

City of Ryde Development Control Plan 2014

Part: 9.5 Tree Preservation

Translation

ENGLISH

If you do not understand this document please come to Ryde Civic Centre, 1 Devlin Street, Ryde Monday to Friday 8.30am to 4.30pm or telephone the Telephone and Interpreting Service on 131 450 and ask an interpreter to contact the City of Ryde for you on 9952 8222.

ARABIC

إننا نعتذر عليك فهم محتويات هذه الوثيقة، نرجو للحضور إلى مركز بلدية رايد Ryde Civic Centre على العنوان: 1 Devlin Street, Ryde من الاثنين إلى الجمعة بين الساعة 8.30 صباحاً والساعة 4.30 بعد الظهر أو الاتصال بمكتب خدمات الترجمة على الرقم 131 450 لكي تطلب من أحد المترجمين الاتصال بمجلس مدينة رايد، على الرقم 9952 8222، نيابةً عنك.

ARMENIAN

Եթե այս գրությունը չէք հասկնար, խնդրեմ եկե՛ք՝ Բայր Սիվիկ Սենթրը, 1 Տեյլին փողոց, Բայր, (Ryde Civic Centre, 1 Delvin Street, Ryde) երկուշաբթիէն Ուրբաթ կ.ա. ժամը 8.30 – կ.ե. ժամը 4.30, կամ հեռաձայնեցե՛ք Հեռաձայնի եւ Թարգմանության Սպասարկության՝ 131 450, եւ խնդրեցե՛ք որ թարգմանիչ մը Բայր Բարաքսայերարանին հետ կապ հաստատուէ՝ ձեզի համար, հեռաձայնելով՝ 9952 8222 թիվին:

CHINESE

如果您看不懂本文，請在周一至周五上午 8 時 30 分至下午 4 時 30 分前往 Ryde 市政中心詢問 (Ryde Civic Centre, 地址: 1 Devlin Street, Ryde)。你也可以打電話至電話傳譯服務中心，電話號碼是: 131 450。接通後你可以要求一位傳譯員為你打如下電話和 Ryde 市政廳聯繫，電話是: 9952 8222。

FARSI

اگر این مدرک را نمی فهمید لطفاً از 8.30 صبح تا 4.30 بعد از ظهر دوشنبه تا جمعه به مرکز شهرداری رايد، Ryde Civic Centre, 1 Devlin Street, Ryde مراجعه کنید یا به سرویس مترجم تلفنی شماره 131 450 تلفن بزنید و از یک مترجم بخواهید که از طرف شما با شهرداری رايد شماره 9952 8222 تلفن بزند.

ITALIAN

Se non capite il presente documento, siete pregati di rivolgervi al Ryde Civic Centre al n. 1 di Devlin Street, Ryde, dalle 8.30 alle 16.30, dal lunedì al venerdì; oppure potete chiamare il Telephone Translating and Interpreting Service al 131 450 e chiedere all'interprete di contattare a vostro nome il Municipio di Ryde presso il 9952 8222.

KOREAN

이 문서가 무슨 의미인지 모르실 경우에는 1 Devlin Street, Ryde 에 있는 Ryde Civic Centre 로 오시거나 (월 – 금, 오전 8:30 – 오후 4:30), 전화 131 450 번으로 전화 통역 서비스에 연락하셔서 통역사에게 여러분 대신 Ryde 시청에 전화 9952 8222 번으로 연락을 부탁하십시오.

Amend. No.	Date approved	Effective date	Subject of amendment
2	May 2025		VERSION FOR COUNCIL ADOPTION Revised and updated to align with current legislative and policy settings: Biodiversity and Conservation SEPP 2022; Urban Forest Strategy 2021; Ryde Biodiversity Plan; Ryde Resilience Plan; Ryde LSPS
3	July 2025		VERSION FOR COUNCIL ADOPTION Revised and updated to reflect Council Resolution from the July meeting and Section 6.3 updated to state:- A mandatory 12-month follow-up inspection is required after the initial planting of the approved advanced species to ensure it remains healthy and intact

