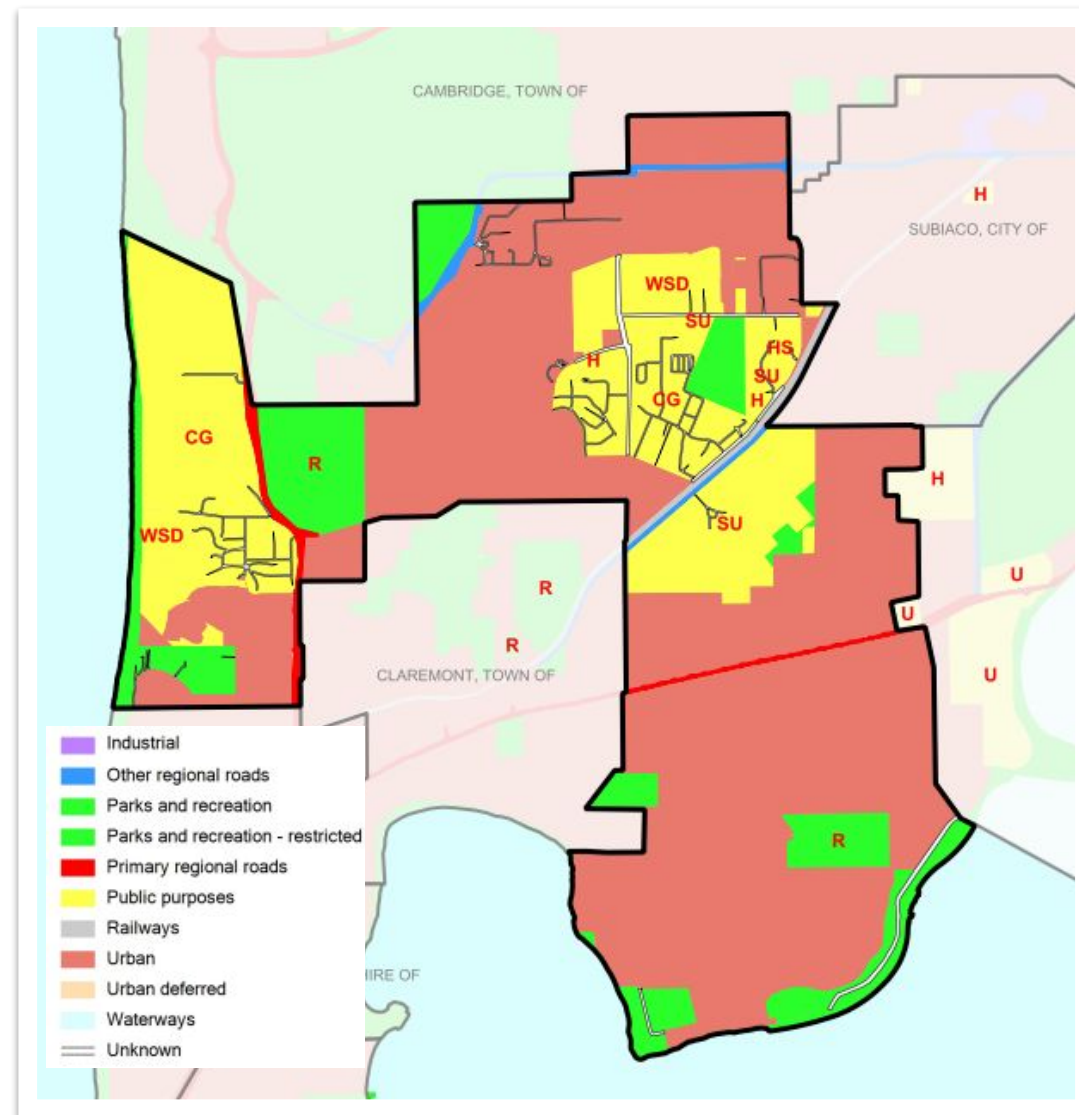
Figure 4: Tree Canopy Cover (%), all LGAs in Study



Source: Benchmarking Urban Vegetation Cover: Melbourne, Perth, Sydney (2020)

City of Nedlands

- » 12% - Parks & Recreation & Parks & Recreation (Restricted)
- » 3% - Primary Regional Roads, Other Regional Roads & Railways
- » 26% - Public Purposes (Commonwealth Govt., High School, Hospital, Special Uses & WAWA)
- » 59% - Urban.



