

## 1B.6 Tree and Vegetation Preservation

This section is made in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (the Vegetation SEPP) and prescribes the trees and vegetation to which the Vegetation SEPP and/or Clause 5.10 of the HLEP applies and the applicable approval process.

### 1B.6.1 Tree Preservation

#### Prescribed Trees

- a. The prescribed trees that are protected by the Vegetation SEPP and/or Clause 5.10 of the HLEP and this Section of the DCP includes:
  - trees except exempt tree species in Hornsby Shire, as listed in Table 1B.6 (a) or subject to the Biodiversity Offset Scheme,
  - all trees on land within a heritage conservation area described within the *HLEP*, and
  - all trees on land comprising heritage items listed within the *HLEP*.
- b. To damage or remove any tree protected under this DCP is prohibited without the written consent of Council, except in accordance with the exemptions prescribed in this part (under the heading 'Exempt Tree Work').
- c. For the purposes of this section:
  - **Arborist (Project and Consulting)** must have obtained through training and completed Australian Qualification Framework (AQF) Level 5, Diploma of Arboriculture.
  - **A 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.
  - **Biodiversity Offset Scheme (BOS)** means a scheme enacted by the *Biodiversity Conservation Act 2016*, *Biodiversity Conservation Regulation 2017* and *Local Land Services Amendment Act 2016*. The BOS includes a Sensitive Biodiversity Values (SBV) Map and Area Threshold, either which trigger an alternative approval framework for the clearing of native vegetation. The SBV Map can be viewed on the OEH website and the SBV Area Thresholds are included as notes at the end of this section.
  - **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.
  - **Damage** means to impair the value or usefulness, or weaken the health or the normal function of a tree

or vegetation.

- **Remove** means to cut down, knock down, kill, lop or destroy.
- **Prune** means to selectively remove branches.
- **Tree Protection Zone** means the area above or below ground at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree.

Table 1B.6(a) Exempt Tree Species in Hornsby Shire

Botanical name	Common Name
<i>Acacia baileyana</i>	Cootamundra Wattle
<i>Acacia saligna</i>	Golden Wreath Wattle
<i>Acer negundo</i>	Box Elder
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alnus jorullensis</i>	Evergreen Alder
<i>Arecastrum romanzoffianum</i>	Cocos Palm
<i>Celtis sinensis</i>	Hackberry
<i>Cinnamomum camphora</i>	Camphor Laurel
All edible fruit and nut trees except native species such as <i>Acmena spp</i> (Lilli Pilli), <i>Syzygium spp</i> (Lilli Pilli) <i>Elaeocarpus spp</i> (Blueberry Ash) or <i>Macadamia spp</i> (Macadamia Tree)	Fruit and Nut trees
<i>Cotoneaster spp.</i>	Cotoneaster
<i>Eriobotrya japonica</i>	Loquat
<i>Erythrina spp</i>	Coral tree
<i>Ficus elastica</i>	Rubber tree
<i>Gleditsia triacanthos</i>	Honey Locust
<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus
<i>Ligustrum spp</i>	Privet
<i>Populus spp</i>	Poplar
<i>Pyracantha augustifolia</i>	Firethorn
<i>Robinia pseudoscacia</i>	Golden Robinia
<i>Salix spp</i>	Willow
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Schinus spp</i>	Peppercorn Tree
<i>Toxicodendron spp</i>	Rhus

Notes:

Further information on exempt tree species in Hornsby Shire is available on Council's website [hornsby.nsw.gov.au](http://hornsby.nsw.gov.au).