Contents

1.0	INTRODUCTION	4
1.1	Context – Preservation of the Urban Forest	4
1.2	Purpose	4
1.3	How to use this Part	4
1.4	Aims	5
1.5	Objectives	5
2.0	DECLARATION OF PRESCRIBED TREES AND VEGETATION.....	5
3.0	APPROVAL PATHWAYS.....	6
3.1	Vegetation clearing not linked to development consent and below the Biodiversity Offset Scheme (BOS) thresholds.....	6
3.2	Vegetation clearing linked to development	6
3.3	Vegetation clearing within heritage areas	6
3.4	Vegetation clearing exceeding BOS thresholds	6
4.0	EXEMPT TREES AND VEGETATION WORKS.....	7
5.0	EXCLUSIONS FROM EXEMPTIONS	9
6.0	OBTAINING A PERMIT OR DEVELOPMENT CONSENT	10
6.1	Development application for tree works	10
6.2	Tree permit application	10
6.3	Tree replacement requirements	10
7.0	BEST PRACTICE TREE WORKS ON DEVELOPMENT SITES	10
8.0	TREE MANAGEMENT TECHNICAL MANUAL (TMTM)	11
9.0	DEFINITIONS.....	11

1.0 INTRODUCTION

1.1 Context – Preservation of the Urban Forest

As detailed in the City of Ryde *Urban Forest Strategy 2023*, the City's trees and urban forest are a critical part of the urban environment and form the foundation of the City's character, identity, and resilience to climate change.

More specifically, the urban forest's trees and other vegetation provide a multitude of social, cultural, economic, and environmental benefits, including improved health (from shade, improved air quality and urban heat mitigation), enhanced landscape amenity and property values protection of biodiversity and heritage values and improved well-being¹.

Moreover, these benefits grow in value over time as the trees grow and mature – with larger trees providing greater benefits than small trees and those in poor health or condition.

Tree removals – whether on private or public land - reduce the tree canopy and the benefits of the urban forest. This is so even if removed trees are replaced due to the length of time to maturity and benefits derived from replacement trees.

Accordingly, Council's tree management priorities focus both on the proactive retention and preservation of existing trees and the planting of new trees.

In the development application context, Council's approach is to foster an ethos that views trees as development assets and opportunities with significant retention values rather than as 'problems' to be removed.

The controls in this section are therefore aimed at optimising the retention of trees on private land while also facilitating appropriate tree pruning and removals consistent with safety issues, economic imperatives, and other relevant factors.

1.2 Purpose

The purpose of this section of the DCP is to protect the City's urban forest through retention of its mature tree canopy on private land and as summarised above and detailed in the City of Ryde *Urban Forest Strategy 2023*, the *Ryde Biodiversity Plan 2016*, and the *Ryde Resilience Plan 2030*.

The section is framed in accordance with the purposes and requirements of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (*Biodiversity and Conservation SEPP*) and adopts a landscape approach to vegetation and tree management as recommended in the NSW Department of Planning, Industry and Environment's *Managing Vegetation with a Development Control Plan*.

1.3 How to use this Part

I. This Part is to be read in conjunction with:

- The City of Ryde Tree Management Technical Manual (Technical Manual) and Application Guide (Guide) which provide instructions on:
 - i. requirements for arboriculture and other technical reports

¹ The NSW Department of Planning and environment has documented canopy cover, heat vulnerability and the heat island effect across metropolitan Sydney at the suburb level (as assessed in September 2022). The data clearly demonstrates the sub-optimal achievement of these potential tree and urban forest benefits. <https://www.planning.nsw.gov.au/sites/default/files/2023-10/average-tree-canopy-cover-heat-vulnerability-heat-islands.pdf>

- ii. technical arboricultural information
- iii. requirements as to the protection of trees on development sites
- iv. how to make an application under this Part
- v. dealing with trees on adjoining properties

Both documents can be viewed at www.ryde.nsw.gov.au

- Chapter 2 of the Biodiversity and Conservation SEPP - State Environmental Planning Policy (Biodiversity and Conservation)
2. The controls in this Part, to the extent of any inconsistency in relation to trees, take precedence over the controls in other Parts of the City of Ryde Development Control Plan 2014 (DCP 2014).
 3. All references to Acts, Regulations, Codes, Australian Standards, Plans, policies, the Technical Manual, and the Guide are to those documents as amended from time to time.

