

Report to the Future Melbourne (Environment) Committee

Agenda item 6.3

Updated Tree Policy (API 1.10 Renew the city's approach to tree removal and planting policies in order to meet canopy cover targets)

17 August 2021

Presenter: David Callow, Director Parks and City Greening

Purpose and background

1. The purpose of this report is to seek endorsement of the Tree Policy (2021).
2. The Tree Retention and Removal Policy was endorsed by the City of Melbourne in 2012. It is a key policy document that guides how public trees are protected and managed across the City of Melbourne. An update to the Policy is required to ensure that it continues to align with contemporary standards, corporate approaches to risk management, operational needs and community expectations. The Policy does not apply to trees on private property or property managed by others.
3. The Policy also outlines the City of Melbourne Tree Valuation Method and how valuations are applied to tree pruning, removal and tree protection bonds.
4. The Policy title is proposed to be changed from 'Tree Retention and Removal Policy' to 'Tree Policy'.

Key issues

5. Key changes to the Policy:
 - 5.1. Updates to Tree Protection Requirements to align more closely with the Australian Standard, *Protection of Trees on Development Sites (AS4970:2009)*.
 - 5.2. Inclusion of a new Risk Management section to align with City of Melbourne Risk Management Corporate Policy to demonstrate that all reasonable steps will be considered to manage public trees within City of Melbourne's acceptable range of risk. This includes risk to public safety and potential damage to surrounding infrastructure.
 - 5.3. Updates to the Pruning and Removal Criteria to further clarify what activities are or are not permitted in the management of public trees. This includes wording to indicate that pruning for visibility to commercial advertisement signage will not be considered.
 - 5.4. Updates to Bonds and Tree Removal fees which include an updated tree valuation methodology and a new requirement for payment where tree canopy (beyond the scope of contracted tree maintenance) is removed by authorised pruning.
 - 5.5. Updates to Tree Roots and Infrastructure section to commit to investigating all claims of tree root damage and to provide further details of tree management activities.
6. The Policy will continue to provide a financial incentive to retain and protect public trees through tree protection bonds and through tree removal fees. New fees for canopy pruning are expected to also incentivise the retention of tree canopy.
7. External stakeholder engagement has included consultation with the Parks and Gardens Advisory Committee.

Recommendation from management

8. That the Future Melbourne Committee:
 - 8.1. Endorses the Tree Policy 2021 (refer Attachment 2) and discontinues the Tree Retention and Removal Policy 2012 (Refer Attachment 3).
 - 8.2. Authorises the General Manager Strategy, Planning and Climate Change to make any further minor editorial changes to the Tree Policy prior to publication.

Attachments:

1. Supporting Attachment (Page 2 of 15)
2. Tree Policy (2021) (Page 3 of 15)
3. Tree Retention and Removal Policy (2012) (page 8 of 15)

Supporting Attachment

Legal

1. Legal advice has and will continue to be provided in respect to the subject matter of the report.

Finance

2. Operational changes to the Risk Management approach for trees will result in increased costs for the Tree Maintenance Contract by approximately \$581,000 in 2021–22. The increased costs are included in the 2021–22 Parks and City Greening operational budget.
3. The introduction of pruning fees for canopy loss will likely result in increased cost recovery for 2021–22.

Conflict of interest

4. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Health and Safety

5. A healthy urban forest plays a critical role in maintaining the health and liveability of Melbourne. The ongoing management of trees is required and defined within the updated Tree Policy.

Stakeholder consultation

6. External stakeholder engagement has included consultation with the Parks and Gardens Advisory Committee.

Relation to Council policy

7. The Tree Policy update will align the Council Plan 2021–25 – Deliver on our Urban Forest Strategy Major Initiative and achieve our target of 27 per cent canopy cover by 2025.
8. The Tree Policy update aligns with City of Melbourne's Delegations Policy and Risk Management Corporate Policy.

