

Presented to	April 2022 Ordinary Council Meeting
Related to Item	16.1 Proposal to Establish a City of Melville Significant Tree Register
Submitted by	Director Urban Planning, Steve Cope and Director Technical Services, Mick McCarthy
Attachments	Nil

The following advice is provided in relation to the Notice of Motion presented by Cr Barber which reads as follows:

That Council request the CEO to initiate a community consultation process seeking feedback on a proposal to establish a City of Melville Significant Tree Register - with a report on the outcomes to be presented at a future EMES.

Officer Comment

The research undertaken by the City so far has indicated that the introduction of a tree register (voluntary or more prescriptive) would require statutory support through the Local Planning Scheme (LPS) to be effective.

A detailed discussion paper on Tree Protection and Planting was prepared by the City in 2021, presented to Elected Members in February 2022 and subsequently uploaded onto the Elected Members portal. The discussion paper included a chapter related to Trees on Private Land which considered provisions at the State Government level (R-Codes) and options available to Local Government.

The key findings in the discussion paper for tree protection on private land were

- Lack of WA State Government legislation which supports or encourages preservation of trees on private property and hinders the ability for local governments to introduce workable controls;
- Other measures (tree registers, tree protection orders) have mixed results and appear more tokenistic than effective, without regulatory provisions;
- Key opportunities for improvement relates to the Planning system (review of R-Codes, possibility of incorporation of provisions into Local Planning Schemes);
- Most Local Governments have inadequate resources (staff & financial) to monitor and enforce tree preservation measures effectively.

A Significant Tree Register linked to the Local Planning Scheme (LPS) can include a range of options from voluntary to prescriptive and mandated



Voluntary Nomination of Significant Tree by Owner	Significant Trees Nominated by Community/Council	Defined Significant Trees Nominated (Size, Height, Type etc) by Community/Council
Low Protection level	Moderate Protection	High Protection
Low Risk/Community Opposition	Moderate Risk/Community Opposition	High Risk/Community Opposition
Low Resource Demand	Moderate Resource Demand	High Resource Demand

The protection of trees on private property is identified as one of the key areas being considered in the review of LPS6 and the scope of work would include consideration of trees on private land and options for establishing a Significant Tree Register.

Based on the above, it is recommended that Council note that the scope of work to be undertaken in the review of LPS6 and that the intent of the Notice of Motion will be achieved through the consultation process undertaken during the LPS6 Review.

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