1.4 Aims

The specific aims of this section are to:

- i. Declare vegetation that requires a landholder to seek a permit for tree removal and pruning works on private land under Clause 2.9 and 2.10 of the Biodiversity and Conservation SEPP
- ii. Promote sustainable vegetation management best practice on development sites
- iii. The trees and vegetation prescribed in this section of the DCP are protected under Part 2.3 of the Biodiversity and Conservation SEPP and consent from Council or other approving authority must be obtained before any works can occur to a tree/vegetation as specified in these controls

1.5 Objectives

The declaration of trees/vegetation, and their protection under this section of the DCP, has the following long-term objectives:

- i. Maintain and enhance the City's amenity via a thriving urban forest and urban landscape
- ii. Prevent unapproved pruning or removal of trees and other vegetation on private land, consistent with the aims and objectives of the Biodiversity SEPP, other relevant planning instruments and the controls of this DCP
- iii. Recognise and protect the City's mature tree canopy and other vegetation considered significant due to heritage, cultural, social, and ecological value
- iv. Preserve and enhance species diversity through the retention of habitat connectivity
- v. Increase tree canopy (via existing tree maturation) on public and private land to mitigate urban heat island effects
- vi. Facilitate the removal of priority weeds, immature vegetation with nil or low amenity heat mitigation and/or biodiversity values, and replace with suitable species
- vii. Provide a consistent framework to assess applications that require a permit for clearing vegetation and pruning or removal of trees

2.0 DECLARATION OF PRESCRIBED TREES AND VEGETATION

All vegetation in the City is declared to be prescribed vegetation to which Part 2.3 of the Biodiversity and Conservation SEPP applies, subject to the exemptions listed in section 4.0 below.

The clearing, pruning, ringbarking, cutting down, topping, lopping, removing, poisoning, injuring or willful destructions of prescribed trees and vegetation is prohibited without the written consent of the relevant approval authority which varies depending on the scale and/or location of the proposed works, as summarised in section 3.0 below.

3.0 APPROVAL PATHWAYS

3.1 Vegetation clearing not linked to development consent and below the Biodiversity Offset Scheme (BOS) thresholds

A Council Tree Pruning and Removal Permit is required for the clearing/pruning of prescribed trees and vegetation, as defined in section 2.0, above.

The requirements and process for obtaining a permit is detailed in section 6.0.

3.2 Vegetation clearing linked to development

A Development Application and consent is required for tree works where the tree or vegetation works are ancillary to works requiring development consent. This includes any tree work on public land associated with a complying development.

Note: Controls for vegetation clearing on development sites are detailed in section 7.0.

3.3 Vegetation clearing within heritage areas

"Development consent (via DA or IDA) is required for tree works where the tree or vegetation forms part of a heritage item or Aboriginal object or is located in a heritage conservation area or Aboriginal place of heritage significance".

Note: State Heritage Listed properties will also require separate approval (e.g., Aboriginal Heritage Impact Permit) or (standard or site-specific) exemption from the NSW Department of Planning, Housing, and Infrastructure under subsection 57(1) of the Heritage Act 1977.