Environmental sustainability

9. The updated Tree Policy will contribute to the Urban Forest Strategy goal of 40 per cent canopy cover target by 2040.



Tree Policy 2021

Tree Policy 2021

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1. Context

- 1.1. As set out in the Urban Forest Strategy, the City of Melbourne identifies its tree population as critical infrastructure and an asset that provides innumerable environmental and health benefits to the municipality.
- 1.2. All works that have the potential to impact public trees owned or managed by the City of Melbourne must abide by the protection and retention requirements outlined in this document.

2. Scope

- 2.1. This Policy applies to all trees in the municipality that are either owned or managed by the City of Melbourne, including but not limited to:
 - 2.1.1. VicRoads owned trees as contemplated by an Agreement under section 15 of the *Road Management Act 2004* ('the VicRoads Agreement') dated September 2005
 - 2.1.2. Trees located on crown land and where City of Melbourne is the Committee of Management.
 - 2.1.3. Any tree which has a part of its trunk growing on council managed land and is known to the City of Melbourne.
- 2.2. All trees covered by this Policy shall be referred to as public trees.
- 2.3. Council currently manages over 80,000 public trees.
- 2.4. This Policy must be adhered to by any party that undertakes an activity that could negatively impact a public tree.
- 2.5. The practices and procedures detailed in this Policy are consistent with contemporary best practices in the arboricultural industry and are intended to promote healthy, structurally sound trees.
- 2.6. Subject to the City of Melbourne's Delegations Policy, a City of Melbourne Arborist may, at their discretion, apply this Policy so as to modify or add any condition, practice or standard outlined, so long to do so would be within the parameters of best practice.
- 2.7. Privately owned trees are not covered by this Policy.

2.8. Tree planting and establishment is outside the scope of this Policy. This is covered by the Urban Forest Strategy, Urban Forest Precinct Plans and Tree Maintenance Contract specification.

3. Policy Objectives

- 3.1. To recognise the value and importance of public trees that comprise the City of Melbourne's urban forest and to provide adequate protection for those trees to ensure each tree has the best chance of growing to its full potential.
- 3.2. To promote the preservation of the existing tree canopy cover within the City of Melbourne's public urban forest.
- 3.3. To address the potential interaction between public trees and surrounding infrastructure.
- 3.4. To maintain and improve the long-term viability of public trees by ensuring that appropriate work methodologies, protection measures and maintenance requirements are implemented in accordance with best practice before, during and after construction or other events or activities that may adversely impact public trees.
- 3.5. To define the circumstances under which public trees may be pruned or removed.

4. Policy Statement

- 4.1. In recognition of the Urban Forest Strategy, all public trees covered by this Policy will be:
 - 4.1.1. Protected from any activity, including development, events or other activity that impacts their health and/or longevity.
 - 4.1.2. Protected from infrastructure conflict, with priority given to the relocation of infrastructure away from Tree Protection Zones to reduce the potential for immediate or future damage wherever reasonably practical.
 - 4.1.3. Given a priority status when the City of Melbourne is considering an application that has the potential to impact a tree, prior to the approval of any permit wherever reasonably practical.