Canopy loss on private land

	Town of Cambridge	City of Subiaco	City of Nedlands	Town of Cottesloe	Town of Claremont	Shire of Peppermint Grove	Town of Mosman Park	WESROC
PARKS								
2009	18%	24%	15%	4%	11%	20%	13%	15%
2016	24%	31%	21%	6%	14%	21%	16%	19%
% CHANGE	+4.3%	+9.5%	+4.9%	+1.6%	+4.6%	+0.3%	+3.1%	+4%
ROADS								
2009	13%	20%	18%	12%	18%	22%	11%	16%
2016	18%	27%	24%	17%	24%	22%	15%	21%
% CHANGE	+3.9%	+8.0%	+6.9%	+5.2%	+6.9%	-0.1%	+3.3%	+3%
STREET BLOCKS								
2009	13%	15%	16%	12%	15%	19%	13%	15%
2016	16%	19%	19%	15%	18%	23%	16%	18%
% CHANGE	+1.6%	+3.5%	+3.6%	+3.0%	+2.6%	+3.9%	+2.6%	+3%
DEVELOPMENT LOTS								
2009	13%	13%	15%	10%	23%	14%	9%	14%
2016	5%	6%	7%	6%	10%	15%	6%	8%
% CHANGE	-58%	-53%	-53%	-45%	-70%	+20%	-28%	-43%

Figure 5: Canopy Cover Statistics

Nedlands 2028 Priorities

Strategic Priority: Urban form - Protecting our quality living environment:

- Provide, retain and maintain public trees in streets and on reserves to at least maintain the urban forest canopy

Strategic Priority: Renewal of Community Infrastructure:

- Invest in drainage upgrades focusing on minimising flooding, maximising stormwater infiltration at source and minimising pollutant discharge to the Swan River
- Invest in parks infrastructure in accordance with enviro-scape master plans

Strategic Priority: Retain remnant bushland and cultural heritage:

- Revegetate remnant bushland areas
- Develop greenway corridors
- Undertake tree planting in public areas
- Restore coastal and estuarine areas
- Maintain parks and other green spaces



City of Nedlands Urban Forest Strategy 2018-2023

Options for increasing urban canopy

Significant tree register (voluntary)

- Criteria for significant tree
- Nomination process
- Landowner consent required
- Arborist report generally required
- Council or delegated decision
- If added, DA required to remove tree



Significant tree register (non-voluntary)

- Same as previous, but landowner consent not required
- Generally required Council decision



Policy or scheme requirement for tree retention (other than STR)

- DA required for removal of regulated tree
- Criteria for regulated tree



Prioritise new tree planting

- Can specify the planting of advanced trees (not just small saplings)



Prioritise canopy cover on public land

- Planting new trees in road reserve and parks
- Controlling new crossovers to maximise verge space for new trees
- Underground power



Options for increasing urban canopy

Significant tree register (voluntary)

- Less politically sensitive
- Fosters positive community spirit (good new story)

- Capturing trees which would likely be retained anyway
- Very few trees added overall + internal resourcing = low value approach

Significant tree register (non-voluntary)

- Captures more trees than voluntary register

- Burden on landowner
- Still relatively few trees captured

Policy or scheme requirement for tree retention (other than STR)

- Wider application than significant tree register (does not rely on nominations – applies to all trees fitting criteria)

- May be complicated to set up
- Wider application = increased workload for Statutory Planners

Prioritise new tree planting

- Acknowledges challenge of retaining trees with infill development
- Can select more appropriate trees

