

# TASMANIAN PLANNING COMMISSION



## DECISION

<b>Planning scheme</b>	Hobart Interim Planning Scheme 2015
<b>Amendment</b>	PSA-22-4 - insert 66 additional listings for trees and hedges into the Significant Tree List
<b>Planning authority</b>	Hobart City Council
<b>Applicant</b>	Hobart City Council
<b>Date of decision</b>	29 February 2024

## Decision

The draft amendment is modified under section 41(ab) of the *Land Use Planning and Approvals Act 1993* as set out in Annexure A and is approved under section 42.

Dan Ford  
**Delegate (Chair)**

Dianne Cowen  
**Delegate**

### Note:

References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

## REASONS FOR DECISION

### Background

#### Amendment

The draft amendment to the Hobart Interim Planning Scheme 2015 (planning scheme) proposes to insert 66 additional listings for trees and hedges into Table E24.1 Significant Tree List of the Significant Trees Code.

#### Site information

The proposal is to amend the planning scheme's Significant Trees Code to include 66 new listings (representing 152 individual trees and three hedges) into the Significant Tree List.

The draft amendment results from a public engagement process by Hobart City Council in 2021 where members of the public were invited to nominate trees to be included in the Significant Tree List.

Each of the nominated trees and hedges were assessed by a Council panel comprising of the Council's Strategic Planner, Program Leader Arboriculture and Nursery, Cultural Heritage Officer and Urban Design Officer. The panel's assessment was based on whether a potential listing was considered to meet any of the 10 categories of significance under the Hobart City Council Categories of Significance - Significant Tree Assessment Criteria (assessment criteria).

#### Issues raised in representations

The representors raised the following issues:

- objections to the Council decision to list a tree;
- objections to trees being listed if they could not be adequately managed or their safety risk be determined;
- support for a tree being listed; and
- two queries.

#### Planning authority's response to the representations

The planning authority considered the representations and recommended:

1. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council endorse this report as the formal statement of its opinion as to the merit of the representations received during the exhibition of the draft PSA-22-4 Amendment, except in relation to 66 York Street – Date Palm.
2. Pursuant to Section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that the PSA-22-4 Amendment to the Hobart Interim Planning Scheme 2015 be finally approved, with the following changes:
  - (a) Amendment of the listing Ref. No. F16 to correct species name at Federal Street (Road reserve between Elizabeth Street and Argyle Street) from *Platanus x acerifolia* - London plane tree to *Platanus orientalis* 'Insularis';
  - (b) Amendment of the listing Ref. No. Y1 to correct species name at 66 York Street from *Phoenix dactylifera* to *Phoenix canariensis*.

- (c) Removal of 66 York Street – Date Palm, from the listing.

### **Date and place of hearing**

The hearing was held at the Commission’s office on Level 3, 144 Macquarie Street, Hobart on 23 November 2023.

### **Appearances at the hearing**

Planning authority: Tristan Widdowson, Strategic Planner  
Allie Costin, Tree Assessment Panel  
Nick Booth, Tree Assessment Panel  
Jerry Romanksi, Consultant Arborist

Representors: Kathi Wyldeck  
Andrew Wilson

### **Consideration of the draft amendment**

1. Under section 40 of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the amendment and the representations, statements and recommendations contained in the planning authority’s section 39 report.
2. A hearing was convened to assist the Commission consider the issues in the representations.
3. The amendment had been initiated and certified by Hobart City Council, in its capacity as planning authority, and further supported in the reports under sections 35 and 39 of the Act.
4. Under section 32(1), in the opinion of the relevant decision-maker, a draft amendment:
  - (a)-(d) . . .
  - (e) must, as far as practicable, avoid potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area;
  - (ea) must not conflict with the requirements of section 300;
  - (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.
5. Under section 32(2), the provisions of section 20(2)-(9) inclusive apply to the amendment of a planning scheme in the same manner as they apply to a planning scheme.
6. Subsection 32(1)(e) is not relevant to the draft amendment as the site does not adjoin an adjacent municipal area.
7. Section 300 includes that:
  - (1) An amendment may only be made under Division 2 or 2A to a local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker, practicable, consistent with the regional land use strategy for the regional area in which is situated the land to which the scheme applies.
8. Subsections 300(2)-(5) inclusive relate to the effect of amending a local provision with respect to common provisions. These matters are not relevant, as the draft amendment has no implications for any common provisions.

9. Under section 32(1)(f), regional impacts of use and development permissible under the amendment have been considered with reference to the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy).

### **Regional land use strategy**

10. The planning authority's report supporting the draft amendment (supporting report) submitted that the draft amendment is consistent with the regional strategy in that it values and protects special features in the landscape, which correlates in particular, with Strategic Directions SD6: Increasing Responsiveness to our Natural Environment, SD8: Supporting Strong and Healthy Communities and SD9: Making the Region Nationally and Internationally Competitive.

### **Commission consideration**

11. The Commission notes that that the protection of significant trees is not directly addressed by the regional strategy. However, the Commission considers that the draft amendment is generally in accordance with the regional policies referenced by the planning authority.
12. The Commission finds that the draft amendment is, as far as is practicable, consistent with the regional strategy.

### **Listing of significant trees**

13. The listing (and delisting) of significant trees relates to Table E24.1 Significant Tree List of E24.0 Significant Trees Code (the Code) of the planning scheme. The Code describes its purpose as to 'recognize and protect trees that are considered to be significant for reasons including; aesthetics, size, age, species, cultural value or contribution to the streetscape, townscape or public amenity'.
14. The Council's assessment criteria outlines the considerations for the listing or delisting of significant trees in the planning scheme.
15. The assessment criteria lists the categories of significance as follows:
  1. Trees of outstanding aesthetic significance.
  2. Trees of outstanding dimensions in height, trunk circumference or canopy spread.
  3. Trees that are very old or venerable.
  4. Trees that commemorate, or are reminders of, cultural practices, historic events or famous people.
  5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.
  6. Trees that have local significance.
  7. Trees of a species or variety that is rare or of very localised distribution.
  8. Trees that are of horticultural or genetic value.
  9. Trees that have a significant contribution to the integrity of an ecological community.
  10. Trees that are significant for reasons that are difficult to categorise.
16. The planning authority advised that a total of 122 nominations were received for new listings. Of those, 64 nominations (152 individual trees and three hedges) were considered to meet one or more of the assessment criteria.