5. Tree Protection Requirements

- 5.1. Trees grow in a delicate balance with their environment and any change must be minimised if trees are to remain healthy and fulfil their maximum potential. It is rarely possible to repair stressed or injured trees so damage must be avoided during any works within a Tree Protection Zone. Tree root systems are opportunistic and often extend far beyond the drip-line of a tree's canopy, especially in a highly modified urban environment. The disturbance of a tree's growing environment can result in soil structures that will not support root growth, which in turn could lead to disease, decline, structural instability and premature tree death.
- 5.2. In accordance with Australian Standard 4970-2009 'Protection of trees on development sites' tree protection should begin in the planning and design stage of any works that are proposed that may impact a Tree Protection Zone. An Arboricultural Impact Assessment (AIA) must be prepared by a suitably qualified and experienced Arborist (minimum Australian Qualification Framework Level 5, Diploma of Horticulture [Arboriculture] and/or equivalent experience).
- 5.3. An AIA must be submitted at the application stage for any permit issued by the City of Melbourne that has the potential to impact public trees.
- 5.4. Any AIA proposing public tree removal must demonstrate that requirements of Section 7 - Tree Pruning and Removal Criteria has been met (see below).
- 5.5. The AIA must be used to prepare a site specific Tree Protection Plan (TPP) to the satisfaction of a City of Melbourne Arborist. The TPP must be prepared by a suitably qualified and experienced Arborist (minimum Australian Qualification Framework Level 5, Diploma of Horticulture [Arboriculture] and/or equivalent experience).
- 5.6. The TPP must be submitted to a City of Melbourne Arborist for approval prior to the commencement of any works (including demolition and construction). Once the TPP is accepted, a tree protection bond must be provided in accordance with Section 8 - Bonds and Payments.
- 5.7. A Tree Protection Zone must be established and maintained for the duration of any works that have the potential to impact the viability of any public tree.

6. Risk Management

- 6.1. The City of Melbourne will actively manage its tree population and the risk trees may pose to persons, property, surrounding assets and public safety in accordance with best practice tree risk assessment methodology and City of Melbourne Risk Management Corporate Policy (2015).
- 6.2. All public trees will be maintained in accordance to City of Melbourne's Tree Maintenance Contract Specification.
- 6.3. All reasonable tree risk management controls will be considered to ensure public tree risk is within the City of Melbourne's accepted range.
- 6.4. All reasonable steps will be taken to minimise the potential impact of tree root damage to private infrastructure as detailed in Section 9 - Tree Roots and Infrastructure (see below).

7. Tree Pruning and Removal Criteria

- 7.1. The City of Melbourne will monitor its tree population in accordance with its Tree Maintenance Contract Specification by undertaking general tree maintenance activities such as tree risk assessment inspections, tree pruning, tree removal and tree replacement where deemed appropriate.
- 7.2. Tree pruning or removal will not occur in any form without the written authority of a City of Melbourne Arborist.
- 7.3. Pruning of roots and branches will be in accordance with the Australian Standard AS 4373-2007 Pruning of amenity trees, or any more recent standard.
- 7.4. All options for tree retention must be explored and exhausted to the satisfaction of a City of Melbourne Arborist before public tree removal is approved.
- 7.5. Tree pruning or removal will not be considered in the following circumstances:
 - 7.5.1. If there are practical means for canopy or tree retention.
 - 7.5.2. If the purpose of the pruning or removal is to reduce the height or size to minimise obstruction of views, vistas or commercial advertisement signage.
 - 7.5.3. To reduce leaf and fruit litter or debris from the tree of any fauna that may be inhabiting the tree.
 - 7.5.4. For solar access to private property, gardens or solar panels.
 - 7.5.5. For unjustified property damage claims.
 - 7.5.6. For causing minor allergenic or irritant responses.
- 7.6. Tree pruning or removal will be considered by a City of Melbourne Arborist in the following circumstances:
 - 7.6.1. A tree poses an unacceptable level of risk to people or property following a tree risk assessment and there is no practical arboricultural intervention that could effectively reduce the risk.
 - 7.6.2. A tree is dead, dying or in severe decline from natural causes or irreversibly diseased, unless it is determined that it should remain in the landscape for habitat provision or other purposes.
 - 7.6.3. A City of Melbourne Arborist considers that a tree may be an inappropriate species for a location, having first consulted with the community and considered the strategic objectives of City of Melbourne's Urban Forest Strategy and Future Urban Forest documents.
 - 7.6.4. A City of Melbourne Arborist considers that all possible design solutions or construction and works methodologies to retain a tree have been exhausted and documented and the required permit documents have been issued.
 - 7.6.5. A City of Melbourne Arborist considers a tree is found to be causing damage to private infrastructure and there are no reasonably practical options to mitigate future damage.
 - 7.6.6. A City of Melbourne Arborist considers a tree is the primary cause of inducing severe allergenic or health response.
 - 7.6.7. A tree is defined to be a poor arboricultural specimen and contributes little amenity or ecological services.
 - 7.6.8. Property clearance pruning with consideration to tree health, structure and pruning dose as defined in AS 4373-2007 'Pruning of amenity trees'.