- New trees take long time to reach maturity

Prioritise canopy cover on public land

- Easier to manage publicly-owned land
- Good news story for Council – can report on new plantings

- Could be expensive
- Removes responsibility from developers
- Not as effective at addressing urban heat island effect

Significant tree register (voluntary)

- Criteria for significant tree
- Nomination process
- Landowner consent required
- Arborist report generally required
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Proposed approach

Amend the planning scheme

- Introduce requirement for DA submission for removal of tree meeting certain criteria and in certain areas
- Intent: allow consideration of whether tree removal is appropriate

R20 or less

+

Local planning policy

- Guide the assessment of DAs for tree removal
- Arboriculture report required
- Requirements for replacing trees where removal is supported

Health, structural stability, risk to life/property

Redesign of development not feasible (applicant to demonstrate to City's satisfaction)

Proposed approach

Amend the planning scheme

- Introduce requirement for DA submission for removal of tree meeting certain criteria and in certain areas
- Intent: allow consideration of whether tree removal is appropriate

R20 or less

STATUS

- **Approved for advertising 28 June 2022**
- **With WAPC for consent to advertise**
- **With EPA for consideration on whether assessment is required**

+

Local planning policy

- Guide the assessment of DAs for tree removal
- Arboriculture report required
- Requirements for replacing trees where removal is supported

Health, structural stability, risk to life/property

Redesign of development not feasible (applicant to demonstrate to City's satisfaction)

STATUS

- **Pending Council approval to advertise (23 August 2022 Meeting)**

Involved community

Tree change for leafy Nedlands

By JENNIFER DUNN

Nedlands mayor Fiona Argyle has hailed "a very proud moment" in her controversial bid to save trees on private properties from the city.

The Tuesday councillors voted 94 to fast-track a plan that would require property owners to get council permission before chopping down "significant" trees on blocks zoned R20 and below.

The move follows warnings that Nedlands, Dalkeith and Mt Claremont are rapidly losing their urban tree canopies to a wave of development.

"To see what has happened in this city that I have grown up in is absolutely appalling," Ms Argyle told the meeting.

"It is absolutely alarming that we have let this go on for so long.

Residents who own protected trees could be offered free arborist assessments after a push by Dalkeith councillors Noel Youngman and Purgie Bennett.

"It is quite expensive to maintain a large tree," he said.

"If we're talking people we want you to keep (trees) we should also be rewarding them."

Councillors voted to skip a preliminary consultation process that would have occurred before proposed rules were drawn up.

Instead, staff will draft a scheme amendment that will be presented to a meeting early next year.

It will contain a set of criteria for trees to be afforded legal protection.

"Nedlands Tree Canopy Advocates spokesperson



Neighbourhoods and lands were shocked when this giant eucalypt tree was felled in Dalkeith earlier this year. Photo: Peter Bellamy

Neighbourhoods and lands were shocked when this giant eucalypt tree was felled in Dalkeith earlier this year. Photo: Peter Bellamy

POST December 16, 2011 - Page 3

reduce the need for tree logging. Mr Youngman said self-directed tree removal should be discouraged. Argyle after she repeatedly interrupted him.

"Can we stop talking about lower standards and making this personal?" Ms Argyle said, "they're not us, they're Mr Youngman's words."

"From this one, there's cut down the only tree on your property."

At an earlier meeting, Ms Argyle - who moved home to Perth from Singapore last year - described herself as a "climate-change refugee" and claimed to have 100 trees on her Kilmintoun Avenue property.

The largest tree on Ms Argyle's property, a Norfolk Island pine, was cut down earlier this year after shedding limbs.

On Tuesday, Ms Argyle blasted Mr Youngman, her former mayor's election opponent, for "getting personal".

"I just can't believe that people go for the green vote and then stand up and rebuke that," she said.

"I'm not a tree person," she said if this goes about tonight, she is going to get the tree loggers to drop her tree. Mr Mangano said the council should focus its efforts on linking power lines, which would throw out a previous draconian tree law by sacking a council.