17. A number of the representations raised concerns with the Council process for nomination and the lack of written consent required from landowners.

### **Commission consideration**

18. The Commission notes the alignment between the purpose of the planning scheme's Significant Tree Code and the categories of significance within the Council's Significant Tree Policy, and that the draft amendment is the first review of entries included on the register since 2020 (amendment PSA-19-3).
19. The purpose of the Significant Trees Code is to recognise and protect trees that are considered to be significant for reasons including aesthetics, size, age, species, cultural value or contribution to the streetscape, townscape or public amenity. The Significant Tree listing provides statutory protection for the lopping, pruning, removal, injury or destruction of trees listed in Table E24.1
20. The Commission also notes that while one consequence of a tree being included on the Significant Tree Register is the potential need for discretionary planning approval prior to a tree's lopping or removal, the planning scheme contains a number of exemption clauses that enable certain types of maintenance, and in some circumstances, removal of listed trees to occur without planning approval being required.
21. The Commission notes the concerns from representors about the nomination and assessment process, however the Commission is satisfied the draft amendment follows a statutory process where the draft amendment initiated by Council does not require landowner consent.
22. The draft amendment (which included the proposed nominations) followed the statutory processes including public exhibition affording landowners the opportunity to make representations and to participate in the hearing process, as prescribed under section 41B of the Act. The Commission also notes that prior to the preparation of the draft amendment, the Council notified owners inviting them to make informal comments prior to Council determining which trees to add or remove from the list.

### **Planning Authority supported nominations**

#### **Willow Cottage, 28 Denison Street, South Hobart - *Salix babylonica* - weeping willow (1 tree)**

23. The planning authority's supporting report recommended the willow (*Salix babylonica*) at 28 Denison Street, South Hobart be listed in the planning scheme.
24. The planning authority considered that the tree met category 1, 2 and 5 of the assessment criteria for the following reasons:

Category 1. Trees of outstanding aesthetic significance.

This tree has a beautifully proportioned, large weeping canopy and has a high level of aesthetic significance.

Category 2. Trees of outstanding dimensions in height, trunk, circumference or canopy spread.

This willow is a significantly large example of its species in Hobart.

Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.

The tree greatly contributes to the setting of the listed cottage and is a significant part of the rear private garden. The land is part of 7 acres, 0 roods and 20 perches granted to William Birch. A number of willow trees were planted along creeks, rivulets, and streams in Hobart's Colonial period. They were susceptible to damage

during flooding events, such as in 1923 when “many of the willow trees growing on the edge of creeks were uprooted and carried down stream.”

25. Four representations were received in relation to the listing. The owner supported and three representors objected to the listing.
26. The representors submitted that the tree species is not native to Australia, is considered a weed and has an invasive root system.
27. The representors also raised concern relating to ongoing maintenance of the tree, damage to property, access to sunlight, and proposed a requirement for current and future owners to prune the tree, at their expense, to keep it at an agreed height.
28. The representation from the owner, supporting the listing, submitted that the tree is over 178 years old, had previously been pruned, and hoped that the tree will be protected.
29. The planning authority’s section 39 report submitted that:

With regard to weed risk, *Salix babylonica* is of much less concern than most of the willow species. It is not a declared weed in Tasmania and is not a Weed of National Significance. It is also located almost 200m from the Rivulet.

Council’s Environmental Scientist in Open Space, Parks and Waterways was consulted. The officer is currently seeking funding from the Federal Government through a grant application process for a project to remove crack willow from both private and public land along the Rivulet. The officer did not object to the tree being listed given the species and location.
30. The planning authority recommended no changes to the draft amendment in response to the representations.
31. At the hearing, property owner, Kathi Wyldeck noted that she has had the tree trimmed every couple of years and is happy to continue to have the tree shaped. Ms Wyldeck noted that the tree had gained height subsequent to its past extensive trimming, but submitted that the branches are well away from neighbouring properties.
32. Andrew Wilson, the representor who attended the hearing, reiterated that he did not wish for the tree to be removed but wanted the height to be controlled due to the willow’s impact on the available sunlight to his adjoining residence.
33. Nick Booth, from the Council’s tree assessment panel, confirmed that were the tree to be listed, an application would have to be lodged with Council to undertake the pruning works. In his opinion, provided the works did not impact the tree’s visual appearance or long-term health there is no reason an application would be refused.
34. Mr Booth advised that pruning and shaping are provided for under the planning scheme exemptions, but lopping would not meet the exemption.
35. Evidence from Hobart City Council’s consulting arborist Jerry Romanski, was that the assessment of what constitutes pruning, is made under the Australian Standards. Mr Romanski advised that in practice the extent of pruning depends on the viability and age of the tree, and that older trees can only be pruned to a certain extent before their health is compromised. Mr Romanski advised that the extent of pruning that a tree could tolerate varies and would need to be assessed on an individual basis by an arborist. He submitted that a healthy tree could typically cope with a 30% crown reduction but that may be reduced to down to 10% for older trees.
36. Mr Romanski advised that the height of trees is difficult to maintain as they inevitably creep upwards unless pollarded on a regular basis. Mr Romanski noted that this process involves trimming a spot and creating a pollard head which must be maintained every 1-2 years. Mr

Romanski advised that in this case pollarding would be a viable method of managing the size of the tree, as it only removes the new growth back to the pollard head. Mr Romanski also advised that in this case pollarding would be preferable to lopping as lopping had the potential to damage the tree.

37. The application of a Part 5 Agreement was discussed as a potential management option. Tristan Widdowson, on behalf of the planning authority, advised that Part 5 Agreements are best avoided, as they can be problematic and complicated. He advised however, that a Part 5 Agreement could be implemented in the event of an application, but this would need to be a joint application between the owner and adjoining landowner.