7.6.9.If a development project results in an improvement to green space/infrastructure that would not be possible without the removal of existing trees.

8. Bonds and Payments

- 8.1. Where any works have the potential to impact public trees, a tree protection bond must be provided to the City of Melbourne.
- 8.2. The bond will be held for the duration of the works against the successful implementation of a City of Melbourne approved Tree Protection Plan (TPP), as confirmed by a Project Arborist Completion Report and released when any outstanding invoices for remedial works have been paid.
- 8.3. When a tree pruning or removal application is approved in accordance with City of Melbourne's Delegations Policy and Section 7 of this Policy Tree Pruning and Removal, all associated costs for the value of the tree must be agreed to in writing by the property owner or representative and paid prior to the pruning or removal of the tree(s).
- 8.4. The value of each tree will be calculated by a City of Melbourne Arborist using the City of Melbourne Tree Valuation Method.
- 8.5. The costs associated with removal of a tree include:
 - A – Removal Costs: amounting to the fees incurred by the City of Melbourne for physically removing the tree.
 - B – Amenity Value: calculated in accordance with Council's Amenity Tree Valuation Formula.
 - C – Ecosystem Services Value: calculated in accordance with the i-Tree Eco tool.
 - D – Reinstatement Greening fee: calculated to cover the cost to the City of Melbourne to reinstate the growing environment to enable a replacement tree to grow to its full canopy potential, either in the same location or if the plot is lost, in an alternative location within the municipality.
- 8.6. If pruning to facilitate any project exceeds compliance with the City of Melbourne's Tree Maintenance Contract Specification or legislative requirements, the associated costs must be agreed to in writing and paid by the applicant prior to the pruning.
- 8.7. The costs associated with pruning will include:
 - 8.7.1. Cost of works based on City of Melbourne's Tree Maintenance Contract Specification Schedule of Rates.
 - 8.7.2. The value of the portion of the canopy removed by pruning, beyond the contract specification. The value will be determined as a percentage of total tree value (Section 8.5) assuming the pre-pruning canopy represents 100% of calculated tree value.

9. Tree Roots and Infrastructure

- 9.1. Tree growth is strongly influenced by below-ground conditions. Tree root growth is opportunistic and will proliferate wherever moisture, aeration, nutrition and soil structure are favourable. Tree root growth in the urban environment is highly modified and is not governed by property boundaries. The City of Melbourne will consider the need for tree root abatement measures such as tree root pruning or tree root barriers in certain circumstances where required and at the City of Melbourne's discretion.
- 9.2. The City of Melbourne will comprehensively investigate claims of property damage that are alleged to be a result from public trees.
- 9.3. The property owner is responsible for the maintenance, repair and replacement of pipes to the legal point of storm water discharge or sewer connection point.
- 9.4. The City of Melbourne will seek to resolve tree root conflicts in the following manner:
 - 9.4.1. All claims of tree root damage from public trees will be investigated.
 - 9.4.2. The City of Melbourne will consider the need for tree root abatement measures such as exploratory trenches, tree root pruning or tree root barriers in certain circumstances where deemed required and at the City of Melbourne's discretion.
 - 9.4.3. Tree removal will only be considered if no practical arboricultural or engineering solution can be determined to mitigate proven damage to private infrastructure.

- 9.5. Claims of property damage from tree roots must comply with the City of Melbourne 'Guidelines for submitting a claim for damage to private property'.
- 9.6. The City of Melbourne will not remove public trees for unsubstantiated claims of storm water pipe damage, sewer damage or theoretical zones of influence.

