



STEP Inc

Community-based Environmental Conservation since 1978

General Manager,
Hornsby Shire Council,
PO Box 37, Hornsby 1630.

13 December 2010.

Re: HSC three options for tree and vegetation protection

STEP Inc is the largest environmental community group in the Hornsby/Ku-ring-gai area, with over 400 members. Our aim is to preserve natural bushland and to protect biodiversity for the enjoyment of future generations.

STEP favours Option 2 as we agree with the desired outcomes and prescriptive controls that allow for the gradual change of the Shire's canopy to greater reflect the "bushland shire". We would in addition like to offer some suggestions to streamline the administrative procedure and to enhance the "bushland shire". (These comments all apply to Option 2.)

2.3 Element Exemptions: comments

Dot point 1.

"The removal of a dead tree or the pruning of dead branches where Council deems that threatened or protected flora and fauna are NOT located".

We are unsure how Council will "deem that threatened or protected flora and fauna are NOT located" without an inspection by a qualified council officer or qualified ecologist. Dead trees are a major habitat for threatened species, for example many insectivorous bats. We therefore suggest that this dot point is impractical and will not lead to proper protection of protected flora and fauna.

We acknowledge however that dead trees are considered a safety issue, so we suggest that this dot point is replaced with:

- "The removal of a dead tree or the pruning of dead branches in rural and residential areas where these pose a safety hazard in the pursuit of the normal activities of daily living."
- We would like to suggest that the removal of dead trees or the pruning of large branches in large rural allotments do require approval for removal, as they are often important habitat.

Dot point 6

"Removal of Bushland – the removal of bushland (excluding trees) is able to occur on a yearly basis as follows:"

STEP strongly supports this point, as most of the biodiversity value lies in the bushland and soil layer rather than in the trees. This area should in principle therefore not be cumulative. STEP is concerned that as currently expressed this may lead to an application each year by residents and there will still be a loss of biodiversity, even if somewhat slower that may be currently occurring in some parts of the Shire.

We suggest that to slow this loss of bushland even further, but without putting too many residents up in arms, that the yearly provision is changed to a five yearly application. This may give greater time to educate land owners through programs such as 'Land for Wildlife'

Exempt species

STEP would like to suggest a two tiered system.

Exempt list 1

The following trees are exempt and do not require approval **or inspection** from Council before removal as these plants are either:

- Extremely weedy
- So common they are easily recognised by most residents
- So short lived they are not worth inspection
- Do not form a major part of the canopy as they are so low growing

Botanical Name	Common name
<i>Acacia baileyana</i>	Cootamundra wattle
<i>Acacia dealbata</i>	Silver wattle
<i>Acacia podalyriifolia</i>	Queensland Silver Wattle
<i>Acacia salignus</i>	WA Golden Wattle
<i>Cinnamomum camphora</i>	Camphor Laurel
<i>Citrus</i> spp.	Citrus
<i>Olea</i> spp.	Olives
<i>Prunus</i> spp.	Fruit trees
<i>Malus</i> spp.	Fruit trees
<i>Populus</i> spp.	Poplars
<i>Salix</i> spp.	Willows

Exempt list 2

The following trees are less readily recognised and other desirable species may be removed in mistake. These trees are exempt **and are granted automatic approval for removal following inspection for identification** by Council or a qualified arborist.

Botanical Name	Common name
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Araucaria bidwillii</i>	Bunya Bunya Pine
<i>Celtis</i> spp. – all introduced species	Hackberry
<i>Cupressocyparis leylandii</i>	Leightons' Green Cypress
<i>Cupressus</i> spp.	Cypress Pine
<i>Eucalyptus nicholii</i>	Narrow-leaved Peppermint
<i>Eucalyptus scoparia</i>	Wallangarra White Gum
<i>Ficus elastica</i>	Rubber Tree
<i>Gleditsia triacanthos</i>	Honey Locust
<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
<i>Liquidambar styraciflua</i>	Liquidambar
<i>Robinia</i> spp.	Robinia
<i>Schefflera actinophylla</i>	Umbrella tree
<i>Syagrus</i> spp., <i>Washingtonia</i> spp., <i>Phoenix</i> spp. <i>Butia</i> spp., <i>Archontophoenix</i> spp., <i>Livistona</i> spp., <i>Howea</i> spp., <i>Cocos</i> spp.	Palms excluding Cabbage Tree Palms
<i>Schinus</i> spp	Peppercorn tree
<i>Acer negundo</i>	Box Elder
<i>Acer palmatum</i>	Japanese Maple
<i>Alnus</i> spp.	Alders