### **Commission consideration**

38. The Commission notes the concerns of the representors but considers that management options for the tree are not directly relevant to the draft amendment, and specifically whether the subject tree warrants listing. The Commission must turn its mind to the purpose of the Significant Trees Code and whether a proposed listing warrants protection consistent with the Code purpose.
39. Notwithstanding, in this instance the Commission accepts the advice provided by Mr Romanski and is persuaded that, in this case, pollarding would be an effective method to manage the height and volume of the tree.
40. The management options for parties were discussed at the hearing, including the exemptions for vegetation management that exist in the planning scheme, and how these are administered in practice by the planning authority. The Commission considers that the planning scheme would not hamper the management of the tree in the event of there being an unacceptable risk to safety or the threat of damage to a building.
41. The Commission agrees with the planning authority that the tree meets assessment criteria 1, 2 and 5.
42. The Commission has considered the overall significance of the tree, the exemptions within the planning scheme, the management options for the tree and the views of the representors. Based on a balanced consideration of these matters, the listing of the tree is supported.

### **20 Adelaide Street and 3 Weld Street, South Hobart - *Cupressus torulosa* - Bhutan cypress (2 trees)**

43. The Development Planner's supporting report to Hobart City Council recommended 3 trees at 20 Adelaide Street and 3 Weld Street, South Hobart be listed in the planning scheme.
44. The planning authority considered that the trees met category 1, 5 and 6 of the assessment criteria for the following reasons:

Category 1. Trees of outstanding aesthetic significance.

- These trees are visually striking and are aesthetically significant due to their large, tapered shape, which is accentuated by their combined canopy as a group.

Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.

- The trees are a significant component of the landscaping of a heritage listed 1906 property as a boundary marking. The heritage listing datasheet for this property specifically notes the Bhutan cypress trees as being of cultural heritage significance and an integral element of the streetscape.

Category 6. Trees that have local significance.

- The trees make a significant contribution to the streetscape. From some vantage points they read as contiguous with the 'hedge' of Bhutan cypress along the remainder of the Weld Street frontage of 20 Adelaide Street.
45. The planning authority, in its Minutes dated 14 December 2022, resolved to delete one of the trees, being the one that significantly overhangs 3 Weld Street, South Hobart from the draft amendment.
  46. The draft amendment, as certified and exhibited, shows the listing for two trees at 20 Adelaide Street.
  47. One representation was received in relation to the listing. The representor requested the removal of the trees at 20 Adelaide Street and 3 Weld Street from the draft amendment as the nomination and listing processes was flawed. It was also submitted that Hobart City Council should adopt a systematic and objective survey to establish trees which contribute to significant tree values and the green and leafy character of Hobart.
  48. The representor submitted that the process lacked a well-developed assessment methodology for determining significant tree status and provided reasons why the trees did not meet the criteria. In the representor's view, the trees do not warrant listing as they are a common species, there are better examples, one of the trees is damaged affecting its visual qualities, they are only visible from a limited area and do not add additional significance on top of the existing listed hedge.
  49. The representor also submitted that the two trees at 20 Adelaide Street encroach approximately 5m onto the representor's property and that listed trees can be a burden to landowners. According to the representor the trees cause issues such as shading, dropping of debris and sap onto cars damaging vehicles, constrain land use, create a fire hazard, and interference with telecommunication cables.
  50. The representor submitted that their common law right of abatement would allow them to trim the trees to alleviate any nuisance and fully utilise their land, but the listing of the trees would restrict their rights, requiring them to apply for a permit to trim the trees from interfering with telecommunication cables.
  51. The planning authority's section 39 report submitted that the owner of 20 Adelaide Street strongly supported the three nominated trees being listed. The planning authority noted that three trees are nominated and two of these trees are fully within the property boundaries of 20 Adelaide Street and one straddles the boundary between 20 Adelaide Street and 3 Weld Street.
  52. The planning authority considered:

The panel considers that these trees meet categories 1, 5 and 6 of the criteria for their striking aesthetic significance, their cultural heritage significance to the associated heritage listed property, and their significant contribution to the streetscape. Although there are many examples of this species in Hobart, including some larger examples, this does not negate the ability of these trees to meet the criteria. Although one tree has been storm damaged, this is not considered to negate this group of trees' overall visual impact. The arborist report indicates the trees are in good condition and present an 'acceptable' risk - this is the lowest risk category possible.

The trees are considered to significantly contribute to the strong streetscape presence of the 'hedge' of trees along the Weld Street boundary of 20 Adelaide Street (which is already listed in the Significant Tree Code), and visually read as a continuation of the hedge from some vantage points. They are considered to be as significant as the trees within the hedge, and it is considered most likely to have



been an oversight that this group of three trees is not expressly identified in the existing listing of the 'hedge'.

53. The planning authority recommended no changes to the draft amendment in response to the representation.
54. At the hearing the Commission sought clarification on which of the trees should be listed on the register and requested an amended datasheet for A10 to identify them. Mr Widdowson confirmed that Council's supporting report Minutes proposed to remove one of the trees.
55. The planning authority's submission dated 21 December 2023, provided a revised data sheet which confirmed that the two trees at 20 Adelaide Street should be listed, and the Bhutan cypresses located between the boundary of 20 Adelaide Street and 3 Weld Street should be deleted.

#### **Commission consideration**

56. The Commission notes the concerns of the representors but considers that management options for the trees are not directly relevant to the draft amendment, and specifically whether the subject tree warrants listing. The Commission considers that the nomination and assessment process followed by the planning authority is consistent with the purpose of the planning scheme's Significant Tree Code which is to recognise and protect trees that are considered to be significant for reasons including aesthetics, size, age, species, cultural value or contribution to the streetscape, townscape or public amenity.
57. The Commission agrees with the planning authority that the trees meet assessment criteria 1, 5 and 6.
58. The Commission notes the revised data sheet from the planning authority confirms that the two trees located on 2 Adelaide Street should be listed. The revised data sheet is in accordance with the certified draft amendment and no modification to the certified draft amendment is required. The listing is supported.

#### **6 Romilly Street, South Hobart - *Quercus robur* - English Oak (1 tree)**

59. The planning authority's supporting report recommended the English Oak at 6 Romilly Street, South Hobart be listed in the planning scheme.
60. The planning authority considered that the tree met category 1 and 6 of the assessment criteria for the following reasons:
  - Category 1. Trees of outstanding aesthetic significance.
    - The tree has a beautiful, even form and is a significant contribution to the garden of a heritage listed house.
  - Category 6. Trees that have local significance.
    - The tree is a significant component of the streetscape in the area. The loss of this tree would have a noticeable detrimental impact on the local character.
61. One representation was received in relation to the proposed listing. The representator raised concern with the process and that the rights of property owners are being ignored, that the tree (on their property) was nominated without their consent or consultation and requested changes to the process to require written permission from property owners.
62. The representor requested the removal of the English Oak from the nomination process as, in their view, the tree is not special enough to be categorised as significant. The representor

submitted that the tree only has moderate aesthetic value and there are many other larger and older examples of the tree in the vicinity of the property and throughout Hobart.

