

LOCAL PLANNINGS POLICY 211

TREE RETENTION

KEY FOCUS AREA LIVEABILITY

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Purpose

The purpose of this Policy is to encourage and facilitate the protection of trees, and to maintain and enhance tree canopy within the Town of Claremont.

This Policy seeks to:

1. Maintain a presumption in favour of retaining significant trees on privately-owned land, with applicants and landowners demonstrating that removal, lopping or other damaging activity is unavoidable and that all reasonable design alternatives have been explored.
2. Prioritise the retention and protection of significant trees on private land through the strategic planning, subdivision, and development application processes.
3. Clarify when a development application is required for the removal, lopping, or other damaging activity affecting a significant tree on privately-owned land.
4. Provide clear decision-making guidance for development, subdivision, and strategic planning proposals involving significant trees on privately-owned land.
5. Ensure that where removal of a significant tree is approved, appropriate replacement planting is provided to maintain or enhance local amenity, urban character, and tree canopy cover.
6. Encourage tree pruning and management practices that comply with relevant Australian Standards to support tree health and longevity.

This Policy applies to all zoned land within the Town of Claremont Local Planning Scheme No. 3. This Policy should be read in conjunction with:

- The Town's Local Planning Scheme No. 3.
- Residential Design Codes Volume 1 and Volume 2.
- State Planning Policy 3.7 Bushfire.
- Council Policy LV106 Crossovers.
- Council Policy LV136 Tree Canopy.
- Australian Standards AS 4373:2007 Pruning of amenity trees.
- Australian Standards AS 4970:2025 Protection of trees on development sites.

Definitions

| | |
|---------------------|---|
| Arborist Report | A report prepared by a suitably qualified and experienced arboriculturist with a minimum qualification of Diploma of Horticulture (Arboriculture) Australian Qualification Framework (AQF 5) or equivalent, and with demonstrated experience in high level tree assessment and diagnosis. |
| Maintenance pruning | Pruning that: <ol style="list-style-type: none"> a. involves removing dead or diseased wood only; or b. is of a fruit tree and done for fruit production; or c. is otherwise minor maintenance or thinning of the crown that does not adversely affect the health or general appearance of the tree. |

| | |
|------------------------|---|
| Regulated tree | Means a living tree that — <ul style="list-style-type: none"> a. Is 8m or more high; and/or b. has an average canopy diameter of at least 6m; and/or c. has a trunk circumference of at least 1.5m, measured 1.4m above the ground; and d. is of a species that is not included on State or local area weed register. |
| Tree-damaging activity | Means — <ul style="list-style-type: none"> a. the killing or destruction of a tree; and/or b. the removal of a tree; and/or c. the severing of branches, limbs, stems or trunk of a tree; and/or d. the ringbarking, topping or lopping of a tree; and/or e. any other substantial damage to a tree. |

Policy

1. Development Applications

A development application is required for any tree-damaging activity to a regulated tree, except where the activity is:

- a. Carried out in accordance with Schedule 2, Part 7, Clause 61(1)(b)(18) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- b. Required under an approved Bushfire Management Plan;
- c. Carried out under the direction or authorisation of the Department of Primary Industries and Regional Development or other relevant biosecurity authority to manage the Polyphagous Shot-Hole Borer;
- d. Maintenance pruning; or
- e. A public work as defined in section 2 of the *Public Works Act 1902*.

All applications must demonstrate, to the Town's satisfaction, that:

- a. The tree-damaging activity is unavoidable
- b. All reasonable alternatives to retain the tree have been explored
- c. Potential impacts have been minimised.

Applications will then be assessed having due regard to the following:

- a. The health, structural integrity, and life expectancy of the tree, supported by an **Arborist Report** (where relevant)
- b. The tree's maturity, size (height, canopy spread, trunk circumference), and species (native or exotic)
- c. Safety risks to people, buildings, or infrastructure, supported by a Structural Engineering Report (where relevant)
- d. Ecological, biodiversity, and environmental benefits (shade, carbon sequestration, habitat)
- e. Contribution to neighbourhood character, streetscape, and sense of place
- f. If a native species, its role in conserving local flora and fauna
- g. Location of the tree within the site and potential for alternative design or siting to enable retention
- h. Relationship to other significant trees on the site

- i. Impact of works, including excavation or fill, on tree viability
- j. Conflicts with services or infrastructure that cannot reasonably be resolved through design modification
- k. Whether retention would contribute to soil stability, water quality, or avoidance of erosion and salinisation
- l. Proposed measures for tree protection in accordance with Australian Standards AS 4970:2025 Protection of trees on development sites during works
- m. Replacement planting (species, size, and location) to offset canopy loss on site
- n. Consistency with the objectives of this Policy.

Applications will not be supported solely for any of the following reasons:

- a. Impact on views;
- b. Personal dislike of the tree;
- c. Routine nuisance from leaf, fruit or bark drop/shedding or the like; or
- d. Shading of gardens, swimming pools, solar panels or similar.

2. Subdivision Applications

The Town may recommend that, prior to determining an application for subdivision approval, the Western Australian Planning Commission (WAPC) require additional information to address impacts on a regulated tree.

Subdivision design, layout and earth working levels, including the positioning of public open space, configuration of the public road network, lot design and densities, should prioritise the retention of regulated trees.

Subdivision plans should identify regulated trees, indicate whether they will be retained or removed, and include protection measures for retained trees.

The Town may recommend subdivision conditions to the WAPC requiring retention and protection of identified trees during works.

3. Strategic Planning Proposals

Local Planning Scheme (LPS) amendments and Structure Plan proposals should identify regulated trees and outline mechanisms and measures to protect regulated trees.

Concept Plans supporting LPS amendment applications and Structure Plans should prioritise positioning of public open space, configuration of the public road network, and lot design and densities to retain regulated trees.

Strategic planning proposals should be supported by technical information and reports which demonstrate that the retention and protection of regulated trees has been prioritised and considered.

| Document Control Box | |
|------------------------|---|
| Legislation: | <i>Planning and Development Act 2005</i> Planning and Development (Local Planning Schemes) Regulations 2015 Town of Claremont Local Planning Scheme No. 3 |
| Organisational: | Council Policy LV106 Crossovers Council Policy LV136 Tree Canopy |

| Version # | Decision: | OCM Date: | Resolution Number: |
|-----------|-----------|-----------|--------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |