

8.13. Response to Notice of Motion - Removal of tree at 15 Richmond Ave Cremorne

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ATTACHMENTS: Nil

PURPOSE:

The purpose of this report is to provide Council with an overview of how Council is strengthening the process of tree protection and inevitably improving the declining canopy cover of the North Sydney Local Government area (LGA).

EXECUTIVE SUMMARY:

Staff made the difficult decision to remove the two Eucalyptus trees located on public land, adjacent to the development at 15 Richmond Avenue, Cremorne (the "Site") due to public safety concerns.

Notice of Motion 24/22 was tabled at the 26 April 2022 Council meeting regarding the removal of trees on public land. The response provided by staff was noted and Council resolved the following:

THAT Council strengthen the processes surrounding the protection of mature trees on Council land when adjacent private land is being developed and further report be presented to Council as to how this can be achieved.

FINANCIAL IMPLICATIONS:

NIL.

RECOMMENDATION:

- 1. THAT** the report be received.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

1. Our Living Environment

1.1 Protected and enhanced natural environment and biodiversity

BACKGROUND

At the Council meeting held on 26 April 2022, the following Notice of Motion (NOM) 24/22 was raised regarding - Removal of tree at 15 Richmond Ave Cremorne:

- 1.THAT Council investigate how the mature tree on the verge in front of 15 Richmond Avenue Cremorne came to be cut down on Sunday 20 March*
- 2.THAT Council review the arborist reports for the site and identify whether the land excavation was conducted according to the DA consent in terms of tree root removal*
- 3.THAT Council strengthen the processes surrounding the protection of mature trees on Council land when adjacent private land is being developed*

In response the A/Director City Strategy provided comments surrounding the circumstances that led to the difficult decision made by staff to remove two Eucalyptus Trees on Council's Richmond Avenue nature strip in front of the subject site. Although Council maintained the position that both trees were capable of retention, the development site constraints coupled with unprecedented adverse weather conditions and the land collapse incident led to the engineering report that expressed concern that the trees were likely to fall. There was no viable method of bracing the trees. In response to the imminent public safety concerns, the trees were removed.

Notably, this is the first case that the Building Compliance team has dealt with, over at least the past 20 years, which resulted in the removal of a mature public tree.

The background as provided in the NOM states:

Whilst it is acknowledged that there has been an excessive amount of rainfall over the last months, the extent of which resulted in flooding across the LGA and no doubt caused unexpected site complications, we cannot allow our tree canopy to be eroded. It is critical that we work more closely at DA consent level to ensure that mature trees on Council land are identified and adequately protected during construction.

Accordingly it was resolved:

- 1. THAT Council notes the response that has been provided*

2. THAT Council strengthen the processes surrounding the protection of mature trees on Council land when adjacent private land is being developed and further report be presented to Council as to how this can be achieved.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

Council needs to take action to improve the declining canopy cover of the North Sydney Local Government area (LGA). The percentage of overall tree canopy has been declining since 2008 and the rate of decline and data trend over time is a significant concern to the community's amenity.

A report was provided to the Council on 24 February 2020 regarding Implementation of Urban Forest Strategy – Review of Tree and Vegetation Management Policies. Although Council has subsequently made significant improvements in the area of Tree Preservation policy, the Urban Forest Strategy acknowledges that urban canopy increase requires a combination of tree protection, tree maintenance, and tree planting to be fully realised and efficiently implemented.

Council's Open Space and Environmental Services (OSES) staff are in the process of taking steps as set out below to improve tree protection. This directly responds to the NOM seeking Council to strengthen the processes surrounding the protection of mature trees on Council land.

Urban Forest Team

It has been recognised that the most significant weakness for tree management in the LGA is that staff responsible for tree management sits within different Council directorates that may from time-to-time lead to inconsistencies in approaches or decisions.

Therefore, an Urban Forest Team is in the process of being formed that will centralise all tree management functions with responsibility falling to one Manager. This team will be responsible for ensuring tree management actions within the North Sydney LGA are being undertaken in a coordinated and collaborative effort. The creation of this team will improve communication lines in all aspects of Private and Public Tree management including the development assessment processes. This will ensure that a holistic approach is taken in Tree management with the team working in harmony with everything Tree related.

It is planned that the staff within the unit are trained in each other's roles in order that the organisation can operate more effectively to accommodate changes in work demands or simply more efficiently provide continued service when people are on leave or depart the organisation.

Conditions of Consent

An initial review has already been undertaken of existing conditions of development consent relating to public trees. It will be a task for the new Urban Forest Team, in consultation with Development Services to undertake a full and detailed review of the private Tree development conditions. This review will look at the possibility of introducing additional conditions for the various development stages that may include a proactive inspection regime.