10. Community Consultation and Involvement

- 10.1. The community is passionate about its trees and relies on the City of Melbourne to ensure the maintenance and preservation of public trees for the long-term benefit of the city. The City of Melbourne will:
- 10.1.1. Inform the community of scheduled notable public tree removals prior to removal occurring.
 - 10.1.2. Provide the community an opportunity to comment or request information on proposed tree removals.
 - 10.1.3. Utilise appropriate notification methods including: signage on site, site meetings, direct contact or letters to directly affected residents.
 - 10.1.4. Methods of notification will be determined in accordance with a number of factors including; the prominence of the location, the significance of the tree, the size of the tree, the number of trees and impact of removal.
 - 10.1.5. Provide the community with the reasons for public tree removal if prior notification cannot be undertaken.
- 10.2. Removal of public trees that are deemed to present an immediate, significant hazard to public safety will be undertaken immediately and may not necessarily provide a period of notification and community consultation.

Supporting material

City of Melbourne Delegations Policy (2020)
City of Melbourne Urban Forest Strategy (2012-2032)
City of Melbourne Urban Forest Precinct Plans (2012-2025)
City of Melbourne Tree Maintenance Contract Specification (2021)
City of Melbourne Risk Management Corporate Policy (2015)
City of Melbourne Tree Protection in the City of Melbourne (2019)
City of Melbourne Tree Valuation Method (2021)
City of Melbourne Code of Practice for Building and Works (2021)
City of Melbourne Guidelines for submitting a claim for damage to private property (2019)
Australian Standard 4970-2009 'Protection of trees on development sites'
Australian Standard AS 4373-2007 'Pruning of amenity trees'
American National Standards Institute A300 (2017)
Minimum Industry Standards (MIS) Arboriculture Australia
ISO AS/NZS 31000:2018 Risk Management (2018)

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City of Melbourne

Tree Retention and Removal Policy 2012

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1. Context

- 1.1. City of Melbourne’s urban forest is critical infrastructure and an asset that provides innumerable environmental and health benefits to the municipality. The protection of trees is vital to retaining our city’s character and environment.
- 1.2. All construction and development works near public trees must abide by the protection and retention requirements outlined in this document.

2. Scope

- 2.1. This policy applies to all trees in the municipality that are either owned or managed by the City of Melbourne; such trees shall be referred to as public trees. (A public tree includes any tree which has any part of its trunk growing from Council managed land.)
- 2.2. Council currently manages over 70,000 public trees.
- 2.3. The practices listed in this policy are to be implemented by the property owner, project/planning permit applicant, contractor or designee and are minimum standards by which the care of a public tree is to be administered.
- 2.4. The practices and procedures detailed in this policy are consistent with best management practices in the arboricultural industry and are intended to promote healthy, structurally sound trees.
- 2.5. In all cases, Council’s arborist shall, within the parameters of best practice and meeting the community’s expectations, have the discretion to modify or add to any condition, practice or standard outlined within the policy.

3. Policy Objectives

- 3.1. To recognise the value and importance of public trees that comprise the City of Melbourne's urban forest and to provide adequate protection for those trees.
- 3.2. To ensure and promote preservation of the existing tree canopy cover within the City's public urban forest.
- 3.3. To increase the long-term viability of public trees during and after construction events by ensuring that appropriate protection standards and best management practices are implemented.
- 3.4. To define the circumstances under which public trees may be removed or pruned.

4. Policy Statement

- 4.1. In recognition of the vital role of the urban forest, all public trees within the municipality, unless hazardous, will be:
 - a. Protected from any activity, including development, that threatens their health and/or longevity.
 - b. Protected from infrastructure conflict, where possible, with priority given to the relocation of infrastructure away from trees to reduce the potential for immediate or future damage.
 - c. Given a priority status when considering applications for new developments such that potential conflicts with trees will be addressed before the approval of applications for planning, construction management plans and building and road opening permits.