Exemptions may be standard or, where agreed with the Department, site specific. Standard exemptions include:

- pruning up to 30% of the tree canopy on a State Heritage Register listed site within a 2-year period but only if the work is 'performed by a qualified arborist, horticulturist or tree surgeon and must be necessary for the health of those plants'
- Removal of non-significant diseased, dying, dead and/or dangerous trees, but only where the removal does not disturb archaeological relics

3.4 Vegetation clearing exceeding BOS thresholds

Under Part 2.4 of the Biodiversity and Conservation SEPP, clearing of vegetation above the bio-diversity offsets scheme (BOS) threshold triggers an alternate approval pathway through the Native Vegetation Panel and requires a Biodiversity Development Assessment Report (BDAR) prepared by an accredited assessor using the Biodiversity Assessment Method. The BOS thresholds are:

- The clearing of any native vegetation in areas that have been mapped on the Department of Planning and Environment's Biodiversity Value map (<http://www.lmbc.nsw.gov.au/BVMap>)
- Clearing an area that exceeds the BOS thresholds as follows:

Minimum lot size associated with the property	Threshold for clearing, above which BDAR is required
Less than 1 ha	0.25 ha or more
1 ha to less than 40 ha	0.5 ha or more
40 ha to less than 1000 ha	1 ha or more
1,000 ha or more	2 ha or more

4.0 EXEMPT TREES AND VEGETATION WORKS

A permit or development application to carry out clearing of vegetation, pruning or removal of a tree is not required if:

- i. Council is satisfied that the vegetation or tree is dying or dead (from natural causes) and is not a hollow-bearing tree required as habitat for native animals and is a risk to human life or property, as per clause 2.7 of the *Biodiversity and Conservation SEPP*.

To provide Council with sufficient evidence to make this determination, proponents must comply with the following process:

- Undertake a tree risk assessment (evaluating 'likelihood of failure', 'likelihood of impacting a target' and 'consequences of impact') to identify the level of risk to human life or property by a suitably qualified arborist (AQF5).
- Provide evidence that the tree is dead or dying from natural causes.
- Commence works only after receiving written confirmation from Council that the tree is exempt from the requirement for a tree permit and that tree works may be undertaken.

Note: If Council is not satisfied that the tree has died of natural causes, a Council investigation will be undertaken. Penalties will be issued where the investigation identifies illegal removal or harm with intent to kill an existing tree or trees.

- ii. Trees/vegetation have the following dimensions:
 - a height less than 4m ; and/or
 - trunk diameter less than 150mm measured at breast height (1.4m above ground level)
- iii. Removal of deadwood/ pruning of less than 10 per cent of the crown of a tree in a 12- month period provided the branches to be pruned do not have hollows required as habitat for native animals, the branch does not exceed 60mm diameter, and the work is carried out in accordance with Australian Standard 4373 –2007 Pruning of amenity trees and Safework NSW Code of Practice: *Amenity Tree Industry 1998*.

Note: Consistent with the Biodiversity SEPP's core aim "to protect the biodiversity values of trees and other vegetation in non-rural areas of the State", existing hollows in trees to be removed or pruned must be reviewed and identified prior to undertaking any tree works.

² The term 'legally constructed' means built in compliance with environmental & planning legislation and instruments in force within the City of Ryde at the time of construction.

- iv. Tree Works on a tree where the stem of the tree at ground level is within three (3) metres of:

- the outside enclosing wall of legally constructed dwelling or outbuilding of over 20m²

Note: This exemption does not apply to trees on adjoining land. The Tree and the dwelling house or other structure referred to above must both be on the same land for the exemption to apply.

- v. Tree Works on any tree on the following list:

BOTANICAL NAME	COMMON NAME
<i>Acacia saligna</i>	Golden Wreath Wattle
<i>Acer negundo</i>	Box Elder
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alnus jorulensis</i>	Evergreen Alder
<i>Arecastrum romanzoffianum</i> (syn. <i>Syagrus romanzoffianum</i>)	Cocos Palm
<i>Bambusa spp.</i>	Rhizomatous Bamboo
<i>Celtis sinensis</i>	Hackberry
<i>Cinnamomum camphora</i> (less than 10m)	Camphor Laurel (less than 10m)
<i>Cotoneaster sp.</i>	Cotoneaster
<i>Erythrina crista-galli</i>	Cockscomb Coral Tree
<i>Erythrina x sykesii</i>	Indian Coral Tree
<i>Ficus benjamina</i>	Weeping Fig
<i>Ficus elastica</i>	Rubber tree
<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
<i>Ligustrum lucidum</i>	Broad leaf Privet
<i>Ligustrum sinense</i>	Narrow leaf Privet
<i>Nerium oleander</i>	Oleander
<i>Olea europaea africana</i>	African Olive
<i>Populus spp.</i>	Poplars
<i>Robinia pseudoacacia</i>	Golden Robinia or Golden Locust
<i>Salix spp.</i>	Willows
<i>Schefflera actinophylla</i>	Umbrella tree
<i>Tamarix aphylla</i>	Athel tree
<i>Toxicodendron spp.</i>	Rhus tree

- vi. Tree works on a tree on land owned or under the care, control, and management of Council where the tree works are carried out by Council.

