

Tree Removal Guidelines

Trees are the most important and highly visible asset within Yarra's parks, gardens and streets. They not only improve the liveability of the City, but characterise the place and provide enjoyment for people.

Many of the City's trees are culturally important and some have heritage significance.

Council's aim is to retain trees wherever possible and to manage their well-being so that they continue to contribute to the quality of the urban environment.

Council receives many requests each year to remove trees. These guidelines provide the framework for decision making when assessing council managed trees for removal.

1. TREE ASSESSMENT CRITERIA

Requests for the removal/replacement of a Council tree will be assessed on the trees **condition**, **suitability**, **landscape value** and **significance**. The assessment will be undertaken by an experienced and qualified person.

1.1. Assessment of **condition** will be based on:

- health and vigour
- structure
- form
- useful life expectancy
- safety
- damage caused

1.2. Assessment of **suitability** will be based on:

- compatibility with surrounding streetscapes or landscapes
- compliance with the Council's Streetscape Strategy - Planting Masterplan
- potential to cause damage
- potential to cause nuisance
- suitability of species to growing space and conditions
- potential for weed invasion

1.3. A tree will be considered to have important **landscape value** if it:

- has a major impact on the streetscape or landscape
- forms part of an avenue or boulevard
- has outstanding visual appearance

- is one of the locally rare species
- provides habitat for native fauna
- has historical or cultural value
- is a remnant specimen

1.4. **Significant Trees:**

A **significant** tree is one that is **listed** (or nominated for listing) by Heritage Victoria, the Register of the National Estate, National Trust of Victoria, or Yarra City Council's Planning Scheme. Significant trees require a permit from the responsible authority prior to removal.

2. **TREE REMOVAL AUTHORISATION**

All decisions regarding removal of Council managed trees will be made in accordance with the provisions of the Guidelines and authority for removal will rest with Council's Director City Strategy and Services under delegated authority from Council.

A written report must be prepared prior to any tree removal and be signed off by the Director. In the case of emergencies the report will be prepared after the removal.

3. **TREE REMOVAL PROCEDURE**

Removal of the Tree

All street trees or trees on council managed land must be removed by Council or its appointed contractor. Persons undertaking such works must be suitably qualified and experienced.

Hazardous Trees

1. Any tree which poses an immediate hazard which cannot be alleviated through means other than removal, must be removed forthwith by Council's contractor or other service provider. The resident immediately adjacent the tree must be notified in writing as soon as possible after the removal.
2. A tree which poses a less immediate hazard must be removed following written notification to the resident immediately adjacent the tree.

Non-Significant Trees

1. Dead or dying trees may be removed following notification to the resident immediately adjacent the tree.
2. A tree which is in poor condition and not suited to its location may be removed following written notification to the nearest six (6) residents.
3. A tree which is in good condition, not suited to its location, and is not causing damage or nuisance must only be removed as part of a scheduled removal/replacement program, and only after written notification to the nearest ten (10) residents.
4. A tree which is in good condition but is not suited to its location because it is causing damage or nuisance may be removed after written notification to the nearest ten (10) residents.
5. Where more than three trees are to be removed from a street, all residents of that street (or section of street between intersections) must be notified in writing.
6. A tree which is suited to its location but which is in poor condition may be removed, providing it's condition can not be improved through other means, only after notification to the nearest ten (10) residents.
7. Where a tree is requested to be removed on the grounds that it is causing sickness to a person, a doctors certificate must be submitted with the written application.

Significant Trees

Trees which are considered significant must not be removed unless:

- they are dead or dying;
- they pose a hazard which cannot be alleviated through means other than removal;
- they are causing structural damage to private or public assets which cannot be alleviated through means other than removal;
- a planning permit has been obtained from the responsible authority; and
- a thorough consultation process has taken place which may include:
 - ⇒ notification in writing to affected resident(s), community groups and Councillors
 - ⇒ a press release to local papers
 - ⇒ a minimum of ten (10) days will be allowed for comment and objections to be received.

Where a significant tree poses an immediate hazard, it may be removed forthwith. The nearest ten (10) residents will be informed of the reason for removal within two (2) working days.

Consideration of Resident Responses:

All resident responses will be considered prior to a tree removal. Where necessary the Council will work with resident(s) to gain a common understanding of the issues. If required the Ward Councillor will be requested to be involved in this process.

Residents will be given a minimum of ten (10) days to make an objection or comment to tree removals adjacent to their property.

4. Installation of Vehicle Crossings

Significant trees will not be removed for the installation of a vehicle crossing.

Where an application is made to remove a street tree for the installation of a new vehicle crossing the guidelines for removal must be the same as those for other Council trees. Consideration will be given to remove a tree if it is in good condition and suited to its location provided that:

- it is not significant
- no alternate site for the crossing is available and the building(s) location and/or layout can not be redesigned in such away that accommodates the tree;
- affected residents have been notified in writing and have an opportunity to comment;
- the cost of the removal and any associated works, including planting of a replacement tree if appropriate, will be borne by the applicant; and
- an amenity loss charge based on the Revised Burnley Method will paid by the applicant prior to the removal of any tree.

All works within four (4) metres of the trunk of a tree must follow Council's Tree Protection Guidelines - Site Works. If in the opinion of Council's Coordinator Open Space Planning (or representative), the works will cause the tree to decline significantly, an amenity loss charge must be paid by the developer based on a percentage of the full loss amenity value of the tree. The Revised Burnley Method must be used to assess the full value of the tree. The moneys must be paid to Council on completion of works.

Where an application is received to install a vehicle crossover and works are proposed within four (4) metres of a council managed tree, the application must be referred to the Coordinator Open Space Planning for comment.

5. Town Planning and Development Applications

Significant trees will not be removed for the proposed new developments.

Where an application is made to remove a council tree as a result of a proposed development, the guidelines for removal must be the same as those for other council trees. Consideration will be given to remove a tree if it is in good condition and suited to its location provided that:

- no alternative building design or layout can be achieved;
- affected residents have been notified in writing and have an opportunity to comment;
- the cost of the removal and any associated works, including planting of a replacement tree if appropriate, will be borne by the applicant; and
- a charge for amenity loss based on the Revised Burnley Method will be charged to the applicant for trees removed.

All works within four (4) metres of the trunk of a tree must follow Council's Tree Protection Guidelines - Site Works. If in the opinion of Council's Coordinator Open Space Planning (or representative), the works will cause the tree to decline significantly, an amenity loss charge must be paid by the developer based on a percentage of the full loss amenity value of the tree. The Revised Burnley Method will be used to assess the full value of the tree. The moneys must be paid to Council prior to completion of works.

Where a planning application is received and works are proposed within four (4) metres of a council managed tree, the application must be referred to the Coordinator Open Space Planning for comment.

6. Replacement Trees and Reinstatement

Council will determine whether or not a tree is to be replaced following removal. Where trees are to be replaced the location, species, and arrangement will follow Council's Streetscape Strategy - Planting Masterplan, interim Policy for Road Infrastructure Materials and other relevant policies.

Where trees are planted as a result of a development application they must be maintained for six (6) months and be in good condition at hand over. The developer must submit a detailed planting plan for approval which includes details of:

- species type, number and size
- site preparation
- planting method
- maintenance regime for six (6) months

All materials, establishment and maintenance practices will be accepted industry standards. Relevant Australian Standards will be used as appropriate.

Alternatively, Council could undertake these works on behalf of the developer for a negotiated sum.