"This resolution simply declares war on property rights that have been in place since Henry VIII," he said.

Our ratemakers 20 years ago threw out a previous draconian tree law by sacking a council.

"This is the biggest thing that's going to hit them for a hell of a long time."

Dalkeith councillor Andrew Mangano said the proposed tree protections would punish "mum and dad" homeowners while letting big developers off the hook.

"This doesn't target the sites where the worst clear-felling happens," he said.

"On the way here tonight I got a phone call from a ratepayer



Developers looking to cash in on rezonings have cleared trees on blocks across Nedlands and Dalkeith.

History of tree change in Nedlands

Nedlands councillors eagerly embracing the tree law that has now been adopted need to be taught a lesson in history.

When such a law was brought in in 1996 it led to a massive backlash.

People For A Fair Tree Policy, the opposing group that I led, ended up with 680 paid-up members, 99% of them from Nedlands.

Many of the current pro-tree regulation group are not from Nedlands.

A couple of years later the promoter of the tree law, councillor Susan Watson, and the other councillors who supported the tree law were dumped from

the council.

The tree law was repealed. Untruths are being told.

Nedlands tree coverage has not diminished since the tree law was repealed in 1998. There are scientific indications it has increased.

The people of Nedlands do not want interfering busybodies from the council telling them what to do and when with their own trees on their own land.

We were told repeatedly by councillor Ian Argyle that fee simple is absolute ownership of land; but now the council is moving to take control of people's land to satisfy the ideological

bent of some councillors.

After the travails of the 1996 tree law an accommodation was reached post-2011 by councillors truly representing their community.

At great cost all public trees were valued and put on a register and protected by law. Private trees were left alone.

That consensus has now been unilaterally destroyed by zealots.

I have a simple message for pro-tree law councillors: Mind your own business and leave my property to me.

Bill Hassel
Loneranger Street, Nedlands



Nedlands Tree Canopy Advocates

Private group · 707 members

Join Group

About

Contact us at nedlandstrees@gmail.com

The NTCA is an inclusive group of tree lovers from our community, councillors, academics and other interested parties, working to preserve and promote our tree canopies through education and engagement.

- Private**
Only members can see who's in the group and what they post.
- Visible**
Anyone can find this group.

Tree advocates from broad base

Councillor John Wetherall (*Tree law details remain a mystery*, Letters, January 15) loves to espouse the idea that our group of 781 people working to preserve and promote the leafy nature of Nedlands, in conjunction with councillors and the City of Nedlands staff, are "zealous greenies".



John Wetherall

Perhaps that makes him feel less zealous as he fights desperately alongside Bill Hassel to retain the legacy of their destructive, unsustainable and unusual policies from a quarter of a century ago.

The truth is that our committee members have similar backgrounds to any typical reader of the POST.

We are teachers, doctors, engineers, lawyers, landscapers and scientists who chose to raise our families in the area because of its beauty.

Our wider member base is likewise a group of ordinary residents with their eyes open to an unfortunate vision of what our suburbs will look like if things don't change.

We simply promote the City of Nedlands adopting policies that are already in place in almost all comparable liberal democracies around the world.

Brendan O'Toole
Minora Road, Dalkeith
chairperson,
Nedlands Tree Canopy Advocates

• More letters pages 18, 30, 32

Let's be sensible (and carefully considered) about tree policy

As I read Bill Hassell's History of tree change in Nedlands (Letters, December 23) and gaze at a neighbour's magnificent gum tree that has been part of the skyline for 40 years, I wonder when it will be needlessly cut down to make way for another huge mansion.

Trees are a part of Nedlands' residential ambience and a sensible and carefully-considered plan to protect them and the fauna they support is needed.

Inevitable high-rise and in-

creased infill underline the need to balance bricks and mortar with a green canopy.

The key words the council should uphold, however, in any proposed "tree policy" are "sensible and carefully-considered".

