



2 August 2018

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## Re: Moonee Valley Planning Scheme Amendment C179

Dear Sir/Madam,

The National Trust of Australia (Victoria) supports Amendment C179 prepared by the Moonee Valley City Council which proposes to implement protection for 248 trees or tree groups that have been assessed as being significant and have been included in the *Moonee Valley Significant Tree Register 2017*. This includes 93 trees or tree groups on council property, 150 on private property and 5 trees on school grounds.

The National Trust acknowledges that Amendment C179 is consistent with the following objectives under Section 4 of the *Planning and Environment Act 1987*:

*(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

*(d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

*(g) To balance present and future interests of all Victorians.*

We also recognise that the Amendment supports the National Trust's vision that 'our diverse heritage is protected and respected, contributing to strong, vibrant and prosperous communities.'

The National Trust commends the Moonee Valley City Council for proceeding with updating on the Moonee Valley City Council Significant Tree Register 2014 by engaging Homewood Consulting Pty Ltd to conduct a municipal wide arborist review, identifying a large number of significant trees on public and private land. The report exhibited *Moonee Valley City Council Draft Significant Tree Register 2017 for Consultation* builds on the 2014 amendment, specifically by replacing the previous methodology of identifying trees through nomination only. This is in line with the VPP Practice Note *Vegetation Protection in Urban Areas* which clearly outlines the strategy for undertaking vegetation protection, with a vegetation survey to be undertaken using "expert advice and community input". We commend this strategy as best practice for the implementation of thorough tree protection in local municipalities.

The National Trust supports well considered policies that protect the longevity of Melbourne's urban forest, in particular the protection of significant trees on public and private land; the provision of additional canopy cover to mitigate the heat island effect and provide health

benefits to the community; the creation of healthier ecosystems with a greater diversity of species; the wise use and reuse of water; the multi-tiered sign off process for tree removals; the recognition that trees contribute economically and socially as well as environmentally to cities and suburbs; and the promotion of community engagement and participation.

We consider that the application of the Environmental Significance Overlay for the recommended trees in the Homewood Consulting document *Moonee Valley City Council Draft Significant Tree Register 2017 for Consultation* is in line with the above aspirations of the National Trust with regard to significant trees. We support a regular review of the Register at 10 year intervals to update existing records and assess new nominations.

We consider that the methodology used by Homewood was thorough, consisting of a combination of: community member nominations; stakeholder input from local community and friends groups and a Wurundjeri Tribe representative; desk top search; drive-by and on-site inspections; and assessment of trees on the current register.

We support the application of the Tree Protection Zone (TPZ) for sites near buildings and/or developments with reference to the Australian Standard for *Protection of Trees on Development Sites* (AS4970-2009) and the reference to the Australian Standard for *Pruning of amenity trees* (AS4373-2007) in the Schedule to ESO2.

With regard to the Useful Life Expectancy (ULE) suggested by Homewood Consulting on page 13 of their report, we agree with the comments regarding the categories '21-40' years and '40+' that they could be extended substantially if the trees are managed appropriately. We agree that many of the trees recorded are long-lived and that a ULE of 100+ is quite possible. We note the inclusion of recommended works on page 14, section 6.3 and in the individual tree reports. It is pleasing this report provides private property owners expert advice about ongoing management of tree(s) on their property.

### **Ongoing management after the C179 Amendment process**

Separate from the current C179 Amendment process, we suggest that the Moonee Valley City Council directly communicate the recommended works outlined in the Homewood Consulting document to property owners in writing. Furthermore, Moonee Valley City Council might consider putting together a contact list of arborists with experience working on significant and heritage trees, as a further resource available to property owners. The National Trust manages such a list and would be happy to assist with this.

We support the recommendation made by Homewood Consulting on page 30 that: "Council explores ways to assist private landowners in the maintenance and management of significant trees. This would reduce the maintenance burden on landowners and act as an incentive for retaining or nominating significant trees." The council could consider a rate rebate system, or a grants system to provide this support.

The National Trust also supports the development of a program to increase community and property owner knowledge and engagement with significant trees in the municipality, as recommended on page 30. The National Trust is regularly involved in such programs and forums with other Councils and community groups, and would be pleased to offer this support to the Moonee Valley City Council for such a program. The Council might also consider the implementation of a plaque system for owners to identify their significant trees.

## **Tree bonds, development of Local Law**

Beyond the amendment process, the National Trust encourages the Moonee Valley City Council to consider making use of Tree Bonds on development sites, and the development of Local Law to prohibit damage or removal of canopy trees without a permit and fines for doing so. We note that the *Draft Urban Forest Plan* for the municipality includes the introduction of asset protection bonds for trees on development sites, the development of a local law for fines and a permit system for canopy tree removal under the Action Plan for protecting and managing trees. We strongly support the Council in progressing with finalising and implementing the Urban Forest Plan.

This is particularly important given that tree removal fines are often accounted into development budgets, leading to significant vegetation loss in urban areas. We consider that the any illegal fine system or tree bond system should be high enough to significantly deter developers from tree removal and to manage trees throughout development and works. Having a robust and thorough policy on protecting trees through tree bonds and illegal removal fines are an essential and complementary tool for any Significant Tree Register, particularly in municipalities with strong development pressures. Tree bonds are a mechanism that is often used for trees on public land. For instance, tree bonds are being utilised by Heritage Victoria for trees retained on St Kilda Road as part of the Melbourne Metro Rail Project, and the Stonnington City Council have recently proposed implementing this mechanism.

## **Conclusion**

Overall we submit that Amendment C179 would provide tree protection for significant individual and groups of trees in the Moonee Valley City Council municipality, recognising the important role of these trees for their cultural, historical, aesthetic and ecological values, ensuring that these significant natural assets are preserved and protected for current and future generations. We congratulate the council for undertaking this substantial review of the Moonee Ponds City Council Significant Tree Register, which is in line with best practice for the protection of trees in Victoria. The work of the municipality stands as an example to be followed by other municipalities throughout Victoria.

If you have any questions regarding the above, please contact me on 9656 9823.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Jessica Hood', written in a cursive style.

Jessica Hood  
Community Advocate Environmental Heritage