63. The planning authority's section 39 report submitted that:
- It is agreed that there are larger and older example of English oaks in Hobart, and the nominated tree is not considered to meet categories 2 or 3 of the criteria, however trees do not need to be comparatively the oldest or largest in order to meet other criteria.
64. The planning authority recommended no changes to the draft amendment in response to the representations.

#### **Commission consideration**

65. The Commission notes the concerns of the representor, but considers that the nomination and assessment process followed by the planning authority is consistent with the purpose of the planning schemes Significant Tree Code.
66. The Commission agrees with the planning authority that the tree meets assessment criteria 1 and 6 and the listing of the tree is supported.

#### **296 Sandy Bay Road, Sandy Bay - *Ulmus procera* - English elm (2 trees)**

67. The planning authority's supporting report recommended that two trees at 296 Sandy Bay Road, Sandy Bay be listed in the planning scheme.
68. The planning authority's assessment against the criteria considered that the trees met category 1, 2, 3, 5 and 6 of the assessment criteria for the following reasons:
- Category 1. Trees of outstanding aesthetic significance.
- These two trees, that grow very close together and read as a single tree, have a very large, spreading form and are visually imposing.
- Category 2. Trees of outstanding dimensions in height, trunk circumference or canopy spread.
- These trees are very large, and their combined canopy make them appear even larger.
- Category 3. Trees that are very old or venerable.
- The trees are old, being over 100 years.
- Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.
- The listed residence at 296 Sandy Bay Road originally known as 'Hinemoa' and later 'Brentwood' has a construction date between 1870 and 1880. The two elm trees in the rear garden are early plantings within the private garden, and contribute to the setting and character of the listed residence.
- Category 6. Trees that have local significance.
- These trees have a striking and prominent presence in the streetscape.
69. Two representations were received in relation to the proposed listing. The representors raised concern that the trees appear to be too large for their surroundings, there is a significant protruding trunk to the south overhanging neighboring properties posing a risk of damage in the event that it was to fall. One of the representors requested a detailed assessment of the danger posed by the trunk and the entire tree to surrounding properties.
70. The representors also submitted in response to the criteria that:

- there is only one tree;
  - the tree does not meet criteria 1 as it is not of outstanding quality or aesthetic significance;
  - it is not sufficient that the tree is of large dimension in any relevant respect as criteria 2 requires a tree to be of outstanding dimension;
  - questions the age of the tree, and if approaching the end of its safe lifespan listing will complicate the ongoing safe management, as english elms are prone to dropping limbs, posing a safety risk;
  - the tree is an introduced species and could not be part of a natural landscape, it does not meet the criteria for a historic site or park in criteria 5 and is part of a private garden and is invisible from the Sandy Bay streetscape; and
  - the local significance of the tree is questioned due to its limited visibility and unknown presence.
71. The representor submitted that removal of the tree should be considered and raised concerns about potential damage to adjacent properties and personal injury if limbs or the trunk fails, as the tree has grown in a problematic manner.
72. The planning authority's section 39 report submitted that Council's consulting arborist advised it is two trees growing immediately beside each other and that the trees are of a size and age consistent with other elm trees already listed in the Significant Trees Code.
73. The planning authority advised:
- The trees were inspected on site in late August by a consulting arborist acting on behalf of Council. The arborist met with the owner. The inspection found the trees to be in the lowest possible risk category under Council's internationally recognised tree risk assessment methodology (QTRA). There was nothing from this inspection that would warrant the trees not to be listed. The owner was provided with some future tree maintenance options.
74. The planning authority recommended no changes to the draft amendment in response to the representations.

#### **Commission consideration**

75. The Commission accepts the evidence provided by the planning authority and consultant arborist that the trees are of a size and age consistent with other elm trees already listed in the Significant Trees Code. The Commission further notes that the trees have been inspected and are in the lowest possible risk category under Council's tree risk assessment methodology.
76. The Commission finds that the trees meet assessment criteria 1, 2, 3, 5 and 6 and supports the listing.

#### **66 York Street, Sandy Bay - *Phoenix canariensis* - Canary Island date Palm (1 tree)**

77. The planning authority's supporting report recommended the Date Palm at 66 York Street, Sandy Bay be listed in the planning scheme.
78. The planning authority's assessment against the criteria considered that the tree met category 1, 5 and 6 of the significance criteria for the following reasons:
- Category 1. Trees of outstanding aesthetic significance.
- This tree has significance for its aesthetic value, given its prominent, healthy and distinctive form.

Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.

- The date palm became well established in private gardens of the Inter-War period, and this date palm is demonstrative of the public interest in exotic trees during this period. This date palm complements the Inter-War Californian Bungalow style of the residence. The architecture of the Inter-War period in Australia became heavily influenced by Californian designs, such as Californian Bungalows and Spanish Mission-style houses. Not only were these architectural influences imported, but also concepts of landscaping and garden settings, of which palm trees formed an integral part of the overall Californian style.

Category 6. Trees that have local significance.

- This tree significantly contributes to the streetscape in the area. It has a notable, striking form and is particularly notable given it is elevated above the road and is located centrally in the garden.

79. One representation was received in relation to the proposed listing. The representor raised concern relating to hazards from detached palm fronds during strong winds. The representor was strongly opposed to the listing of the tree and preferred to not require Council approval for management of the tree.
80. The representor also submitted that the species identification as a Date Palm (*Phoenix dactylifera*) is incorrect and that the tree is more likely a Canary Island date palm (*Phoenix canariensis*).
81. The planning authority's minutes, dated 6 September 2023, recorded that despite officers continuing to support the original assessment against categories 5 and 6, the planning authority recommended the issues raised by the representor warranted the following modifications to the draft amendment:
- ...
- (b) Amendment of the listing Ref. No. Y1 to correct species name at 66 York Street from *Phoenix dactylifera* to *Phoenix canariensis*.
- (c) Removal of 66 York Street – Date Palm, from the listing.
82. The planning authority provided no reasons for the recommendation to remove the tree from the listing. At the hearing Tristan Widdowson, advised that discussion at the Council meeting indicated that that the reason was related to safety concerns and that there are other examples of this species.
83. Mr Romanski advised that palm trees of this size and maturity are not common in Tasmania. Mr Romanski also advised that that the trees have extensive roots which are fine and have a good footprint under the tree and that the falling fronds would only affect the property underneath.
84. Tristan Widdowson submitted that the tree is visually prominent, an unusual species, appropriate to the style of home and defines the characteristics of the area.