5. Tree Protection Requirements

- 5.1. Trees grow in a delicate balance with their environment and any changes to that balance must be minimized if the tree is to remain in a healthy state and fulfil its useful life potential. It is rarely possible to repair stressed and injured trees, so damage needs to be avoided during all stages of development and construction. Root systems are opportunistic and often extend far beyond the drip-line of the tree canopy. Disturbance of the root system can result in severe injury to the tree.
- 5.2. Tree protection begins in the planning and design stages of a project. Decisions made in the early stages of a project can limit the amount of damage that trees sustain throughout the development and construction process. The most important consideration for the successful retention of trees is to allow appropriate above and below ground space for the trees to continue to grow. This requires the allocation of Tree Protection Zones for retained trees.
- 5.3. To ensure that public trees in the municipality are fully protected at all times, the following requirements must be complied with:
 - 5.3.1. Removals of trees will not occur unless approved by Council.

- 5.3.2. An authorised agent of Council will undertake any tree removals that are required.
- 5.3.3. Trees will not be pruned in any form and branches and roots will be removed only by an authorised agent of Council unless Council’s arborist advises otherwise.
- 5.3.4. Pruning of roots and branches will be in accordance with the Australian Standard AS 4970-2009 *Protection of trees on development sites* (Australian Standard) or any more recent relevant Standard.
- 5.3.5. A Tree Protection Zone (TPZ) shall be established for the duration of any works near a tree. A TPZ preserves roots and soil and keeps branches clear of contact with construction equipment and materials.
- 5.3.6. The tree protection distance method outlined in the Australian Standard will be used for the allocation of tree protection zones (TPZ) for trees. The TPZ for individual trees is calculated based on trunk (stem) diameter (DBH), measured at 1.4 metres up from ground level. The radius of the TPZ is calculated by multiplying the trees DBH by 12. Example; Tree with 40cm DBH requires a TPZ of 4.8 metres. The method provides a TPZ that addresses both the stability and growing requirements of a tree. TPZ distances are measured as a radius from the centre of the trunk at (or near) ground level. There is scope within AS 4970 to modify TPZs with certain provisos. Council’s arborist must approve any modification to a TPZ.
- 5.3.7. Mechanical excavation on the road, footpath or any public space within the defined TPZ of a tree is not permitted without the approval of Council’s arborist.
- 5.3.8. Stockpiling of building materials, debris or soil is not permitted within the TPZ of a tree except on existing hard surfaces.
- 5.3.9. The extent or length of boring in the vicinity of trees will be determined by the TPZ. The entry and exit pits for boring will be positioned outside the designated TPZ for each tree. This requirement should apply unless root sympathetic exploratory investigations have been undertaken and it has been determined that access within the TPZ will not significantly affect the tree. A minimum boring depth of 800mm - 1100mm from natural grade to the TOP should apply under all TPZs. The depth of the boring tunnel should be increased according to the size of the tree trunk. Table 1 indicates the recommended boring depths for trees based on their trunk diameter.

Table 1: Depth of boring

Trunk diameter	Minimum Depth to TOP
<100cm	800mm
100-150cm	950mm
>150cm	1100mm

- 5.3.10. Boring depth should also consider soil topography. Boring within the ‘A’ soil horizon (topsoil) will impact on the root system of the tree, as this area is the most conducive soil environment for root growth. Boring below this area in the ‘B’ horizon or sub-soil layer will reduce the impact on the root system of the tree by avoiding most of the lateral and absorbing roots as well as avoiding root damage to services.
- 5.3.11. Soil levels and structure must not be altered within TPZ of a tree without permission from Council’s arborist.
- 5.3.12. Care shall be taken to ensure that no damage is caused to tree trunks, roots, canopy or branches during construction.