Note: For tree works on land owned or under the care, control & management of Council:

- Council or its agents may carry out the pruning or removal of trees in compliance with relevant Australian Standards and specifications and legislation,
- Where non-essential tree works on Council land are requested by a resident and agreed by Council, and where those works are of a minor nature consistent with the aims of the Biodiversity SEPP, Council's Urban Forest Strategy and this DCP, the cost of the works

will be the responsibility of the applicant. (Note: this does not include situations where a Council tree is causing proven damage to adjoining property assets).

- Where a Council public works project requires trees to be pruned/removed, consent from Council's Parks and Open Spaces unit is required. Removed trees are to be offset by replacement plantings at a ratio of 3:1 to maintain canopy cover.
- vii. Tree works on a tree on land owned by private schools, the Macquarie University, or the State Government and carried out by the agency or their contractor.
- viii. Any State or regional priority weeds listed in the Greater Sydney Regional Strategic Weed Management Plan or local priority weeds listed in the Ryde Local Priority Weed Management Plan,
- ix. The clearing of vegetation, pruning or removal of trees due to authorised by a development consent under Part 4 of the Environmental Planning and Assessment Act 1979
- x. The clearing of vegetation, pruning or removal of trees authorised under other legislation:
 - a. Biodiversity Conservation Act 2016
 - b. Biosecurity Act 2015
 - c. Rural Fires Act 1997
 - d. Electricity Supply Act 1995 (trees on public land affecting power lines are managed by Ausgrid and works must only be carried out by Ausgrid and cannot be carried out by residents or arborists not engaged by Ausgrid).
 - e. State Emergency Services Act 1989
 - f. Water Management Act 200
 - g. Roads Act 1993
 - h. NSW Rural Fire Service 10/50 Vegetation Clearing Code Of Practice

5.0 EXCLUSIONS FROM EXEMPTIONS

The exemptions listed in section 4.0 do not apply where:

- i. The trees/vegetation forms part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance, and Council is not satisfied that the proposed works fall within the standard exemptions and/or the site-specific exemptions agreed by the NSW Department of Planning, Housing, and Infrastructure, as noted in Section 3.3.
(**Note:** as required Section 2.10(3) of the Biodiversity and Conservation SEPP)
- ii. The trees/vegetation are a threatened species or habitat for threatened fauna species or part of an endangered ecological community (for which a Biodiversity Conservation License (BCL) is required from the NSW Department of Climate Change, Energy, the Environment and Water).
- iii. Tree/s are required to be retained by a condition of development consent or a Section 88B restriction to user instrument.
- iv. Tree/s are listed on the City of Ryde Significant Tree Register.

² <https://www.ryde.nsw.gov.au/files/assets/public/v/3/forms-and-documents/2023-07-tree-permit-heritage-properties-application-form.pdf>

6.0 OBTAINING A PERMIT OR DEVELOPMENT CONSENT

6.1 Development application for tree works

Where tree/vegetation works are proposed for trees listed as a Heritage Item or within a *Heritage Conservation Area*, is an *Aboriginal Object* or is within an *Aboriginal Place of Heritage Significance*, the applicant must complete the Development Application for Tree Removal on Heritage Properties form (downloadable from Council's website³) and lodge it via the NSW Planning Portal.

6.2 Tree permit application

For most other tree works – those below the BOS thresholds and not requiring development consent - applicants are required to submit a Tree Management Application form (also downloadable from Council's website⁴).

