

PROPOSED SINGLE RESIDENTIAL DEVELOPMENT (CODE TRACK) TREE PROTECTION ADVICE

The *Planning and Development Act 2007* introduced processes for lodging development applications which are code assessable. Applicants for code track assessable developments are required to obtain advice from the Conservator of Flora and Fauna, prior to lodging their application with the Environment and Planning Directorate (EPD).

How will this affect my proposed development?

Development proposals that do not involve a protected tree or are not located in a Tree Management Precinct will not be affected by tree protection legislation. Tree Management Plans streamline the assessment process for Development Applications that involve activities within the Tree Protection Zone, or removal of a Regulated Tree.

Tree Management Plans

A Tree Management Plan must be provided for protected trees as a mechanism for undertaking a range of activities that may affect the tree. Tree Management Plans describe the status of the protected trees on a lease, their protection requirements and what activities are to be undertaken. Activities undertaken in accordance with an approved Tree Management Plan do not require any further approval from the Conservator. Tree Management Plans are a formal requirement for any Development Application that involves a protected tree. A Tree Management Plan may be approved prior to lodging a Development Application or as part of the development approval process.

What is the tree protection legislation?

- An ACT Tree Register across leased and unleased urban land protects trees of exceptional value.
- Comprehensive tree protection is to be retained in areas with high levels of development and construction activity or areas of particular heritage importance. These areas are called Tree Management Precincts.

What trees are protected?

The legislation has two types of protected tree - Registered Trees and Regulated Trees.

What is a Registered Tree?

A Registered Tree is a tree that has been identified as being exceptional for its:

- natural or cultural heritage value;
- landscape and aesthetic value; or
- scientific value.

What is a Regulated Tree?

A Regulated Tree is a tree that is located on leased Territory land and is in an area declared as a Tree Management Precinct and is either:

- 12 metres or more in height; or
- greater than 1.5 metres in circumference or more at 1 metre above ground level; or
- with two or more trunks and the total circumference of all the trunks, 1 metre above ground level, is 1.5 metres or more; or
- 12 metres in crown width or more.

Tree Protection Zones

The Tree Protection Zone is defined as:

- the area under the canopy of the tree;
- the 2 metre wide area surrounding the vertical projection of the canopy; and
- the 4 metre wide area surrounding the trunk as measured at 1 metre above natural ground level.

Any groundwork activities within this area will require approval from the Conservator.

What activities are prohibited?

Any activity that is likely to cause damage to a protected tree is prohibited under the new legislation. These include killing or removing a tree, or activities that are likely to cause the death or decline of the tree. Undertaking groundwork within the Tree Protection Zone of a protected tree also requires approval.

Minor pruning in accordance with the standard for Pruning Amenity Trees (AS4373) may be undertaken on a Regulated Tree without approval from the Conservator. Pruning, other than minor pruning, on a Registered Tree will require approval.

Seeking advice

You may discuss or seek advice from the Tree Protection Unit, by arranging a meeting (pre-application) through Tree Protection Unit on 13 22 81.

Submitting a proposal

The proposal must be submitted in an electronic format along with the TCCS Lodgement Form and relevant documentation. The proposal may be:

- delivered to the foyer of Wotso House, 490 Northbourne Avenue, Dickson;
- posted to Tree Protection Unit, GPO Box 158 Canberra ACT 2601; or
- emailed to tree.protection@act.gov.au

The Tree Protection Unit will endeavour to provide advice on your proposal to you within 15 working days of lodgement.

How can I get more information?

- Contact the Tree Protection Unit on 13 22 81
- Visit www.tccs.act.gov.au/city-living/trees