- 5.3.13. Where a gantry or hoarding is to be constructed over a footpath the placement of the footings and gantry structure must not adversely impact trees.
- 5.3.14. If a tree is enclosed within a hoarding or gantry space, the owner and/or builder are responsible for implementing a maintenance program for affected trees as approved by Council.
- 5.3.15. A protection zone should be established for the duration of any development or construction project according to the measures detailed in this Section 5.
- 5.3.16. No service pit or hatch is permitted on a nature strip within the TPZ of a tree without permission from Council's arborist.
- 5.3.17. A vehicular crossing is not permitted within the TPZ of a tree without permission from Council's arborist.

6. Tree Protection Management Plans

- 6.1. Prior to commencement of a development project, a property owner or representative shall prepare a *Tree Protection Management Plan* if any activity is within the tree protection zone of a public tree defined in accordance with the Australian Standard.
- 6.2. The Tree Protection Management Plan will be prepared by a certified arborist to assess impacts to public trees, recommend mitigation to reduce impacts to a less than significant level and identify construction guidelines to be followed through all phases of a construction project.
- 6.3. Tree Protection Management Plans will be developed in accordance with the Australian Standard or any more recent Standard, on development sites, as identified by Council's arborist.
- 6.4. The Tree Protection Management Plan should be submitted to Council's arborist for endorsement during the planning phase of a development, and prior to works commencing.
- 6.5. The Tree Protection Management Plan will include provision that the property owner or representative will be liable for any damage caused to public trees during the development process, including damage caused by contractors engaged by the property owner in carrying out the development works.

7. Tree Removal Criteria

- 7.1. Council will manage its public trees by monitoring the condition of all public trees and by removing and replacing them where appropriate.
- 7.2. All management options of public trees will be explored and exhausted before tree removal is recommended.
- 7.3. Future street tree planting and greening opportunities within the municipality will be explored when considering planning applications.

7.4. Instances when public tree removals will not be considered include:

- 7.4.1. If there is a safe and practical means for tree retention.
- 7.4.2. To minimise obstruction of views, advertising or signage.
- 7.4.3. To reduce leaf and fruit litter debris.
- 7.4.4. For solar access.
- 7.4.5. For unjustified property damage claims.
- 7.4.6. For causing minor allergenic or irritant responses.

7.5. Public tree removals may be permitted in the following instances:

- 7.5.1. All hazardous trees will be removed immediately.
- 7.5.2. Trees that are dead, dying or in severe decline from natural causes or irreversibly diseased unless it is defined that they must remain in the landscape for habitat provision or other purposes.
- 7.5.3. Trees identified as being an inappropriate tree species for a location, in consultation with the community.
- 7.5.4. In the case of development, only if all possible design solutions have been considered to retain the tree and have been deemed by Council's arborist to be exhausted.
- 7.5.5. Trees causing damage to private infrastructure or causing conflicts to utilities and services only when the appropriate investigations have been made and all feasible interventions to retain the tree have been considered and deemed to be exhausted.
- 7.5.6. Trees recognized as inducing severe allergenic or health responses based on assessment on a case by case basis.
- 7.5.7. If the tree is defined by Council's arborist to be a poor arboricultural specimen and contributes little amenity or ecological services.
- 7.5.8. If the development project results in an improvement to green space/infrastructure that would not be possible without the removal of existing trees.

8. Bonds and payments

- 8.1. Where construction activities have the potential to impact public trees, a bond for the protection of the tree will be held by Council. The amount of the bond shall amount to the combined tree amenity and ecological value determined in accordance with this policy. A bond will be held for the duration of the works, subject to an approved Tree Protection Management Plan.
- 8.2. Where a public tree removal is approved by Council's arborist in relation to a development, the associated cost of the tree and its removal shall be paid by the property owner, or representative prior to the removal.

8.3. The costs associated with removal of a public tree include:

- A – **Removal Costs:** amounting to the fees incurred by Council for physically removing the tree.
- B – **Amenity Value:** calculated in accordance with Council’s Amenity Formula.
- C – **Ecological Services Value:** calculated in accordance with the i-Tree valuation tool.
- D – **Reinstatement Greening Costs:** calculated in accordance with the greening required to replace the loss to the landscape incurred by the removal. The level of reinstatement greening required will be determined by Council and will take into consideration the location, the significance, the biodiversity provision and the amenity of the tree. Reinstatement greening costs will also include a 24-month maintenance fee and any treatment or Water Sensitive Urban Design (WSUD) measure deemed to be required to establish replacement growth.