The steps for submitting applications - including fees, timelines, authorisations, and Council's criteria for assessing individual applications – are detailed in the 'How to Apply for Permit for Vegetation Maintenance and Tree Removal' on Council's website at

<https://www.ryde.nsw.gov.au/Environment-and-Waste/Trees/Tree-Applications-and-Fees>

Tree Permits are valid for 12 months from the date of issue or until works have been completed. A copy must be held on site during the works and shall be produced by the person carrying out the works on request by a Council Officer.

Note: Council will not consider a Tree Management Application for the sole purpose of removing trees that pose a site constraint to allow for a Complying Development build.

6.3 Tree replacement requirements

Council will require replacement trees of min 75 litre to be planted at a rate of 3:1 for any tree approved for removal. Where there is insufficient space for replacements on the applicant's land, Council will require payment of a fee for Council to undertake tree replacement on Council owned/managed land on behalf of the applicant. The tree selection requirements will be in accordance with section 10.7 of the City of Ryde Urban Forest Strategy (2023). A mandatory 12-month follow-up inspection is required after the initial planting of the approved advanced species to ensure it remains healthy and intact.

7.0 BEST PRACTICE TREE WORKS ON DEVELOPMENT SITES

The following controls apply to the clearing of vegetation on development sites:

- i. The clearing of vegetation, pruning or removal of trees due to development that requires a consent (e.g., use of land, subdivision, erection, or demolition of a building) must be assessed as part of the development application.
- ii. Unless the clearing of vegetation or the pruning and removal of trees is exempt under Clause 4.0 of this plan, consent must be granted to clear, prune, or remove vegetation or trees. The proposed development is to be sited and designed to retain and minimise the impact on any trees or any other significant vegetation or surrounding environment such as ability to increase erosion or flooding issues if removed.
- iii. Where an applicant demonstrates to Council's satisfaction that there is no other reasonable alternative design and removal of trees and vegetation is warranted, suitable replacement planting will be required if consent is provided.
- iv. The landscape and/or architectural plans must identify the type and species of trees and vegetation to be retained or proposed to be removed, including those on adjoining sites within 5m of the boundary.

³ <https://www.ryde.nsw.gov.au/files/assets/public/v/4/forms-and-documents/2024-07-tree-permit-heritage-properties-application-form.pdf>

⁴ <https://www.ryde.nsw.gov.au/files/assets/public/v/12/forms-and-documents/2024-07-tree-management-application.pdf>

- v. An arborist report prepared by a suitably qualified Arborist must be provided to justify clearing vegetation, pruning or removal of trees
- vii. Where trees and vegetation proposed to be retained may be affected by construction works, including any trees or vegetation on public land, a Tree Protection Plan must be submitted with the development application and must include the measures detailed in Chapter 3 of Council's Tree Management Technical Manual
- viii. It is the responsibility of the Principal Certifier to ensure the conditions of the Development Consent are adhered to including with respect to compliance to approved Tree Management Plans. Council can impose upon or compel a Private Certifier to confirm or ensure that the conditions of Consent have been addressed as they are obligated to under the EP&A Act 1979.

8.0 TREE MANAGEMENT TECHNICAL MANUAL (TMTM)

The Tree Management section of the DCP is supported by the TMTM⁵. The Manual provides additional information to assist applicants and their consultants to provide the appropriate level of information to satisfy the aims and objectives of the Section.

9.0 DEFINITIONS

Aboriginal Object means any deposit, object, or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non- Aboriginal extraction and includes Aboriginal remains.⁶

Aboriginal Place of Heritage Significance means one of Council's 62 existing Aboriginal heritage sites and any other place in the City of Ryde subsequently identified in:

- the Aboriginal Heritage Information Management System (AHIMS) or
- a local Aboriginal heritage study and adopted by Council.

Arborist (project and consulting) must have obtained through training and completed Australian Qualification Framework (AQF) Level 5, Diploma of Arboriculture.

