

**Sydney Development Control Plan 2012**  
**Section 3 – General Provisions**

**3.5.3 Tree management**

The following objectives and provisions apply to all development that may have an impact on the health or structural stability of a tree and are to be read in conjunction with Clause 5.9 of the *Sydney LEP 2012*.

Clause 5.9 of the *Sydney LEP 2012* does not apply to trees on land vested in the Royal Botanic Gardens and Domain Trust or the Centennial Park and Moore Park Trust.

Other policies that apply to the management of trees in the City of Sydney include the Urban Tree Management Policy, Urban Forest Strategy, Street Tree Master Plan, and Park Tree Management Plans and Register of Significant Trees. These are available at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

Schedule 8 Tree Management provides information about notifications of proposals to remove a tree and arborist's reports.

**Definitions**

**Imminently dangerous** includes but is not restricted to obvious instability of the root system, evidence of soil heave or cracking, loss of structural roots, root decay, storm damage and structural defects that are imminently hazardous, such as splitting branches.

**Objectives**

- (a) Establish the trees to which Clause 5.9 Preservation of trees or vegetation of the *Sydney LEP 2012* applies.
- (b) Ensure the protection of trees within and adjacent to development sites.
- (c) Maximise the quality and quantity of healthy tree canopy coverage across the LGA.

**Provisions**

- (1) A permit or development consent is required to ringbark, cut down, top, lop, prune, remove, injure or wilfully destroy a tree that:
  - (a) has a height of 5m or more; or
  - (b) has a canopy spread of over 5m; or
  - (c) has a trunk diameter of more than 300mm, measured at ground level; or
  - (d) is listed in the Register of Significant Trees.
- (2) Under Clause 5.10 of the *Sydney LEP 2012*, development consent is required for certain activities affecting a tree which is a heritage item or a tree within a heritage conservation area. However, this requirement may be waived if
  - (a) the criteria in clause 5.10(3) of the *Sydney LEP 2012* are satisfied; and
  - (b) the work relates to a tree or activity to which provision (1) does not apply.
- (3) Provision (1) does not apply to a tree of the following species that is less than 10m in height:
  - (a) *Cinnamomum camphora* (Camphor Laurel);
  - (b) *Celtis sinensis* (Chinese Hackberry);

**Sydney Development Control Plan 2012**  
**Section 3 – General Provisions**

- (c) *Celtis occidentalis* (American Nettle Tree);
  - (d) *Erythrina x sykesii* (Coral Tree); and
  - (e) *Liquidambar styraciflua* (Liquidambar).
- (4) Provision (1) does not apply to any tree of the following species:
- (a) *Ailanthus altissima* (Tree of Heaven);
  - (b) Bamboo sp (all species and cultivars);
  - (c) Citrus sp (all varieties);
  - (d) *Cotoneaster* sp (Cotoneaster);
  - (e) *Ficus elastica* (Rubber Tree);
  - (f) *Gleditsia triacanthos* – not cultivars (Wild Honey Locust);
  - (g) *Lagunaria patersonia* (Norfolk Island Hibiscus);
  - (h) *Ligustrum* sp (Privet);
  - (i) *Melia azedarach* (White Cedar);
  - (j) *Morus* species (Mulberry);
  - (k) *Musa* species (Banana);
  - (l) *Olea europaea* var. *Africana* (African Olive);
  - (m) *Robinia pseudacacia* –not cultivars (False Acacia);
  - (n) *Salix babylonica* (Willow);
  - (o) *Schefflera actinophylla* (Umbrella Tree); and
  - (p) *Syagrus romanzoffianum* (Cocos Palm).
- (5) A permit or development consent to prune a tree on private land in accordance with provision (1) is not required provided the pruning:
- (a) provides clearances consistent with the Guideline for tree pruning, and where the branch size is less than the diameter size detailed in Table 3.4;  
and
  - (b) does not remove more than 5% of a trees canopy; and
  - (c) does not damage or affect the health or structural stability of the tree; and
  - (d) is undertaken in accordance with the relevant Australian Standard for the Pruning of Amenity Trees, using a qualified Arborist (minimum Australian Qualification Framework (AQF) Level 2 Arboriculture).

**Sydney Development Control Plan 2012**  
**Section 3 – General Provisions**

**Table 3.4 Guideline for tree pruning**

<b>Location</b>	<b>Height to which pruning is permitted</b>	<b>Maximum diameter of branch which may be pruned</b>
<b>Major Arterial Roads</b>	4.5m above the kerb.	100mm
<b>Local Roads</b>	2.5m over a parking lane and 4.5m above the kerb.	100mm
<b>Council pedestrian paths</b>	2.5m above the footpath.	100mm
<b>Buildings</b>	1m above any approved building, measured from the surface of the structural component, such as a wall or roof on the building's edge	50mm
<b>Domestic power or Telecommunication lines</b>	Must be 0.5m minimum and 1m maximum clearance from the service line	50mm

Note: Branch size is measured from the point of attachment to another branch or the trunk.

- (6) In relation to Clauses 5.9(5) and (6) of *Sydney LEP 2012*, to satisfy Council that the tree is dead, dying or a risk to human life or property, the applicant is to:
- (a) record the tree's condition; identify the risk a tree may pose; and provide a statement that verifies that the works undertaken will be or were the minimum necessary to manage the risk; and
  - (b) a report from a qualified arborist (Minimum AQF Level 3 Arboriculture) is to be provided to Council prior to works taking place, or immediately following the works.