9. Tree Roots and Infrastructure

9.1. Trees growth is strongly influenced by below-ground conditions. Tree root growth is opportunistic and will proliferate wherever moisture, aeration, nutrition and soil structure are favourable. Tree root growth in the urban environment is highly modified and is not governed by property boundaries.

9.2. There are a number of common conflicts with tree roots in the built environment:

A) Direct Damage

Direct damage is the distortion of built structures as the growing tree root exerts pressure. Direct damage by tree roots is usually limited to light built structures such as pavements and low walls and can also be witnessed in buildings of sub-standard footings.

B) Indirect Damage

Indirect damage is the distortion of built structures as the growing tree root takes up soil moisture. Often there are multiple factors contributing to foundation movement and are seldom associated with tree root growth alone. For this reason, claims of indirect tree root damage must be accurately investigated.

9.3. Leaking pipes (as a result of poor construction, old earthenware, cracked and faulty joints and degradation) can create a moisture gradient that encourages tree root growth in the direction of the pipe.

9.4. The property owner is responsible for the maintenance, repair and replacement from the legal point of discharge, usually near the property boundary kerb. Council should always be given the opportunity to inspect the pipes and offending tree roots prior to the property owner undertaking repair works.

9.5. Council will seek to resolve tree root conflicts in the following manner:

- 9.5.1. All claims of direct tree root damage from public trees will be investigated.
- 9.5.2. Council will seek practical solutions to reduce the risk of damage to infrastructure from public trees.
- 9.5.3. Tree removal will only be considered if no practical arboricultural solution can be found.
- 9.5.4. Every effort will be taken to ensure that replacement and future public trees will not themselves result in similar damage to built structures.
- 9.5.5. Claims of indirect tree root damage to built structures will be investigated if a geotechnical or structural engineering report implicates tree root damage.
- 9.5.6. Should tree root growth cause foundation movement the Council will seek a viable arboricultural solution to rectify the situation and to retain the public tree.
- 9.5.7. The removal of public trees for indirect property damage will only be considered if a geotechnical or structural engineer's report attributes the damage to tree root growth and if no practical alternative arboricultural solution can be obtained. Potential for soil heave as a result of tree removal must also be considered.
- 9.5.8. Claims of property damage from tree roots must comply with Council guidelines for submitting a claim.
- 9.5.9. The Council will not remove public trees for unjustified claims of pipe or sewer damage from tree root activity.

10. Community Consultation and Involvement

- 10.1. The community is passionate about its trees and relies on Council to ensure the maintenance and preservation of public trees for the long-term benefit of the city.
- 10.2. The Council will endeavour to inform the community of scheduled public tree removals prior to removal occurring.
- 10.3. The Council values its community's opinion and will provide the community an opportunity to comment on proposed tree removals.
- 10.4. Notification of public tree removal can include direct contact, site meetings, letters to residents in the immediate vicinity, signage on site and a published list on the City of Melbourne website. Methods and periods of notification will be determined in accordance with a number of factors including; the prominence of the location, the significance of the tree, the size of the tree, the number of trees and impact of removal.
- 10.5. In circumstances where major public tree removals are proposed to occur, such as avenue removals, and in particular major removals of trees significantly valued by the community, Council will seek to ensure that the community engagement period

for such proposals is of a reasonable period and that the community reach of the consultation is as broad as possible.

- 10.6. The Council will provide the community with reasons for public tree removal if prior notification cannot be undertaken.
- 10.7. Removals that occur due to the public tree being deemed hazardous will be undertaken immediately and may not necessarily provide a period of notification and community consultation.