### Commission consideration

85. The Commission accepts the evidence provided that the tree is visually prominent, relatively uncommon in Tasmania and is appropriate to the style of home. The Commission also accepts the evidence from Mr Romanski that the tree is in good health and the falling fronds will only affect the subject property.

86. The Commission finds that the tree meets assessment criteria 1, 5 and 6 and supports the listing.
87. The draft amendment requires modification to correct the species botanical name for listing Ref. No. Y1 at 66 York Street from *Phoenix dactylifera* to *Phoenix canariensis*.

#### **4 Petty Street, West Hobart - *Eucalyptus morrisbyi* – Morrisbys Gum (1 tree)**

88. The planning authority's supporting report recommended the tree adjacent to 4 Petty Street, West Hobart be listed in the planning scheme.
89. The planning authority considered that the tree met category 2, 6 and 7 of the assessment criteria for the following reasons:

Category 2. Trees of outstanding dimensions in height, trunk circumference or canopy spread.

- This tree is large, and has a particularly large trunk circumference for its species in an urban environment.

Category 6. Trees that have local significance.

- This tree is the most prominent tree in the streetscape. It has a large, spreading form and creates a sense of place in the local area.

Category 7. Trees of a species or variety that is rare or of very localised distribution.

- This tree is of a species that is rare and is listed as an endangered under the *Threatened Species Protection Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. There are only two subpopulations of this species remaining in the wild.

90. One representation was received in relation to the proposed listing. The representation submitted that:
  - Category 2: the tree is abnormally large for a Morrisby's Gum, inappropriate for an urban environment, posing safety threats to nearby properties, roads, footpaths, and a school.
  - Category 6: The tree is prominent only due to its size, which detracts from the sense of place and creates safety hazards and widespread leaf litter, causing obstruction in gutters and drains and flooding.
  - Category 7: While the Morrisby's Gum is rare and endangered in the wild, it is not in ornamental form. The tree's use for seed collection has no substance without a clear indication from the council for its conservation.
  - The lack of consultation and notification of the tree's nomination has caused stress and anxiety to the owners who have repeatedly requested its removal on safety grounds.
  - The representor requests the council to address the concerns directly before considering the tree's inclusion on the significant tree list, including amending errors in the planning committee report, providing the nominator's name, scientific evidence of the tree's species, clarifying roles and responsibilities for maintenance, and ensuring increased maintenance and ongoing consultation regardless of the tree's listing.
91. The planning authority's section 39 report submitted that the tree is on the road reserve and its maintenance and management remain the responsibility of the Council.
92. The planning authority advised that the tree is actively managed under the Council's tree management framework, which includes regular proactive inspections and reactive

inspections on request. The tree has been recently inspected and found to be in the lowest possible risk category and reduction pruning was also undertaken.

93. The planning authority confirmed that the tree is a *Eucalyptus morrisbyi*, which has been confirmed by Council's arborists and consulting arborist.
94. The planning authority recommended no changes to the draft amendment in response to the representation.

#### **Commission consideration**

95. The Commission accepts the evidence provided by the planning authority that the tree is owned and managed by Council and is in the lowest possible risk category.
96. The Commission finds that the tree meets assessment criteria 2, 6 and 7 and supports the listing.

#### **39 Burnett Street, North Hobart - *Magnolia grandiflora* – magnolia (1 tree)**

97. The planning authority's supporting report recommended the tree at 39 Burnett Street, North Hobart be listed in the planning scheme.
98. The planning authority considered that the tree met category 1, 2, 3 and 5 of the assessment criteria for the following reasons:

Category 1. Trees of outstanding aesthetic significance.

- This tree has outstanding aesthetic value. It has a very large, even and dense canopy. It also has seasonal beauty, with its large white flowers.

Category 2. Trees of outstanding dimensions in height, trunk circumference or canopy spread.

- This is a very large example of a magnolia in Hobart, and has a particularly large, densely formed canopy.

Category 3. Trees that are very old or venerable.

- This is a very old tree, estimated at being well over 100 years old.

Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.

- The magnolia tree is estimated to be well over 100 years old and is associated with the two storey Victorian residence originally known as 'Elmdon', which was constructed for businessman T.J Cane in 1882. By 1915 the residence had become the Elmdon Private Hospital. The magnolia tree contributes to the setting of Elmdon, and is a remnant planting of the private garden and grounds that once stood behind the residence/hospital.

99. One representation was received, objecting to the proposed listing and requested the flexibility to be able to manage the tree without penalty.
100. The representor noted that the tree was planted in the 1930's, disagreed with the trees aesthetic value as the tree cannot be viewed from Argyle Street or Burnett Street, noted that the tree roots have been causing damage by infiltrating sewer and stormwater drainage of neighbouring properties, and that an arborist's recommendation proposes a significant reduction to ensure its long-term health and control the growth of the root system.
101. The planning authority's section 39 report submitted that:

CATEGORY 3: This is a very old tree, estimated at being over 90 years old.

The nominated tree meets the listing category, that it is not readily visible from Burnett St does not detract from its size, age or aesthetic value. If listed, pruning of the tree to 'improve its health or appearance provided its normal growth habit is not retarded' is exempt. This would allow the tree to be maintained by the owner, as long as it was undertaken sympathetically with this exemption.

**CATEGORY 5:**

The magnolia tree is estimated to be over 90 years old and is associated with the two storey Victorian residence originally known as 'Elmdon', which was constructed for businessman T.J Cane in 1882. By 1915 the residence had become the Elmdon Private Hospital, and by the 1930s it was converted back into a private residence. The magnolia tree contributes to the setting of 39 Burnett Street, and is a remnant planting of the garden and grounds that once stood behind the residence.

The panel proposes no change to the recommended amendment in response to this representation with the exception of the Data Sheet Category 3 and 5 updated to reflect the correct age of the tree.