STEP is concerned about the inclusion of the following in the exempt list for the included reasons:

Brachychiton acerifolius, Illawarra flame Tree – this tree makes a substantial contribution to the Shire’s canopy cover and is a major feature of the shire during flowering. It is a very minor weed in natural areas.

Grevillea robusta, Silky Oak - this tree makes a substantial contribution to the Shire’s canopy cover, is a major feature of the shire during flowering and is a major source of nectar for fauna during this period. It is a very minor weed in natural areas.

Melia azedarach, white Cedar – this tree is native along the Nepean River even though it is weedy and can attract pests in urban areas. Careful consideration needs to be given to its inclusion on the exempt list

Pinus radiata, Radiata Pine - this tree makes a substantial contribution to the Shire’s canopy cover and is a major food tree of Yellow-tailed Black Cockatoos. It is a minor weed in natural areas.

2.4 Element: Tree and Vegetation Permits

STEP suggests that this section should be located prior to the currently numbered section 2.3 (“Element: Exemptions”). This would help to clarify that the clearing of threatened species or endangered ecological communities is not permitted without consent.

Dot point 4.

“Any tree removed from a site must be replaced by the property owner with an Australian native ...” STEP suggests that replacement trees should be indigenous to the Shire as trees from other part of Australia may become weedy and do not add sufficient value to biodiversity conservation in the shire. (But see also comments below in relation to options to choose to pay Council rather than replant).

Replace or pay?

STEP is of the view that Shire residents should be offered an alternative to dot points 4 to 6 and that this be considered as the default option. The reason for this is to improve administrative efficiency (does Council really want to police “documented evidence of replacement planting”?) and to provide greater certainty (given that many residents will not be able to distinguish between an exempt and a native species).

The STEP suggestion is that these residents be offered the Offset Tree Planting fee as the default option and that this money be used by Council to both plant new indigenous trees where appropriate but primarily to create a sinking fund whose sole purpose is to promote environmental conservation. For example, the purchase of parcels of devastated bushland close to existing good quality BGHF etc

STEP therefore suggests that the wording should be replaced with:

“When an application to remove trees is received, fees shall be placed in a ‘biodiversity fund’ and be used for the improvement of biodiversity in the Shire. Projects could include:

- Planting of ecologically suitable indigenous trees grown from local genetic stock in public spaces such as streets, parks and as buffers to bushland
- Planting of ecologically suitable indigenous shrubs, herbs, grasses, forbs and vines grown from local genetic stock in public spaces such as streets, parks and as buffers to bushland
- Purchase of land for inclusion into the network of bushland
- Purchase of land to rehabilitate as a representative of the structure and floristic of the natural vegetation
- Bush regeneration
- Programs to develop corridors of bushland, including understorey, through both public and private land
- Programs to encourage residents to maintain and plant ecologically suitable vegetation in their properties”

STEP is of the opinion that this approach would be easier to administer as reassessing paperwork is not required and reluctant rate payers need not replant trees (particularly those of like habit as this may be the main reason for the application to remove the tree in the first place). While this may lead to properties with little canopy, and even areas with little canopy, it should lead to greater preservation of biodiversity over the entire shire.

STEP suggests a reasonable level of fees for an application to remove a tree. The fee should be sufficiently large to accrue funds for biodiversity work but not so large as to encourage illegal activity. At the current time we suggest \$50 to \$100 for individual trees and a substantially greater fee for a development application, perhaps one related to the value of the development.

Yours sincerely,

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BMAC