It is something all residents of Nedlands, present and future, should realise and support if we are to maintain our leafy suburb.

It is not only councillors, but residents as well, who need to be more objective and farsighted in deciding what they wish to

protect for future generations, and work towards the successful implementation of policies that are firm and fair - even if it means putting aside the "me and mine" way of looking at things.

In my opinion, Mr Hassell's message of "Mind your own business and leave my property to me" reflects a somewhat selfish and narrow-minded attitude without appropriate thought for the future.

Painful history has shown us how dangerous it is to succumb to herd mentality and blindly

he on in no th ca w th g

Irene Tan
Melvista Avenue, Nedlands

Garden suburbs going, going, gone

I have spent 30 years tending gardens in Dalkeith and the western suburbs.

Everywhere I go I see massive holes being punched into our leafy green suburbs as blocks are cleared for development, leaving not a single tree or plant in their wake.

Our future amenity and the very nature of our suburbs are under threat.

What will our suburbs look like in five, 10 or 20 years if we do not have protections in place for our urban canopy?

What legacy are we leaving for the next generations?

Are profits more important than people?

Nick Cook
Alfred Road, Claremont

Welcome tree change

It is pleasing to see the City of Nedlands council proceeding with changes to tree policy which will provide protection to trees that meet certain criteria on private property zoned R20 and lower.

As is usual with scheme changes, there will be a period of public consultation.

The changes are being taken slowly and cautiously and it is a credit to the close collaboration of mayor Fiona Argyle and the council administration that such changes will be judicious for landowners as well as beneficial to the community generally.

This course of action will afford the City of Nedlands some policy equivalence with major cities around Australia and the world.

Martina Bovell
McKenna Glen, Mt Claremont
secretary, Nedlands Tree Canopy Advocates

Page 18 - POST February 2012
Personal letters to letters@postonline.com.au, lodger online at www.postonline.com.au, or email mail to The Editor, 2/61 Ordway Road, Sentra Park 6008. We require every letter to include the writer's full name and address, daytime phone number for verification. Boring letters and those longer than 300 words will be cut. Deadlines in soon Wednesday.



Just too much... Whittaker leaf branches from a Norfolk Island pine tree in the West.

Trees are great, their care a burden

I do not agree with Bill Hassell's and John Wetherall's optimistic predictions (Letters, January 15) based on uppositional policy more than 20 years ago.

Advocates Face-book group who support tree conservation as municipal Greenways.

Times have changed.

However, I do agree there are some cost issues that need to be factored to cover the expense of maintaining the private urban tree canopy.

For example, can anyone recommend an affordable, regular tree debris and gutter clean up service?

Are there volunteers among the 630 members of the Nedlands Tree Canopy Advocates Face-book group who could rally to provide practical tree maintenance assistance for senior residents?

Should local government have

winds does open the question of tree removal.

While supporting Nedlands council's proposed tree protection policy, the practical question I ask is who should carry the burden of tree maintenance on private property?

If not subsidised by the community, the trees are at risk of removal due to maintenance cost factors.

As a councillor I have regular requests from residents to support tree removal because they can no longer manage the safety and clear up measures required.

How value the urban canopy we need for the community of Nedlands in distributing both the benefits and workload?

Norfolk Island, Council
City of Nedlands, Coastal ward

Leaf debris from a giant Norfolk Island pine causes patches in this western suburb lawn.

Council support

- ✓ Revise Urban Forest Strategy to include trees on private land
- ✓ Prepare and advertise scheme amendment
- ✓ Provide report to Council on proposed local planning policy (approval to advertise pending)
- ✓ Investigate rewards or assistance for tree retention (greenwaste collection and maintenance)
- ✓ Investigate providing free arborist service

Finer detail

Tree criteria

- Trunk circumference – 1.5m*
- Tree height – 8m
- Canopy diameter – 6m



*EPA advice

- City contains mapped habitat potentially suitable for threatened species of black cockatoo
- Potential breeding habitat for black cockatoo – 1.5m circumference (500mm DBH) suitable diameter for developing nest hollows

Exemptions

- Unwanted species
- Pruning in accordance with Australian Standards
- Bushfire purposes
- Clearance from power lines

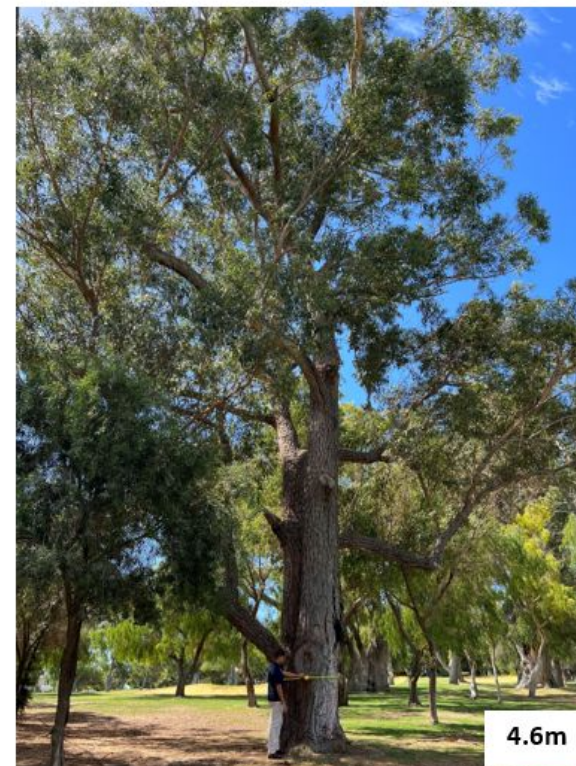
Finer detail



0.45m



1.3m



4.6m



Summary

- No silver bullet – each option has pros and cons
- Important to have Council and community support
- Tap into local advocacy groups if you have them
- Contextualise tree criteria
- Lean on experience from other Councils