102. The planning authority recommended no changes to the draft amendment in response to the representations.

**Commission consideration**

103. The Commission accepts the evidence provided by the planning authority that whilst the tree is not readily visible from the surrounding area, it meets the size, age and aesthetic assessment criteria.
104. The Commission finds that the tree meets assessment criteria 1, 2, 3 and 5 and supports the listing.

**52 Montagu St, New Town - *Cupressus torulosa* – Bhutan Cypress (16 trees)**

105. The planning authority's supporting report recommended the trees at 52 Montagu Street, New Town, be listed in the planning scheme.
106. The planning authority considered that the trees met category 1, 2, 5 and 6 of the assessment criteria for the following reasons:

Category 1. Trees of outstanding aesthetic significance.

- These trees are large, dense, evenly spaced and healthy, giving them a high degree of aesthetic significance.

Category 2: Trees of outstanding dimensions in height, trunk circumference or canopy spread.

- The trees are particularly tall.

Category 5. Trees that are recognised as a significant component of a natural landscape, historic site, town, park or garden.

- The trees are a significant component of the landscaping of a heritage listed 1906 property as a boundary marking. The heritage listing datasheet for this property specifically notes the Bhutan cypress trees as being of cultural heritage significance and an integral element of the streetscape.

Category 6. Trees that have local significance.

- The trees make a significant contribution to the streetscape. From some vantage points they read as contiguous with the 'hedge' of Bhutan cypress along the remainder of the Weld Street frontage of 20 Adelaide Street.

107. One representation was received in relation to the proposed listing. The representation submitted that the trees have been entered into the list as a hedge and considering they are 20m in height, the representor submitted that the listing should be for trees.
108. The planning authority's section 39 report submitted that:
- ....Council's Program Leader Arboriculture and Nursery who was part of the assessment panel and the preference was for those Bhutanese Cypresses to be called a hedge. There is no specific height limit for a hedge, essentially it is describing plants that have been closely planted together as a screen or boundary demarcation. It also in no way diminishes their level of protection or significance under the Significant Tree Code.
109. The planning authority recommended no changes to the draft amendment in response to the representations.

#### **Commission consideration**

110. The Commission accepts the planning authority evidence that the listing be described as a hedge as the trees are closely planted together as a screen/boundary.
111. The Commission finds that the trees meet assessment criteria 1, 2, 5 and 6 and supports the listing.

#### **St Johns Precinct Trees**

112. One representation was received in relation to trees at the St Johns Park Precinct. The representation raised concern about trees in the St Johns Park Precinct not being on the Significant Tree Register. The representation identified additional significant trees in St Johns Park for inclusion in the register.
113. The planning authority's section 39 report advised that a response had been provided to the representor as follows:

The Sequoiadendron Giganteum (giant redwood) that is in the flyer attached and a European Hornbeam on the site has been nominated for listing and was assessed as meeting a number of the criteria. Trees need to be formally nominated through the nomination period which closed on 8 November 2021 to be considered for specific inclusion on the Significant Tree Register.

The Friends of the Orphan Schools may wish to consider the inclusion of specific trees for the next round of nominations. However, in the meantime, I would not be concerned with the protection of the trees on the site as the site's Heritage Listing specifically mentions trees and therefore they are protected under the Heritage Code of the Planning Scheme.

114. The planning authority recommended no changes to the draft amendment in response to the representation.

#### **Commission consideration**

115. No further consideration of this matter is required by the Commission, as trees for inclusion in the Significant Trees Register need to be nominated and identified through the Council's nominations process.

#### **Other nominations**

116. In addition to the above proposed entries, the planning authority examined the following additional trees that had been nominated for listing in the Significant Tree Register:
- 9 Albuera Street, Battery Point - *Juglans regia* - English walnut (1 tree)



- 7 Beach Road, Sandy Bay - *Cupressus torulosa* - Bhutan cypress (8 trees)
- 38 Bellevue Parade - *Liquidambar styraciflua* - Liquidambar (1 tree)
- 39 Brushy Creek Road, Lenah Valley - *Pyrus communis* - pear tree (1 tree)
- 41 Brushy Creek Road, Lenah Valley - *Eucalyptus globulus* - Tasmanian blue gum (2 trees)
- 2 Caroline Street, Dynnyrne - *Eucalyptus viminalis* - white gum (1 tree)
- 2 Churchill Avenue, Sandy Bay - *Ulmus minor 'Variegata'* - variegated elm (1 tree)
- 2 Churchill Avenue, Sandy Bay - *Populus nigra 'Italica'* - Lombardy poplar (3 trees)
- 2 Churchill Avenue, Sandy Bay - *Eucalyptus viminalis* - white gum (2 trees)
- 2 Churchill Avenue, Sandy Bay - *Ulmus parvifolia* - Chinese elm (3 trees)
- 2 Churchill Avenue, Sandy Bay - *Cupressus torulosa* - Bhutan cypress (1 tree)
- 2 Churchill Avenue, Sandy Bay - *Fagus sylvatica 'Purpurea'* - copper beech (1 tree)
- 2 Churchill Avenue, Sandy Bay - *Eucalyptus morrisbyi* - morrisbys gum (2 trees)
- 85 Creek Road, New Town - *Sequoiadendron giganteum* - giant sequoia (1 tree)
- 6 Cromwell Street, Battery Point - *Juglans regia* - English walnut (1 tree)
- 96-120 Davey Street, Hobart - *Eucalyptus globulus* - Tasmanian blue gum (1 tree)
- 7 Duke Street, Sandy Bay - *Ulmus Glabra 'Lutescens'* - golden elm (1 tree)
- 16 Dynnyrne Road, Dynnyrne - *Phoenix canariensis* - date palm (1 tree)
- 454 Elizabeth Street, North Hobart - *Quercus robur* - English oak (1 tree)
- Federal Street Road Reserve, Hobart - *Platanus x acerifolia* - London plane tree (7 trees)
- 20 Fitzroy Crescent (Fitzroy Gardens), Dynnyrne - *Fagus sylvatica 'Purpurea'* - copper beech (1 tree)
- 20 Fitzroy Crescent (Fitzroy Gardens), Dynnyrne - *Quercus cerris* - Turkey oak (1 tree)
- Forest Road - *Platanus x acerifolia* - London plane tree (24 trees)
- 833a Huon Road, Fern Tree - *Betula pendula* - silver birch (1 tree)
- 71 Jubilee Road, South Hobart - *Fagus sylvatica 'Roseomarginata'* - tricolor beech (1 tree)
- 71 Jubilee Road, South Hobart - *Drimys winteri* - Winter's bark (1 tree)
- 71 Jubilee Road, South Hobart - *Dacrydium cupressinum* - rimu (1 tree)
- 71 Jubilee Road, South Hobart - *Davidia involucrata* - dove tree (1 tree)
- 5a Lord Street, Sandy Bay - *Quercus palustris* - pin oak (1 tree)
- 7 Lower Domain Road, Queens Domain - *Sequoiadendron giganteum* - giant sequoia (1 tree)
- 7 Lower Domain Road, Queens Domain - *Schinus polygama* - Chilean pepper tree (1 tree)
- 7 Lower Domain Road, Queens Domain - *Lagunaria patersonii* - Norfolk Island hibiscus (1 tree)