Biodiversity Offsets Scheme (BOS) is the framework, established under the Biodiversity Conservation Act 2016, for offsetting unavoidable impacts on biodiversity from development with biodiversity gains through landholder stewardship agreements. Applications for development or clearing approvals must set out how impacts on biodiversity will be avoided and minimised. Residual impacts can be offset by the purchase and/or retirement of biodiversity credits or payment to the Biodiversity Conservation Fund⁷.

Biodiversity Offsets Scheme (BOS) threshold means the biodiversity offsets scheme threshold referred to in section 7.4 of the Biodiversity Conservation Act 2016.

Clearing of trees and vegetation has the same meaning as in the Vegetation SEPP:

- a) cut down, fell, uproot, kill, poison, ringbark, burn, or otherwise destroy the vegetation, or
- b) lop or otherwise remove a substantial part of the vegetation.

Damage means to impair the value or usefulness or weaken the health or the normal function of a tree or vegetation.

Dangerous tree means a tree that will inflict imminent liability or harm to human life or property.

⁵ <https://www.ryde.nsw.gov.au/files/assets/public/v/1/publications/environment/tree-management-technical-manual.pdf>

⁶ National Parks and Wildlife Act 1974 – sect

⁷ <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme>

Dead tree means no functional cambium (tissue) and no green foliage and that the tree is no longer capable of performing living functions.

Dying tree means a tree in a state of decline where it is unlikely to recover. Generally, this may be represented by only $\leq 20\%$ live canopy.

Environmental protection works has the same meaning as Ryde City Local Environment Plan including actions such as bush regeneration and erosion protection works.

Exempt refers to tree works not subject to protection by Council's DCP controls.

Habitat has the same meaning as in the NSW Biodiversity Conservation Act 2016 and includes hollow bearing trees, nests, and logs.

Height means the distance measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

Heritage Conservation Area means an area of land of heritage significance shown on a heritage map and described in a heritage schedule in a LEP and includes any heritage items situated on or within that area.

Heritage Item means a building, work, place, relic, place, tree, object, or archaeological site the location and nature of which is identified in a Heritage Study, described in a heritage schedule in a LEP or the NSW State Heritage Register.

Imminent risk refers to a tree which is about to fall over, a tree which is heaving (moving at the base/ground level), or a large part of a tree which is broken and/or hanging, about to fall and injure persons or property (and is to be determined through the application of industry- recognised risk assessment methodology such as QTRA, TRAQ).

Legally constructed means built in compliance with environmental and planning legislation and instruments in force within the City of Ryde at the time of construction.

Native vegetation has the same meaning as in Part 5A of the Local Land Services Act 2013, with the exclusion of 60B (4) for the purposes of including marine vegetation in the definition of native vegetation.

Native vegetation means any plants native to New South Wales including:

- i. tree (including sapling and immature stages)
- ii. understory plants
- iii. groundcovers (all herbaceous vegetation)
- iv. plants occurring in a wetland.

Owner has the meaning ascribed to it in the Local Government Act 1993.

Remove has the same meaning as clearing in this DCP.

Prescribed tree are those trees protected by this DCP (as per section 2.0).

Prescribed vegetation is native vegetation that is protected by this DCP (as per section 9.2) Prohibited activities has the same meaning as "Clearing" as per this DCP when unauthorised and "Damage."

Prune means to selectively remove branches.

Tree is defined as a long lived woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than 3 metres.

Tree works means any pruning of a tree crown, removal of a tree, pruning or removal of roots (greater than 30mm diameter) and any alteration (excavation, compaction, or fill) to the natural ground and soil level within the Tree Protection Zone of a tree on the land or on adjoining land.

Tree works means any pruning of a tree crown, removal of a tree, pruning or removal of roots (greater than 30mm diameter) and any alteration (excavation, compaction, or fill) to the natural ground and soil level within the Tree Protection Zone of a tree on the land or on adjoining land.

Tree Protection Zone (TPZ) means the area above or below ground at a given distance from the trunk calculated in accordance with AS 4970 - 2009 set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree.

Urban Forest means all trees and vegetation (both naturally occurring and planted) that occur within or near urban areas.



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