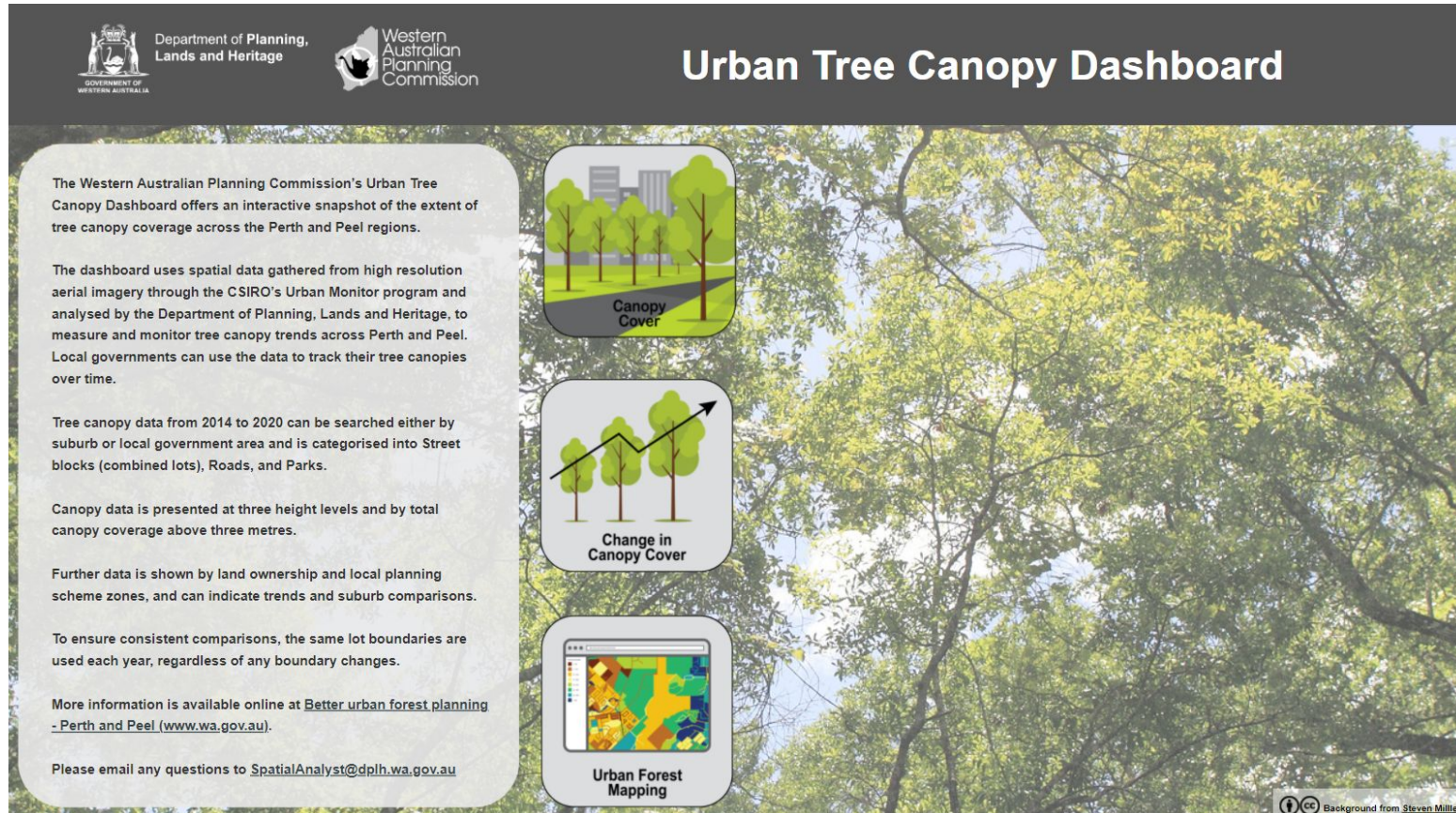
Sources and resources

Better urban forest planning - Perth and Peel (www.wa.gov.au)

Ecoscope (2020) *Western Suburbs Greening Plan 2020-2025*, Western Suburbs Regional Organisation of Councils, North Fremantle, Australia.

Hurley, J., Saunders, A., Boruff, B., Duncan, J., Knight, G., Amati, M., Sun, C. Caccetta, P. and Chia, J. (2020) *Benchmarking Urban Vegetation Cover: Melbourne, Perth Sydney*, Clean Air and Urban Landscape Hub, Melbourne, Australia.

Morrison, T., Wills, J. and Wilkins, C. (2021) *Comparison of Australia's Tree Laws* Conservation Council SA, Australia.



Urban Tree Canopy Dashboard

Department of Planning, Lands and Heritage | Western Australian Planning Commission

The Western Australian Planning Commission's Urban Tree Canopy Dashboard offers an interactive snapshot of the extent of tree canopy coverage across the Perth and Peel regions.

The dashboard uses spatial data gathered from high resolution aerial imagery through the CSIRO's Urban Monitor program and analysed by the Department of Planning, Lands and Heritage, to measure and monitor tree canopy trends across Perth and Peel. Local governments can use the data to track their tree canopies over time.

Tree canopy data from 2014 to 2020 can be searched either by suburb or local government area and is categorised into Street blocks (combined lots), Roads, and Parks.

Canopy data is presented at three height levels and by total canopy coverage above three metres.

Further data is shown by land ownership and local planning scheme zones, and can indicate trends and suburb comparisons.

To ensure consistent comparisons, the same lot boundaries are used each year, regardless of any boundary changes.

More information is available online at [Better urban forest planning - Perth and Peel \(www.wa.gov.au\)](http://www.wa.gov.au).

Please email any questions to SpatialAnalyst@dph.wa.gov.au

Canopy Cover

Change in Canopy Cover

Urban Forest Mapping

Background from Steven Miller