- 7 Lower Domain Road, Queens Domain - *Araucaria heterophylla* - Norfolk Island pine (2 trees)
  - 7 Lower Domain Road, Queens Domain - *Corynocarpus laevigatus* - karaka (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Quercus ilex* - holm oak (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Laurus azorica* - Canary laurel (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Cedrus deodar* - deodar cedar (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Azara microphylla* - vanilla tree (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Schinus polygama* - Chilean pepper tree (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Laurus nobilis* - bay laurel (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Pinus muricata* - bishop pine (1 tree)
  - 7 Lower Domain Road, Queens Domain - *Quercus robur* - English oak (43 trees)
  - 319 Macquarie Street, South Hobart (Vaucluse Gardens) - *Quercus robur* - English oak (1 tree)
  - 8 Margaret Street, Sandy Bay - *Schinus molle* - peppercorn tree (1 tree)
  - 11 and 13 Margaret Street, Sandy Bay - *Pyrus communis* - pear tree (4 trees)
  - 11 Margaret Street, Sandy Bay - *Buxus sempervirens* - English box hedge (hedge)
  - 4 Marieville Esplanade, Sandy Bay - *Schinus molle* - peppercorn tree (1 tree)
  - 169 Melville Street, West Hobart - *Juglans regia* - English walnut (1 tree)
  - 111 Montagu Street, New Town - *Ulmus glabra 'Lutescens'* - golden elm (1 tree)
  - 24 Princes Street, Sandy Bay - *Abies numidica* - Algerian fir (1 tree)
  - 18 Roope Street, New Town - *Quercus robur* - English oak (1 tree)
  - 74 Sandy Bay Road, Battery Point - *Cedrus deodar* - deodar cedar (1 tree)
  - 67 Sandy Bay Road, Battery Point - *Hesperocyparis macrocarpa* - Monterey cypress (1 tree)
  - 410 Sandy Bay Road, Sandy Bay - *Araucaria heterophylla* - Norfolk Island pine (1 tree)
  - 491 Sandy Bay Road, Sandy Bay - *Cupressus x leylandii* - Leyland cypress (hedge)
  - 12 St Johns Avenue, New Town - *Carpinus betulus* - European hornbeam (1 tree)
  - 30 Swan Street, North Hobart - *Morus rubra* - mulberry tree (1 tree)
  - 220 Waterworks Road, Ridgeway - *Eucalyptus globulus* - Tasmanian blue gum (1 tree)
117. No representations were received in relation to these proposed listings.
118. The planning authority's section 39 report meeting minutes, dated 6 September 2023, recommended a modification to the draft amendment, as follows:
- (a) Amendment of the listing Ref. No. F16 to correct species name at Federal Street (Road reserve between Elizabeth Street and Argyle Street) from *Platanus x acerifolia* - London plane tree to *Platanus orientalis 'Insularis'*;
119. Additionally, a range of other trees and hedges were also nominated for listing as part of this process, however, the planning authority did not pursue listing the trees as part of the

certified amendment. The reasons included that individually the trees did not meet the relevant assessment criteria.

### **Commission consideration**

120. The Commission accepts the evidence and reasons for these listing and as no representations were received, the Commission finds that the trees and hedges should be listed on the Significant Tree Register.

### **State Policies and Resource Management and Planning System Objectives**

121. The Commission finds that no State Policies are relevant to the draft amendment and that it seeks to further the Objectives of the Resource Management and Planning System in Schedule 1.

### **Modifications required to draft amendment**

122. The draft amendment requires modification to:

- amend the listing Ref. No. F16 to correct species name at Federal Street (Road reserve between Elizabeth Street and Argyle Street) - London plane tree from *Platinus x acerifolia* to *Platanus orientalis 'Insularis'*;
- amend the listing Ref. No. Y1 to correct species name at 66 York Street from date palm *Phoenix dactylifera* to Canary Island date palm *Phoenix canariensis*;
- modify Appendix 1 - Referenced and Incorporated Documents 'Date' for the City of Hobart Significant Tree Register to the operative date of the draft amendment; and
- other editorial corrections.

123. The Commission also notes that Hobart City Council's Significant Tree Register is listed in Appendix 1 - Referenced and Incorporated Documents of the planning scheme. The Commission considers the planning authority should update the Council's Significant Tree Register to reflect the changes in this decision and update the date to reflect the operative date of this draft amendment.

### **Decision on draft amendment**

124. Subject to the modifications described above and shown in Annexure A, the Commission finds that the draft amendment is in order and gives its approval.

### **Attachments**

Annexure A - modified amendment

## Annexure A

Modified amendment PSA-22-4 - Hobart Interim Planning Scheme 2015

- Amend Table E24.1 Significant Tree List under E24.0 Significant Tree Code of the Hobart Interim Planning Scheme 2015 by inserting the following listings in alphabetical order:

Street Number	Street/Property/Location	Ref No.	Botanical name	Common name	No. of trees
20	Adelaide Street	A10	<i>Cupressus torulosa</i>	Bhutan cypress	2
9	Albuera Street	A11	<i>Juglans regia</i>	English walnut	1
7	Beach Road	B26	<i>Cupressus torulosa</i>	Bhutan cypress	8
38	Bellevue Parade	B27	<i>Liquidambar styraciflua</i>	Liquidambar	1
39	Brushy Creek Road	B28	<i>Pyrus communis</i>	pear tree	1
41	Brushy Creek Road	B29	<i>Eucalyptus globulus</i>	Tasmanian blue gum	2
39	Burnett Street	B30	<i>Magnolia grandiflora</i>	magnolia	1
2	Caroline Street	C12	<i>Eucalyptus viminalis</i>	white gum	1
2	Churchill Avenue	C13	<i>Ulmus minor</i> 'Variegata'	variegated elm	1
2	Churchill Avenue	C14	<i>Populus nigra</i> 'Italica'	Lombardy poplar	3
2	Churchill Avenue	C15	<i>Eucalyptus viminalis</i>	white gum	2
2	Churchill Avenue	C16	<i>Ulmus parvifolia</i>	Chinese elm	3
2	Churchill Avenue	C17	<i>Cupressus torulosa</i>	Bhutan cypress	1
2	Churchill Avenue	C18	<i>Fagus sylvatica</i> 'Purpurea'	copper beech	1

2	Churchill Avenue	C19	<i>Eucalyptus morrisbyi</i>	morrisbys gum	2
85	Creek Road	C20	<i>Sequoiadendron giganteum</i>	giant sequoia	1
6	Cromwell Street	C21	<i>Juglans regia</i>	English walnut	1
96-120	Davey Street (Anglesea Barracks)	D30	<i>Eucalyptus globulus</i>	Tasmanian blue gum	1
28	Denison Street	D31	<i>Salix babylonica</i>	weeping willow	1
7	Duke Street	D32	<i>Ulmus Glabra</i> 'Lutescens'	golden elm	1
16	Dynnyrne Road	D33	<i>Phoenix canariensis</i>	date palm	1
454	Elizabeth Street	E10	<i>Quercus robur</i>	English oak	1
	Federal Street (Road reserve between Elizabeth Street and Argyle Street)	F16	<i>Platanus orientalis</i> 'Insularis'	Plane tree	7
20	Fitzroy Crescent (Fitzroy Gardens)	F17	<i>Fagus sylvatica</i> 'Purpurea'	copper beech	1
20	Fitzroy Crescent (Fitzroy Gardens)	F18	<i>Quercus cerris</i>	Turkey oak	1
	Forest Road (centre of road)	F19	<i>Platanus x acerifolia</i>	London plane tree	24
833a	Huon Road	H7	<i>Betula pendula</i>	silver birch	1
71	Jubilee Road	J1	<i>Fagus sylvatica</i> 'Roseomarginata'	tricolor beech	1
71	Jubilee Road	J2	<i>Drimys winteri</i>	Winter's bark	1
71	Jubilee Road	J3	<i>Dacrydium cupressinum</i>	rimu	1
71	Jubilee Road	J4	<i>Davidia involucrata</i>	dove tree	1
5a	Lord Street	L36	<i>Quercus palustris</i>	pin oak	1
7	Lower Domain Road	L37	<i>Sequoiadendron giganteum</i>	giant sequoia	1
7	Lower Domain Road	L38	<i>Schinus polygama</i>	Chilean pepper tree	1
7	Lower Domain Road	L39	<i>Lagunaria patersonii</i>	Norfolk Island hibiscus	1
7	Lower Domain Road	L40	<i>Araucaria heterophylla</i>	Norfolk Island pine	2

7	Lower Domain Road	L41	<i>Corynocarpus laevigatus</i>	karaka	1
7	Lower Domain Road	L42	<i>Quercus ilex</i>	holm oak	1
7	Lower Domain Road	L43	<i>Laurus azorica</i>	Canary laurel	1
7	Lower Domain Road	L44	<i>Cedrus deodar</i>	deodar cedar	1
7	Lower Domain Road	L45	<i>Azara microphylla</i>	vanilla tree	1
7	Lower Domain Road	L46	<i>Schinus polygama</i>	Chilean pepper tree	1
7	Lower Domain Road	L47	<i>Laurus nobilis</i>	bay laurel	1
7	Lower Domain Road	L48	<i>Pinus muricata</i>	bishop pine	1
7	Lower Domain Road	L49	<i>Quercus robur</i>	English oak	43
319	Macquarie Street	M18	<i>Quercus robur</i>	English oak	1
8	Margaret Street	M19	<i>Schinus molle</i>	peppercorn tree	1
11 & 13	Margaret Street	M20	<i>Pyrus communis</i>	pear tree	4
11	Margaret Street	M21	<i>Buxus sempervirens</i>	English box hedge	hedge
4	Marievile Esplanade	M22	<i>Schinus molle</i>	peppercorn tree	1
169	Melville Street	M23	<i>Juglans regia</i>	English walnut	1
52	Montagu Street	M24	<i>Cupressus torulosa</i>	Bhutan cypress	hedge
111	Montagu Street	M25	<i>Ulmus glabra</i> 'Lutescens'	golden elm	1
	Petty Street (road reserve adjacent to 4 Petty Street)	P5	<i>Eucalyptus morrisbyi</i>	Morrisby's gum	1
24	Princes Street	P6	<i>Abies numidica</i>	Algerian fir	1
6	Romilly Street	R4	<i>Quercus robur</i>	English oak	1
18	Roope Street	R5	<i>Quercus robur</i>	English oak	1
74	Sandy Bay Road	S35	<i>Cedrus deodar</i>	deodar cedar	1
67	Sandy Bay Road	S36	<i>Hesperocyparis macrocarpa</i>	Monterey cypress	1

296	Sandy Bay Road	S37	<i>Ulmus procera</i>	English elm	2
410	Sandy Bay Road	S38	<i>Araucaria heterophylla</i>	Norfolk Island pine	1
491	Sandy Bay Road	S39	<i>Cupressus x leylandii</i>	Leyland cypress	hedge
12	St Johns Avenue	S40	<i>Carpinus betulus</i>	European hornbeam	1
30	Swan Street	S41	<i>Morus rubra</i>	mulberry tree	1
220	Waterworks Road (Waterworks Reserve)	W14	<i>Eucalyptus globulus</i>	Tasmanian blue gum	1
66	York Street	Y1	<i>Phoenix canariensis</i>	Canary Island date palm	1

2. Modify the 'Date' for the City of Hobart Significant Tree Register in Appendix 1 - Referenced and Incorporated Documents to the operative date of this draft amendment.